



MEMORANDUM

DATE: August 3, 2018

TO: Julie Harlin
Speaker, Faculty Senate

FROM: Dr. Anne Reber *ArReber*
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 14 (Section 14.6)

Proposal to Revise Texas A&M University Student Rules

Instructions: One copy of this form is to be completed and submitted by the individual or unit representative proposing a change in the Texas A&M University Student Rules. Please use a separate form for each proposed change. If additional copies are needed, feel free to duplicate.

Committee Use Only:

Date of Action: _____

Action:

_____ Pass

_____ Fail

_____ Table

Effective Date: _____

PLEASE TYPE OR PRINT CLEARLY USING AN INK PEN.

A. PROPOSAL TO EDIT/CHANGE AN EXISTING RULE:

Rule Title: Degree Requirements

Section #: 14.6

Proposed New Wording:

A curriculum leading to a baccalaureate degree shall contain a minimum of 120 credit hours.

B. PROPOSAL TO ADD A NEW RULE:

Rule Title: _____

Section #: _____

Proposed New Wording:

C. PROPOSAL TO REMOVE AN EXISTING RULE:

Rule Title: _____

Section #: _____

D. JUSTIFICATION FOR A, B OR C ABOVE:

Since physical activity is no longer required in the University core curriculum, it is not necessary to include the phrase, "including the required physical education courses" at the end of the sentence above.

PROPOSED BY:

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Department: Mathematics

Date: August 02, 2018

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1256 TAMU
Or fax: (979) 845-3320

14. Degree Requirements

(Revised: ~~2017~~ 2018)

14.1 Formal application for degrees must be completed and submitted online at <https://howdy.tamu.edu> no later than the Friday of the fifth week of the fall or spring semester in which the student expects to complete his or her requirements for graduation. Students who wish to graduate in August must submit formal application for degrees before the Friday of the first week of the second summer term. Under unusual circumstances, an application for a degree may be accepted after the stated deadline; however, no application will be accepted after the last class day of the semester, as published in the academic calendar.

14.2 To be a candidate for a degree at the end of the semester, a student must be enrolled in or have completed all degree requirements by the 60th class day of the fall or spring semester, or the 15th class day of the second summer term either in residence or at another college or university. Proof of enrollment in any courses taken at another college or university must be provided to the Office of the Registrar, Degree Audit by the above deadlines. A student must be enrolled in his or her degree-granting college(s) and major(s) at the beginning of the student's last semester at Texas A&M to be a candidate for a degree from that college.

14.2.1 When a student has completed all academic requirements for graduation, and fails to submit an application for degree within 30 days of completing these requirements, an application for degree may be submitted by his or her academic [Dean or designee](#). The student will be responsible for all related fees. An application submitted under these circumstances cannot be canceled without prior permission of the Dean or designee.

14.3 Undergraduate Double Majors

14.3.1 Both majors must lead to the same baccalaureate degree, e.g., both must lead to BA or BS, rather than one leading to a BA and one to a BS. The degree for a double major is one degree; one diploma will be issued, with both majors indicated. A student must complete the requirements for both majors before the degree can be awarded.

14.3.2 A student currently enrolled at Texas A&M University who wishes to pursue a double major must receive approval from the departments, programs, or college(s) offering both the primary and secondary major, normally no later than the time the student reaches senior standing. The student must meet the grade point requirements of both the primary and secondary academic department or major at the time of application. A Double Major Request Form documenting that the student has been approved to pursue the second major and identifying remaining course work, must be sent immediately to the department, program, or college in which the first major is located. Some degree programs limit or do not permit pursuit of double majors. Students may not pursue more than two majors concurrently in a single degree program.

14.3.3 A student pursuing a double major must complete all university and college requirements. If both majors are in the same college, the student must complete all department/curricular requirements for each major. If one major is in one college and the other is in another college, the student must meet all requirements for each major. A list of courses required for completion of the second major must be approved by the advisor for that curriculum.

14.4 Undergraduate Second Degree

14.4.1 A student pursuing a second degree will, upon completion of all requirements, receive two separate degrees, e.g., two BAs, two BSs, or a combination of either BA, BS, BBA, BLA, or BED degree. Students may not pursue more than two degree programs concurrently.

14.4.2 A student currently enrolled at Texas A&M University who wishes to pursue a double degree must receive approval from the departments, programs, or college(s) offering both the primary and secondary degree, normally no later than the time the student reaches senior standing. The student must meet the grade point requirements of both the primary and secondary academic department or degree program at the time of application. A Double Degree Request Form documenting that the student has been approved to pursue the second degree and identifying remaining course work, must be sent immediately to the department, program, or college in which the first major is located. Some degree programs limit or do not permit pursuit of double degrees. Students may not pursue more than two degrees concurrently.

14.4.3 A student with a recognized baccalaureate degree from an institution other than Texas A&M University who wishes to complete requirements for a second baccalaureate degree at Texas A&M University or who wishes to complete established Texas A&M University certification requirements generally granted as part of an undergraduate program can be admitted only as a Post-baccalaureate Undergraduate (U5).

14.4.4 A recipient of a Texas A&M University baccalaureate degree is not eligible for continued enrollment unless he or she has the specific approval of the college offering the second bachelor's degree or certification generally granted as part of the undergraduate program. If enrollment is interrupted, the student must apply as a candidate for a second bachelor's degree.

14.4.5 A student pursuing a second degree must complete all university, college, and department/curricular requirements for the second degree not covered in the first.

- Courses may be used to satisfy the requirements for both degrees. However, the total semester hours required must be at least 30 semester hours in addition to the greater number of hours required for either degree. At least 12 hours of 300- and 400-level course work must be completed in each field of study.
- All essential work required for a second degree must be defined in advance in writing by the [Dean or designee](#) of the college granting the second degree.
- A student who has previously not been enrolled at Texas A&M University and who is seeking a second degree must have a minimum of 36 hours of 300- and 400-level courses, 12 of which must be in the major field of study, in residence at Texas A&M University. The student must also meet the Texas A&M University Citizenship requirements in history and political science.

14.5 A student is expected to complete the baccalaureate degree course and hour requirements as outlined in the catalog in effect at the time he or she first enrolls at Texas A&M. A student transferring to Texas A&M from another institution may choose to move to a Texas A&M University catalog in effect at the same time the student first enrolled at the institution from which the student transferred. Students may choose to move to a later catalog. Normally, a student will not be granted a degree based upon completion of the requirements set forth in a catalog more than seven years old. Declaration of a change of catalog must be submitted to the [dean, or designee](#), in writing, after the student has consulted with his or her academic advisor. It is incumbent on the student to verify that the change has been made. With the specific written approval of his or her dean, or designee, a student may vary his or her catalog course requirements. The baccalaureate degree requirements for a graduating student who first enrolled more than seven years prior to the time of graduation will be established by his or her dean, or designee.

The *Undergraduate Catalog* is published in the spring, and its provisions are applicable during the next long session, September through August. A student who registers for the first time in the university during a summer session is subject to the degree requirements set forth in the catalog effective for the fall semester immediately following his or her initial enrollment or any catalog issued in the following six years.

The diploma of the university, with the appropriate degree, will be granted to the student who has made formal application for the degree, has all grades on record in the registrar's office by no later than 5 p.m. Friday, the first week of classes of the succeeding semester or summer term following commencement, and has satisfied the requirements outlined below:

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

14.7 The undergraduate student must complete all undergraduate course work attempted at Texas A&M University with at least a 2.00 grade point ratio.

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 are 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 are 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 or designee](#).

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.

14.9 When a student repeats a C, D, F, or U in a course for the major, the higher grade of the attempts will be used to calculate the GPA in the major for degree audit requirements only.

14.10 Grades made in courses elected in excess of a student's degree requirements shall be counted, but if failed, such courses need not be repeated.

14.11 Students must satisfy all requirements of the University Core Curriculum as specified under their catalog.

14.12 The student must be formally recommended for graduation by the [Faculty Senate](#).

14.13 Graduate students are referred to the appropriate section of the Graduate Catalog regarding degree requirements.

14.14 The student must have settled all financial obligations to the university.

14.15 Graduate and undergraduate students who plan to attend a commencement ceremony must do so the semester they apply for graduation and complete their degree requirements.

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 to the student's academic record. 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.

14.16.6 When a student repeats a C, D, F, or U in a course for the minor, the higher grade of the attempts will be used to calculate the GPA in the minor.

14.17 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.

14.18 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.

14.18.1 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.

14.18.2 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.

14.19 Petitions requesting exemption from or substitution for courses outlined in undergraduate student degree plans shall be submitted in writing to the [Dean or designee](#) of the student's college through the departmental advisor on forms available in the offices of the Dean or designees and department heads.

14.20 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 or designee's](#) office of their college for approval procedures.

14.21 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.



MEMORANDUM

DATE: August 3, 2018

TO: Julie Harlin
Speaker, Faculty Senate

FROM: Dr. Anne Reber *AR*
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 58 (Membership)

Proposal to Revise Texas A&M University Student Rules

Instructions: One copy of this form is to be completed and submitted by the individual or unit representative proposing a change in the Texas A&M University Student Rules. Please use a separate form for each proposed change. If additional copies are needed, feel free to duplicate.

Committee Use Only: Date of Action: _____ Action: _____ Pass _____ Fail _____ Table Effective Date: _____
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PLEASE TYPE OR PRINT CLEARLY USING AN INK PEN.

A. PROPOSAL TO EDIT/CHANGE AN EXISTING RULE:

Rule Title: University Disciplinary Appeals Panel

Section #: Membership

Proposed New Wording:

Members are appointed by the University President, and a panel assembled to hear an appeal will consist of the chair, three faculty representatives, and two student representatives. In the event that only two faculty members are available at the time of a scheduled appeal, a staff representative will serve in the third faculty member's stead. For a college/school on other campuses outside of Brazos County (College of Dentistry, College of Medicine, College of Pharmacy, College of Nursing, School of Public Health, and Texas A&M University at Qatar) a panel will be composed of at least three members.

In cases involving sexual misconduct, sexual harassment, dating violence, domestic violence, or stalking, a panel assembled to hear an appeal will consist of the chair and three faculty representatives. In the event that only two faculty members are available at the time of a scheduled appeal, a staff representative will serve in the third faculty member's stead. For a college/school on other campuses outside of Brazos County (College of Dentistry, College of Medicine, College of Pharmacy, College of Nursing, School of Public Health, and Texas A&M University at Qatar) a panel will be composed of at least three members.

B. PROPOSAL TO ADD A NEW RULE:

Rule Title: _____

Section #: _____

Proposed New Wording:

C. PROPOSAL TO REMOVE AN EXISTING RULE:

Rule Title: _____

Section #: _____

D. JUSTIFICATION FOR A, B OR C ABOVE:

This proposed change reflects best practice recommendations based on prior Title IX guidance from the United States Department of Education, Office of Civil Rights (OCR) concerning student representation on student conduct hearing boards involving cases involving sexual misconduct, sexual harassment, dating violence, domestic violence, or stalking. "Although Title IX does not dictate the membership of a hearing board, OCR discourages schools from allowing students to serve on hearing boards in cases involving allegations of sexual violence" (see Questions and Answers on Title IX and Sexual Violence, p. 30, footnote 30). This revision would not impact student representation on student conduct hearing boards for other types of cases.

PROPOSED BY:

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Date: July 10, 2018

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1256 TAMU
Or fax: (979) 845-3320

58. University Disciplinary Appeals Panel

(Revised: ~~2015~~ 2018)

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.

Scope

The University Disciplinary Appeals Panel will hear all appeals concerning suspension and expulsion that are the result of a finding of responsibility for violation of the Student Conduct Code. For all other sanctions imposed for a violation of the Student Conduct Code, an administrative officer, appointed by the Dean of Student Life or designee, shall hear the case (for students enrolled on the campus of the TAMU Law School, the Assistant Dean for Student Affairs or the Associate Dean for Academic Affairs will be the point of contact for the University Disciplinary Appeals Panel at this location; for students enrolled at other campuses outside of Brazos County (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 at each college/school will be the point of contact for the University Disciplinary Appeals Panel at each respective location.) Decisions made by a lower level hearing body shall not be final until an appeal deadline is passed, or when the appeal process is exhausted, or when a student chooses not to appeal. The University Disciplinary Appeals Panel will hear most appeals concerning cases of alleged or determined sexual misconduct, sexual harassment, dating violence, domestic violence, or stalking regardless of the sanctions imposed; cases may be deferred to the Dean of Student Life or alternative appeal body, as referenced above, at the discretion of the chair should there be no sanctions of suspension or expulsion, and no appeals seeking an increase in sanctions.

Membership

Members are appointed by the University President, and a panel assembled to hear an appeal will consist of the chair, three faculty representatives, and two student representatives. In the event that only two faculty members are available at the time of a scheduled appeal, a staff representative will serve in the third faculty member's stead. For a college/school on other campuses outside of Brazos County, **with the exception of Texas A&M University at Galveston and Texas A&M University at Qatar, (College of Dentistry, College of Medicine, College of Pharmacy, College of Nursing, School of Public Health, and Texas A&M University at Qatar)** a panel will be composed of at least three members.

In cases involving sexual misconduct, sexual harassment, dating violence, domestic violence, or stalking, a panel assembled to hear an appeal will consist of the chair and three faculty representatives. In the event that only two faculty members are available at the time of a scheduled appeal, a staff representative will serve in the third faculty member's stead. For a college/school on other campuses outside of Brazos County, with the exception of Texas A&M University at Galveston and Texas A&M University at Qatar, (College of Dentistry, College of Medicine, College of Pharmacy, College of Nursing, School of Public Health, and Texas A&M University at Qatar) a panel will be composed of at least three members.

Procedures

58.1. The appealing student must complete an appeal request form (available from the chair of the panel) within five (5) University business days of the decision regarding disciplinary action taken by the University.

The following are the only accepted bases for appeal:

58.1.1. Failure to adhere to the guidelines outlined in section 26: To determine whether the original conference was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures.

58.1.2. Severity of the sanction(s): To determine whether the sanction(s) imposed were appropriate for the violation of the Student Code of Conduct for which the student was found responsible.

58.1.3. Information not available at the time of the original conference: To consider new information, sufficient to alter a decision or other relevant facts not brought out in the original conference, because such information and/or facts were not known, or could not have been known, to the person appealing at the time of the original conference.

58.2. Upon receipt of the written request for an appeal conference, if one or more bases for the appeal are supported by the appeal documents, the chair shall set a time and place for the hearing as soon as practicable. The appeal conference may proceed in the student's absence.

58.3. The chairperson shall not take part in the vote or otherwise participate in the deliberations of the panel except to consult panelists regarding University Rules and Procedures.

58.4. The proceedings of the appeal process shall be informal in nature and need not comply with the formal processes associated with the criminal and civil courts.

58.5. The appealing student, or in cases of sexual misconduct or sexual harassment the accused student and complainant, has the right to be assisted by an advisor s/he chooses, at his/her own expense.

58.5.1. The advisor may not be an attorney unless the accused student is also the subject of a pending subsequent criminal matter arising out of the same circumstances or the charges include one or more charge of sexual harassment, sexual misconduct, dating violence, domestic violence, or stalking; in such cases, the accused student may be allowed to have an attorney serve as his/her advisor, at his/her own expense, to behave in the same manner as any other advisor.

58.5.2. Students who are charged in the same fact pattern, or who are not in good standing with the University are not eligible to serve as an advisor at conduct proceedings.

The appealing student, or in cases of sexual misconduct, sexual harassment, dating violence, domestic violence, or stalking the accused student and complainant, are responsible for presenting their own information. Therefore, a student should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the appeal panel. Appeal panels will not typically be delayed due to scheduling conflicts of an advisor. There is no restriction on who a student may consult or seek advice from, the restriction pertains to the appeal proceedings only.

58.6. The appropriate University representative and the appealing student shall be afforded the opportunity for a reasonable oral presentation and shall be permitted to file typewritten, reproduced material, or other material directly related to the basis for appeal.

58.7. There shall be a single verbatim record, such as a tape or digital recording, of all appeals before the University Disciplinary Appeals Panel. Deliberations shall not be recorded. The record shall be the property of the University.

58.8. The panel may take any of the following actions in response to an appeal: they may review the case and uphold the sanctions from the previous student conduct conference; they may review the case and reduce the sanction(s); they may review the case and require that it be heard again by a Student Conduct Panel through the Offices of the Dean of Student Life. Only in cases involving sanctions for sexual misconduct, sexual harassment, dating violence, domestic violence, or stalking where the complainant appeals, the appeal panel may also increase the sanction(s).

58.9. After hearing an appeal, the panel will go into closed session to deliberate. Upon conclusion of its deliberation (which may take place over the course of several days), the panel shall inform the student of its decision. A letter outlining the decision of the panel shall be sent to the appealing student. Following an appeal, the matter shall be considered final and binding on all parties involved.



MEMORANDUM

DATE: August 3, 2018

TO: Julie Harlin
Speaker, Faculty Senate

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

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

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Effective Date: _____

PLEASE TYPE OR PRINT CLEARLY USING AN INK PEN.

A. PROPOSAL TO EDIT/CHANGE AN EXISTING RULE:

Rule Title: University Disciplinary Appeals Panel

Section #: 58.2

Proposed New Wording:

58.2. Upon receipt of the written request for an appeal conference, if one or more bases for the appeal are supported by the appeal documents, the chair shall set a time and place for the hearing as soon as practicable. The appeal conference may proceed in the student's absence. In cases of alleged or determined sexual misconduct, sexual harassment, dating violence, domestic violence, or stalking, the coordinator of the appeals process may, within their discretion, route an appeal to the Dean of Student Life or alternative appeal body, as referenced above, if there are no sanctions of suspension or expulsion, and no appeals seeking an increase in sanctions.

58.2.1. Administrative routing of cases involving sexual misconduct, sexual harassment, dating violence, domestic violence, or stalking. Routing to specific appeal hearing bodies will be based on the articulated basis for appeal.

58.2.1.1. The coordinator of the appeals process will notify both the accused student and the complainant in writing if the appeal is being routed for administrative review and action.

58.2.1.2. Although an administrative appeal hearing is not required to be held in person, it is the responsibility of the appropriate appeal hearing body, to notify both parties (accused student and complainant), in writing, of the date, time, and location of any appeal hearing that will be held in person. In circumstances where there are appeals of multiple sanctions from varying bodies, and these appeals are planned to be held in person, such appeals may be held jointly.

58.2.1.3. The appeal hearing body may uphold the sanction(s) imposed by the original Student Conduct Panel and/or Student Conduct Administrator or the appeal hearing body may modify the sanction(s) imposed by the original Student Conduct Panel and/or Student Conduct Administrator. If sufficient information is presented that may have materially altered the decision of the original conference and was not or could not have been known at the time of the original conference, the appeal hearing body may require that the case be heard again by a Student Conduct Panel and/or Student Conduct Administrator.

58.2.1.4. It is the responsibility of the appropriate appeal hearing body to notify both parties (accused student and complainant), in writing, of the outcome of any appeal involving sexual misconduct, dating violence, domestic violence, stalking, and/or related retaliation. Following an administrative appeal decision, the matter shall be considered final and binding upon all involved.

B. PROPOSAL TO ADD A NEW RULE:

Rule Title: _____

Section #: _____

Proposed New Wording:

C. PROPOSAL TO REMOVE AN EXISTING RULE:

Rule Title: _____ Section #: _____

D. JUSTIFICATION FOR A, B OR C ABOVE:

Student Rules 26.3, 51, and 58 all note the University's ability to decide which grievance procedure to utilize for student conduct processes. This proposed rule change provides additional detail regarding the current practice of routing lower level appeals (sanctions not involving separation from the University) involving to sexual misconduct, sexual harassment, dating violence, domestic violence, or stalking for administrative review and action. Administrative appeals allow for appeals to occur within a shorter time frame, which is a benefit to accused students and complainants. Administrative appeals also allow for greater management of University resources, including staffing and space allocation.

PROPOSED BY:

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Date: July 17, 2018

Return to
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58. University Disciplinary Appeals Panel

(Revised: ~~2015~~ 2018)

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.

Scope

The University Disciplinary Appeals Panel will hear all appeals concerning suspension and expulsion that are the result of a finding of responsibility for violation of the Student Conduct Code. For all other sanctions imposed for a violation of the Student Conduct Code, an administrative officer, appointed by the Dean of Student Life or designee, shall hear the case (for students enrolled on the campus of the TAMU Law School, the Assistant Dean for Student Affairs or the Associate Dean for Academic Affairs will be the point of contact for the University Disciplinary Appeals Panel at this location; for students enrolled at other campuses outside of Brazos County (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 at each college/school will be the point of contact for the University Disciplinary Appeals Panel at each respective location.) Decisions made by a lower level hearing body shall not be final until an appeal deadline is passed, or when the appeal process is exhausted, or when a student chooses not to appeal. The University Disciplinary Appeals Panel will hear most appeals concerning cases of alleged or determined sexual misconduct, sexual harassment, dating violence, domestic violence, or stalking regardless of the sanctions imposed; cases may be deferred to the Dean of Student Life or alternative appeal body, as referenced above, at the discretion of the chair should there be no sanctions of suspension or expulsion, and no appeals seeking an increase in sanctions.

Membership

Members are appointed by the University President, and a panel assembled to hear an appeal will consist of the chair, three faculty representatives, and two student representatives. In the event that only two faculty members are available at the time of a scheduled appeal, a staff representative will serve in the third faculty member's stead. For a college/school on other campuses outside of Brazos County (College of Dentistry, College of Medicine, College of Pharmacy, College of Nursing, School of Public Health, and Texas A&M University at Qatar) a panel will be composed of at least three members.

Procedures

58.1. The appealing student must complete an appeal request form (available from the chair of the panel) within five (5) University business days of the decision regarding disciplinary action taken by the University.

The following are the only accepted bases for appeal:

58.1.1. Failure to adhere to the guidelines outlined in section 26: To determine whether the original conference was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures.

58.1.2. Severity of the sanction(s): To determine whether the sanction(s) imposed were appropriate for the violation of the Student Code of Conduct for which the student was found responsible.

58.1.3. Information not available at the time of the original conference: To consider new information, sufficient to alter a decision or other relevant facts not brought out in the original conference, because such information and/or facts were not known, or could not have been known, to the person appealing at the time of the original conference.

58.2. Upon receipt of the written request for an appeal conference, if one or more bases for the appeal are supported by the appeal documents, the chair shall set a time and place for the hearing as soon as practicable. The appeal conference may proceed in the student's absence. **In cases of alleged or determined sexual misconduct, sexual harassment, dating violence, domestic violence, or stalking, the coordinator of the appeals process may, within their discretion, route an appeal to the Dean of Student Life or alternative appeal body, as referenced above, if there are no sanctions of suspension or expulsion, and no appeals seeking an increase in sanctions.**

58.2.1. Administrative routing of cases involving sexual misconduct, sexual harassment, dating violence, domestic violence, or stalking: Routing to specific appeal hearing bodies will be based on the articulated basis for appeal.

58.2.1.1. The coordinator of the appeals process will notify both the accused student and the complainant in writing if the appeal is being routed for administrative review and action.

58.2.1.2. Although an administrative appeal hearing is not required to be held in person, it is the responsibility of the appropriate appeal hearing body, to notify both parties (accused student and complainant), in writing, of the date, time, and location of any appeal hearing that will be held in person. In circumstances where there are appeals of multiple sanctions from varying bodies, and these appeals are planned to be held in person, such appeals may be held jointly.

58.2.1.3 The appeal hearing body may uphold the sanction(s) imposed by the original Student Conduct Panel and/or Student Conduct Administrator or the appeal hearing body may modify the sanction(s) imposed by the original Student Conduct Panel and/or Student Conduct Administrator. If sufficient information is presented that may have materially altered the decision of the original conference and was not or could not have been known at the time of the original conference, the appeal hearing body may require that the case be heard again by a Student Conduct Panel and/or Student Conduct Administrator.

58.2.1.4 It is the responsibility of the appropriate appeal hearing body to notify both parties (accused student and complainant), in writing, of the outcome of any appeal involving sexual misconduct, dating violence, domestic violence, stalking, and/or related retaliation. Following an administrative appeal decision, the matter shall be considered final and binding upon all involved.

58.3. The chairperson shall not take part in the vote or otherwise participate in the deliberations of the panel except to consult panelists regarding University Rules and Procedures.

58.4. The proceedings of the appeal process shall be informal in nature and need not comply with the formal processes associated with the criminal and civil courts.

58.5. The appealing student, or in cases of sexual misconduct or sexual harassment the accused student and complainant, has the right to be assisted by an advisor s/he chooses, at his/her own expense.

58.5.1. The advisor may not be an attorney unless the accused student is also the subject of a pending subsequent criminal matter arising out of the same circumstances or the charges include one or more charge of sexual harassment, sexual misconduct, dating violence, domestic violence, or stalking; in such cases, the accused student may be allowed to have an attorney serve as his/her advisor, at his/her own expense, to behave in the same manner as any other advisor.

58.5.2. Students who are charged in the same fact pattern, or who are not in good standing with the University are not eligible to serve as an advisor at conduct proceedings.

The appealing student, or in cases of sexual misconduct, sexual harassment, dating violence, domestic violence, or stalking the accused student and complainant, are responsible for presenting their own information. Therefore, a student should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the appeal panel. Appeal panels will not typically be delayed due to scheduling conflicts of an advisor. There is no restriction on who a student may consult or seek advice from, the restriction pertains to the appeal proceedings only.

58.6. The appropriate University representative and the appealing student shall be afforded the opportunity for a reasonable oral presentation and shall be permitted to file typewritten, reproduced material, or other material directly related to the basis for appeal.

58.7. There shall be a single verbatim record, such as a tape or digital recording, of all appeals before the University Disciplinary Appeals Panel. Deliberations shall not be recorded. The record shall be the property of the University.

58.8. The panel may take any of the following actions in response to an appeal: they may review the case and uphold the sanctions from the previous student conduct conference; they may review the case and reduce the sanction(s); they may review the case and require that it be heard again by a Student Conduct Panel through the Offices of the Dean of Student Life. Only in cases involving sanctions for sexual misconduct, sexual harassment, dating violence, domestic violence, or stalking where the complainant appeals, the appeal panel may also increase the sanction(s).


58.9. After hearing an appeal, the panel will go into closed session to deliberate. Upon conclusion of its deliberation (which may take place over the course of several days), the panel shall inform the student of its decision. A letter outlining the decision of the panel shall be sent to the appealing student. Following an appeal, the matter shall be considered final and binding on all parties involved.



MEMORANDUM

DATE: August 3, 2018

TO: Julie Harlin
Speaker, Faculty Senate

FROM: Dr. Anne Reher 
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 58 (Sections 58.5 and 58.6)

Proposal to Revise Texas A&M University Student Rules

Instructions: One copy of this form is to be completed and submitted by the individual or unit representative proposing a change in the Texas A&M University Student Rules. Please use a separate form for each proposed change. If additional copies are needed, feel free to duplicate.

Committee Use Only:

Date of Action: _____

Action:

_____ Pass

_____ Fail

_____ Table

Effective Date: _____

PLEASE TYPE OR PRINT CLEARLY USING AN INK PEN.

A. PROPOSAL TO EDIT/CHANGE AN EXISTING RULE:

Rule Title: University Disciplinary Appeals Panel

Section #: 58.6

Proposed New Wording:

58.6. The appropriate University representative and the appealing student shall be afforded the opportunity for a reasonable oral presentation and shall be permitted to file typewritten, reproduced material, or other material directly related to the basis for appeal.

58.6.1. In cases involving sexual misconduct, sexual harassment, dating violence, domestic violence, or stalking, the complainant shall also be afforded the opportunity for a reasonable oral presentation and shall be permitted to file typewritten, reproduced material, or other material directly related to the basis for appeal.

B. PROPOSAL TO ADD A NEW RULE:

Rule Title: _____

Section #: _____

Proposed New Wording:

C. PROPOSAL TO REMOVE AN EXISTING RULE:

Rule Title: _____

Section #: _____

D. JUSTIFICATION FOR A, B OR C ABOVE:

This proposed change reflects the practice of the University Disciplinary Appeals Panel to allow for complainant participation in cases involving sexual misconduct, sexual harassment, dating violence, domestic violence, or stalking. The practice has been informed by prior federal regulatory guidance from the United States Department of Education, Office of Civil Rights (OCR), as well as the 2015 legislative update to the Jeanne Clery Act.

PROPOSED BY:

Name: Alyssa Leffall

Email Address: alyssaleffall@tamu.edu

Department Mail Stop: 1256

Phone #: (979) 845-4728

Department: Office of the Vice President for Student Affairs

Date: July 10, 2018

Return to
Dr. Anne Reber at anne@studentlife.tamu.edu
Chair, Rules and Regulations Committee
1256 TAMU
Or fax: (979) 845-3320

58. University Disciplinary Appeals Panel

(Revised: ~~2015~~ 2018)

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.

Scope

The University Disciplinary Appeals Panel will hear all appeals concerning suspension and expulsion that are the result of a finding of responsibility for violation of the Student Conduct Code. For all other sanctions imposed for a violation of the Student Conduct Code, an administrative officer, appointed by the Dean of Student Life or designee, shall hear the case (for students enrolled on the campus of the TAMU Law School, the Assistant Dean for Student Affairs or the Associate Dean for Academic Affairs will be the point of contact for the University Disciplinary Appeals Panel at this location; for students enrolled at other campuses outside of Brazos County (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 at each college/school will be the point of contact for the University Disciplinary Appeals Panel at each respective location.) Decisions made by a lower level hearing body shall not be final until an appeal deadline is passed, or when the appeal process is exhausted, or when a student chooses not to appeal. The University Disciplinary Appeals Panel will hear most appeals concerning cases of alleged or determined sexual misconduct, sexual harassment, dating violence, domestic violence, or stalking regardless of the sanctions imposed; cases may be deferred to the Dean of Student Life or alternative appeal body, as referenced above, at the discretion of the chair should there be no sanctions of suspension or expulsion, and no appeals seeking an increase in sanctions.

Membership

Members are appointed by the University President, and a panel assembled to hear an appeal will consist of the chair, three faculty representatives, and two student representatives. In the event that only two faculty members are available at the time of a scheduled appeal, a staff representative will serve in the third faculty member's stead. For a college/school on other campuses outside of Brazos County (College of Dentistry, College of Medicine, College of Pharmacy, College of Nursing, School of Public Health, and Texas A&M University at Qatar) a panel will be composed of at least three members.

Procedures

58.1. The appealing student must complete an appeal request form (available from the chair of the panel) within five (5) University business days of the decision regarding disciplinary action taken by the University.

The following are the only accepted bases for appeal:

58.1.1. Failure to adhere to the guidelines outlined in section 26: To determine whether the original conference was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures.

58.1.2. Severity of the sanction(s): To determine whether the sanction(s) imposed were appropriate for the violation of the Student Code of Conduct for which the student was found responsible.

58.1.3. Information not available at the time of the original conference: To consider new information, sufficient to alter a decision or other relevant facts not brought out in the original conference, because such information and/or facts were not known, or could not have been known, to the person appealing at the time of the original conference.

58.2. Upon receipt of the written request for an appeal conference, if one or more bases for the appeal are supported by the appeal documents, the chair shall set a time and place for the hearing as soon as practicable. The appeal conference may proceed in the student's absence.

58.3. The chairperson shall not take part in the vote or otherwise participate in the deliberations of the panel except to consult panelists regarding University Rules and Procedures.

58.4. The proceedings of the appeal process shall be informal in nature and need not comply with the formal processes associated with the criminal and civil courts.

58.5. The appealing student, or in cases of sexual misconduct, ~~or sexual harassment,~~ **dating violence, domestic violence, or stalking,** the accused student and complainant, ~~has~~ **have** the right to be assisted by an advisor s/he chooses, at his/her own expense.

58.5.1. The advisor may not be an attorney unless the accused student is also the subject of a pending subsequent criminal matter arising out of the same circumstances or the charges include one or more charge of sexual harassment, sexual misconduct, dating violence, domestic violence, or stalking; in such cases, the accused student may be allowed to have an attorney serve as his/her advisor, at his/her own expense, to behave in the same manner as any other advisor.

58.5.2. Students who are charged in the same fact pattern, or who are not in good standing with the University are not eligible to serve as an advisor at conduct proceedings.

The appealing student, or in cases of sexual misconduct, sexual harassment, dating violence, domestic violence, or stalking the accused student and complainant, are responsible for presenting their own information. Therefore, a student should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the appeal panel. Appeal panels will not typically be delayed due to scheduling conflicts of an advisor. There is no restriction on who a student may consult or seek advice from, the restriction pertains to the appeal proceedings only.

58.6. The appropriate University representative and the appealing student shall be afforded the opportunity for a reasonable oral presentation and shall be permitted to file typewritten, reproduced material, or other material directly related to the basis for appeal.

58.6.1. In cases involving sexual misconduct, sexual harassment, dating violence, domestic violence, or stalking, the complainant and/or accused student shall also be afforded the opportunity for a reasonable oral presentation and shall be permitted to file typewritten, reproduced material, or other material directly related to the basis for appeal.

58.7. There shall be a single verbatim record, such as a tape or digital recording, of all appeals before the University Disciplinary Appeals Panel. Deliberations shall not be recorded. The record shall be the property of the University.

58.8. The panel may take any of the following actions in response to an appeal: they may review the case and uphold the sanctions from the previous student conduct conference; they may review the case and reduce the sanction(s); they may review the case and require that it be heard again by a Student Conduct Panel through the Offices of the Dean of Student Life. Only in cases involving sanctions for sexual misconduct, sexual harassment, dating violence, domestic violence, or stalking where the complainant appeals, the appeal panel may also increase the sanction(s).


58.9. After hearing an appeal, the panel will go into closed session to deliberate. Upon conclusion of its deliberation (which may take place over the course of several days), the panel shall inform the student of its decision. A letter outlining the decision of the panel shall be sent to the appealing student. Following an appeal, the matter shall be considered final and binding on all parties involved.



MEMORANDUM

DATE: August 3, 2018

TO: Julie Harlin
Speaker, Faculty Senate

FROM: Dr. Anne Réber 
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 58 (Sections 58.9.1)

Proposal to Revise Texas A&M University Student Rules

Instructions: One copy of this form is to be completed and submitted by the individual or unit representative proposing a change in the Texas A&M University Student Rules. Please use a separate form for each proposed change. If additional copies are needed, feel free to duplicate.

Committee Use Only: Date of Action: _____ Action: _____ Pass _____ Fail _____ Table Effective Date: _____
--

PLEASE TYPE OR PRINT CLEARLY USING AN INK PEN.

A. PROPOSAL TO EDIT/CHANGE AN EXISTING RULE:

Rule Title: University Disciplinary Appeals Panel **Section #:** 58.9

Proposed New Wording:

After hearing an appeal, the panel will go into closed session to deliberate. Upon conclusion of its deliberation (which may take place over the course of several days), the panel shall inform the student of its decision. A letter outlining the decision of the panel shall be sent to the appealing student. Following an appeal, the matter shall be considered final and binding on all parties involved.

58.9.1. In cases involving sexual misconduct, sexual harassment, dating violence, domestic violence, or stalking, the panel shall also notify the complainant of its decision. A letter outlining the decision of the panel shall also be sent to the complainant.

B. PROPOSAL TO ADD A NEW RULE:

Rule Title: _____ **Section #:** _____

Proposed New Wording:

C. PROPOSAL TO REMOVE AN EXISTING RULE:

Rule Title: _____ **Section #:** _____

D. JUSTIFICATION FOR A, B OR C ABOVE:

This proposed change reflects the practice of the University Disciplinary Appeals Panel to provide complainants notice of the appeal outcome in cases involving sexual misconduct, sexual harassment, dating violence, domestic violence, or stalking. The practice has been informed by prior federal regulatory guidance from the United States Department of Education, Office of Civil Rights (OCR), as well as the 2015 legislative update to the Jeanne Clery Act.

PROPOSED BY:

Name: Alyssa Leffall
Email Address: alyssaleffall@tamu.edu
Department Mail Stop: 1256

Phone #: (979) 845-4728
Department: Office of the Vice President for Student Affairs
Date: July 10, 2018

Return to
Dr. Anne Reber at anne@studentlife.tamu.edu
Chair, Rules and Regulations Committee
1256 TAMU
Or fax: (979) 845-3320

58. University Disciplinary Appeals Panel

(Revised: ~~2015~~ 2018)

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.

Scope

The University Disciplinary Appeals Panel will hear all appeals concerning suspension and expulsion that are the result of a finding of responsibility for violation of the Student Conduct Code. For all other sanctions imposed for a violation of the Student Conduct Code, an administrative officer, appointed by the Dean of Student Life or designee, shall hear the case (for students enrolled on the campus of the TAMU Law School, the Assistant Dean for Student Affairs or the Associate Dean for Academic Affairs will be the point of contact for the University Disciplinary Appeals Panel at this location; for students enrolled at other campuses outside of Brazos County (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 at each college/school will be the point of contact for the University Disciplinary Appeals Panel at each respective location.) Decisions made by a lower level hearing body shall not be final until an appeal deadline is passed, or when the appeal process is exhausted, or when a student chooses not to appeal. The University Disciplinary Appeals Panel will hear most appeals concerning cases of alleged or determined sexual misconduct, sexual harassment, dating violence, domestic violence, or stalking regardless of the sanctions imposed; cases may be deferred to the Dean of Student Life or alternative appeal body, as referenced above, at the discretion of the chair should there be no sanctions of suspension or expulsion, and no appeals seeking an increase in sanctions.

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Procedures

58.1. The appealing student must complete an appeal request form (available from the chair of the panel) within five (5) University business days of the decision regarding disciplinary action taken by the University.

The following are the only accepted bases for appeal:

58.1.1. Failure to adhere to the guidelines outlined in section 26: To determine whether the original conference was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures.

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58.2. Upon receipt of the written request for an appeal conference, if one or more bases for the appeal are supported by the appeal documents, the chair shall set a time and place for the hearing as soon as practicable. The appeal conference may proceed in the student's absence.

58.3. The chairperson shall not take part in the vote or otherwise participate in the deliberations of the panel except to consult panelists regarding University Rules and Procedures.

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58.5.1. The advisor may not be an attorney unless the accused student is also the subject of a pending subsequent criminal matter arising out of the same circumstances or the charges include one or more charge of sexual harassment, sexual misconduct, dating violence, domestic violence, or stalking; in such cases, the accused student may be allowed to have an attorney serve as his/her advisor, at his/her own expense, to behave in the same manner as any other advisor.

58.5.2. Students who are charged in the same fact pattern, or who are not in good standing with the University are not eligible to serve as an advisor at conduct proceedings.

The appealing student, or in cases of sexual misconduct, sexual harassment, dating violence, domestic violence, or stalking the accused student and complainant, are responsible for presenting their own information. Therefore, a student should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the appeal panel. Appeal panels will not typically be delayed due to scheduling conflicts of an advisor. There is no restriction on who a student may consult or seek advice from, the restriction pertains to the appeal proceedings only.

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58.8. The panel may take any of the following actions in response to an appeal: they may review the case and uphold the sanctions from the previous student conduct conference; they may review the case and reduce the sanction(s); they may review the case and require that it be heard again by a Student Conduct Panel through the Offices of the Dean of Student Life. Only in cases involving sanctions for sexual

misconduct, sexual harassment, dating violence, domestic violence, or stalking where the complainant appeals, the appeal panel may also increase the sanction(s).

58.9. After hearing an appeal, the panel will go into closed session to deliberate. Upon conclusion of its deliberation (which may take place over the course of several days), the panel shall inform the student of its decision. A letter outlining the decision of the panel shall be sent to the appealing student. Following an appeal, the matter shall be considered final and binding on all parties involved.

58.9.1. In cases involving sexual misconduct, sexual harassment, dating violence, domestic violence, or stalking, the panel shall ~~also~~ notify the complainant and accused student of its decision. A letter outlining the decision of the panel shall ~~also~~ be sent to the complainant and accused student.