

The following pages contain the proposed changes to **Student Rule 24.7 Amnesty**.

This rule was sent to the Senate in May and was been extensively discussed at two prior Senate Meetings. Senators were concerned that the legal language used in the document would be confusing to students. The Rule was referred to the Academic Affairs Committee for revision. Subsequently, members of this committee worked with individuals from the Office of Vice President for Student Affairs to rewrite the rule in more easily understood language.

This revised rule appears on the next page.

The original memorandum and rule sent to the Faculty for consideration in May follows the revision for comparison.

Revisions to Amnesty Rule (Student Rule 24.7)

24.7 Amnesty. ~~In alignment with Texas Education Code Sec. 51.9366.~~ Texas A&M University will “not take any disciplinary action against a student enrolled at the institution who in good faith reports to the institution being the victim of, or a witness to, an incident of sexual harassment, sexual assault, dating violence, or stalking [as defined in Texas Education Code Sec. 51.9366(a)], for a violation by the student of the institution’s code of conduct occurring at or near the time of the incident, regardless of the location at which the incident occurred or the outcome of the institution’s disciplinary process regarding the incident, if any” (Texas Education Code Sec. 51.9366(b)). This amnesty does not apply to a student “who reports the student’s own commission or assistance in the commission of sexual harassment, sexual assault, dating violence, or stalking” (as defined by Texas Education Code Sec. 51.9366(a)) or when the behavior could result in a suspension or expulsion (Texas Education Code 51.254). Staff in the Offices of the Dean of Student Life “may investigate to determine whether a report of an incident of sexual harassment, sexual assault, dating violence, or stalking was made in good faith” (Texas Education Code Sec. 51.9366(c)). A determination by the Dean of Student Life or designee that a student is entitled to amnesty is final and may not be revoked. All questions of implementation of this amnesty policy are subject to the decision of the Dean of Student Life or designee.

DIVISION OF STUDENT AFFAIRS

**OFFICE OF THE VICE PRESIDENT
FOR STUDENT AFFAIRS**



Dr. Anne Reber
Dean of Student Life

MEMORANDUM

DATE: May 7, 2019

TO: Dr. Julie Harlin
Speaker, Faculty Senate

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

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

Attached please find proposed revision to the Texas A&M University Student Rules as approved by the Rules and Regulations Committee. This change is for the following rule:

Addition of **Rule 24.7 Amnesty**

Approved by the Student Rules and Regulations Committee on May 3, 2019.

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PROPOSAL

In alignment with Texas Education Code Sec. 51.9366, Texas A&M University will “not take any disciplinary action against a student enrolled at the institution who in good faith reports to the institution being the victim of, or a witness to, an incident of sexual harassment, sexual assault, dating violence, or stalking for a violation by the student of the institution’s code of conduct occurring at or near the time of the incident, regardless of the location at which the incident occurred or the outcome of the institution’s disciplinary process regarding the incident, if any.” This amnesty does not apply to a student “who reports the student’s own commission or assistance in the commission of sexual harassment, sexual assault, dating violence, or stalking.” Staff in the Offices of the Dean of Student Life “may investigate to determine whether a report of an incident of sexual harassment, sexual assault, dating violence, or stalking was made in good faith.” All questions of implementation of this amnesty policy are subject to the decision of the Dean of Student Life or designee.

JUSTIFICATION

This rule provides an explicit statement that Texas A&M University is complying with State law regarding amnesty for reports regarding sexual harassment, sexual assault, dating violence, or stalking.

PROPOSED BY:

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Date: February 26, 2019

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(Additions to rules are bolded and in red font, deletions to rules are indicated by strikethrough.)

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