

## Regulations Governing Student Conduct

This section is a general guide to rules and regulations governing student conduct at The University of Texas of the Permian Basin. More specific information about rules and student rights is available in the Student Guide which is available in the Office of Student Activities. The University considers all students to be adult; therefore, their behavior is subject to all applicable provisions of the Rules and Regulations of The University of Texas System Board of Regents and the Handbook of Operating Procedures of The University of Texas of the Permian Basin. The University reserves the right to restrict the enrollment of any student for disciplinary or academic reasons.

Student due process procedure covers discrimination, sexual and racial harassment and gives procedures for filing grievance and grounds for non-academic appeals. Please see the Student Guide for procedures about filing of a grievance for non-academic issues.

**AIDS, HIV, and Hepatitis B Infection.** The University of Texas Permian Basin recognizes its responsibility to protect the rights and privileges of students, employees, patients, and the general public against the contact with the spread of infectious diseases. In recognition of Human Immunodeficiency Virus (HIV) and Hepatitis B (HBV) as serious health threats, U.T. Permian Basin has adopted a policy and procedural steps to protect both the rights and well-being of those students who may be infected with HIV or HBV as well as to prevent the spread of infection. No individual with HIV or HBV infection will be discriminated against in employment, admission to academic programs, health benefits, or access to facilities. Students with HIV or HBV infection may attend all classes without restriction, as long as they are physically and mentally able to participate and perform assigned work and pose no health risks to others. All information regarding the medical status of U.T. Permian Basin faculty, staff, and students is confidential.

A complete copy of the "AIDS, HIV and Hepatitis B Infection" policy can be found in the institutional Handbook of Operating Procedures available in the Office of each school or college, the Library, most U.T. Permian Basin departments and on the internet at <http://www.utpb.edu>. This policy is applicable to all students of U.T. Permian Basin as they pursue their academic (and clinical) endeavors. Brochures with information about AIDS/HIV will be made available to all students on request to the U.T. Permian Basin Student Life Office.

**Bacterial Meningitis Information.** Bacterial Meningitis is a serious, potentially deadly disease that can progress extremely fast, so utmost caution is required. It is an inflammation of the membranes that surround the brain and spinal cord. The bacteria that causes meningitis can also infect the blood. This disease strikes about 3,000 Americans each year, including 100-125 on college campuses, leading to 5-15 deaths among colleges students every year. Bacterial Meningitis is transmitted when people exchange saliva (such as by kissing, or by sharing drinking containers, utensils, cigarettes, toothbrushes, etc.) or come in contact with respiratory or throat secretions. Symptoms include high fever, rash or purple patches on the skin, light sensitivity, confusion and sleepiness, lethargy, severe headache, vomiting, stiff neck, nausea, and seizures. The more symptoms present, the higher the risk. When these symptoms appear seek immediate medical attention. There is treatment, but those who survive may develop severe health problems or disabilities. Early diagnosis and treatment can greatly improve the likelihood of recovery.

For more information, contact your own health care provider or local Texas Department of Health. Information web sites: [www.cdc.gov/ncidod/dbmd/diseaseinfo](http://www.cdc.gov/ncidod/dbmd/diseaseinfo), [www.acha.org](http://www.acha.org).

**Disciplinary Procedures.** All students at The University of Texas of the Permian Basin are subject to all the *Rules and Regulations* of the Board of Regents of The University of Texas System and all institutional rules and regulations. *Rules* regarding students conduct and discipline are included in Series 50101 of the Regents' *Rules and Regulations*, The University of Texas of the Permian Basin Handbook of Operating Procedures, and the Student Guide.

According to the Regents' Rules, the Vice President for Student Services has the authority to take interim disciplinary action when the continuing presence of the student poses a potential danger to persons or property or a potential threat of disrupting any authorized university activity.

Disciplinary action could include:

- Disciplinary probation.
- Withholding of grades, official transcript and/or degree.
- Bar against readmission.
- Restitution or reimbursement for damage to or misappropriation of institutional or System property.
- Suspension of rights and privileges, including participation in athletic or extracurricular activities.
- Failing grade for an examination or assignment or for a course and/ or cancellation of all or any portion of prior course credit.
- Denial of degree.
- Suspension from the institution for a specified period of time.
- Expulsion (permanent separation from the institution)
- Revocation of degree and withdrawal of diploma.
- Other penalty as deemed appropriate under the circumstances.

Further information regarding the University's rules on conduct and due process procedures is provided in the Student Guide.

**Drugs/Narcotics.** Any student who is guilty of the illegal use, possession and/or sale of a drug or narcotic on the campus of U.T. Permian Basin or any other U.T. System component institution is subject to discipline. If a student is found guilty of the illegal use, possession, and/or sale of a drug or narcotic on campus, the minimum penalty shall be suspension from the institution for a specified period of time and/or suspension of rights and privileges.

**Hazing.** The 70th Texas Legislature enacted a law concerning hazing which became effective on September 1, 1987. Under the law, individuals or organizations engaging in hazing could be subject to fines and charged with a criminal offense.

According to the law, a person can commit a hazing offense not only by engaging in a hazing activity, but also by soliciting, directing, encouraging, aiding or attempting to aid another in hazing; by intentionally, knowingly or recklessly allowing hazing to occur; or by failing to report in writing to the Vice President for Student Services firsthand knowledge that a hazing incident is planned or has occurred. The fact that a person consented to or acquiesced in a hazing activity is not a defense to prosecution for hazing under this law. In an effort to encourage reporting of hazing incidents, the law grants immunity from civil or criminal liability to any persons who report a specific hazing event to the Vice President for Student Services; and immunizes that person from participation in any judicial proceeding resulting from that report. The penalty for failure to report is a fine of up to \$1,000.00, up to 180 days in jail, or both. Penalties for other hazing offenses vary according to the severity of the injury which results and range from \$500.00 to \$10,000.00 in fines and up to two years confinement.

The law does not affect or in any way restrict the right of the University to enforce its own rules against hazing. Hazing with or without the consent of the student is prohibited by The University of Texas System, and a violation of that prohibition renders both the person inflicting the hazing and the person submitting to the hazing subject to discipline.

The law defines hazing as any intentional, knowing, or reckless act, occurring on or off the campus of an educational institution, by one person alone or acting with others, directed against a student, that endangers the mental or physical health or safety of a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization whose members are or include students at an educational institution.

Hazing includes but is not limited to:

- A. Any type of physical brutality, such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body, or similar activity;
- B. Any type of physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;
- C. Any activity involving consumption of food, liquid, alcoholic beverage, liquor, drug, or other substance which subjects the student to an unreasonable risk of harm or which adversely affects the mental or physical health of the student;
- D. Any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, shame, or humiliation, or that adversely affects the mental health or dignity of the student or discourages the student from entering or remaining registered in an educational institution, or that may reasonably be expected to cause a student to leave the organization or the institution rather than submit to acts described in this subsection; and
- E. Any activity that induces, causes, or requires the student to perform a duty or task which involves a violation of the Penal Code.

**Immunizations.** Institutions of higher education may require persons applying for admission to be immunized against diphtheria, rubeola, rubella, mumps, tetanus, and poliomyelitis. The Texas Board of Health may require immunizations against these and additional diseases for registrants at any institution of higher education who are pursuing a course of study in any of the human or animal health professions, and the board may require such immunizations for any registrants in times of an emergency or epidemic in a county where such an emergency or epidemic has been declared by the Commissioner of Health.

**Intoxicating Beverages.** The use of intoxicating beverages is prohibited in classroom buildings, laboratories, auditoriums, library buildings, museums, faculty and administrative offices, intercollegiate and intramural athletic facilities, and all other public campus areas. State law will be strictly enforced at all times on all property controlled by the System and its component institutions.

**Right to Know.** In compliance with the Student Right-to-Know and Campus Security Act (the Act) 20 U.S.C. Sections 1092 (a), (e) and (f), as amended, The University of Texas of the Permian Basin collects specified information on campus crime statistics, campus security policies, and institutional completion or graduation rates.

Pursuant to the federal law, alleged victims of violent crime are entitled to know the results of campus disciplinary proceedings concerning alleged perpetrators.

U.T. Permian Basin reports to the campus community on crimes considered to be a threat to students and employees and reported to campus police or local police agencies.

U.T. Permian Basin publishes and distributes an annual report of campus security policies and crime statistics to all current students and employees; provides copies of the report to applicants for enrollment or employment upon request; and submits a copy of the report to the Secretary of Education upon request. The annual campus crime statistics report references crimes which occur on property owned or controlled by the University and may be supplemented by listing crimes which occur off the campus in buildings or on property owned or controlled by student organizations that are registered by the institution when such statistics are available from local police departments.

The U.T. Permian Basin annually calculates and discloses institutional completion or graduation rates for undergraduate students to all prospective and current students. (The federal requirement for calculation of a

completion of graduation rate applies only to institutions of higher education that admit undergraduate students who are enrolling for the first time at an institution of higher education and have not enrolled previously at any other institution of higher education.)

The U.T. Permian Basin publishes in the annual security report, its policy regarding sex-related offenses, including sexual assault prevention programs, education programs to promote awareness of sex offenses, administrative disciplinary procedures and sanctions for offenders, and counseling and student services for victims.

**Solicitation.** No individual, organization, group, association, or corporation may use the grounds, buildings, or facilities owned or controlled by any component institution or by the System except as permitted by the provisions of the Regents' Rules and Regulations and approved institutional rules and regulations. Campus facilities are not otherwise open to the public. Exceptions include collection of memberships dues by faculty, staff and student organizations and approved fund-raising performed by registered student organizations.

The term "solicitation" means the sale, lease, rental or offer for sale, lease, rental of any property, product, merchandise, publication, or service, whether for immediate or future delivery; an oral statement or the distribution or display of printed material, merchandise, or products that is designed to encourage the purchase, use, or rental of any property, product, merchandise, publication, or service; the receipt of or request for any gift or contribution; or the request to support or oppose a vote for or against a candidate, issue, or proposition appearing on the ballot at any election held pursuant to State or federal law or local ordinance.

**Student Insurance.** Students needing health insurance may obtain information from the Student Life Office located in the student union; Mesa Building 2101.

#### **University-Related Student Travel (Texas Education Code, Section 51.950).**

##### **A. Use of Non-employee Students as Drivers is Prohibited**

Student motor vehicle use and travel while engaged in University-related activities present special risk issues. Because students are not employees, motor vehicles cannot be rented for their use pursuant to the State rental car contracts; and, no coverage for personal injuries is available to them if they drive University-owned or their personal vehicles. Therefore, it is required that students who are also not employees of the University not be used as drivers; nor should they be asked or required to use their personal vehicles to engage in University-related activities.

##### **B. Guidelines for Using Students as Driver**

1. Students who drive on behalf of the university must be on the Payroll.
  - a. Students who are regularly or frequently being called upon to drive on behalf of the university should be appointed as employees by the requesting department or unit.
  - b. Student-employees who frequently drive university vehicles while on university-related activities should be "authorized" in the same manner as any other employee who regularly drives for the university, i.e. they should have a current Motor Vehicle Record on file with the Physical Plant Department.
  - c. The hiring department should also verify that the student/employees who drive have health insurance coverage of some kind.

##### **C. Guidelines for Occasions When Students are Passengers in Motor Vehicles Involved in University-related Activities**

1. Verify health insurance coverage for all students who are to be passengers in vehicles driven on University-related activities.
2. If verification of coverage is not provided Special Events medical insurance should be purchased by each passenger prior to the trip (see the Office of Student Activities).
3. Purchase of Personal Injury and Personal Effects Insurance.

When rental vehicles are used to transport students, the personal injury and personal effects insurance should be purchased as a part of the vehicle rental agreement. This is particularly important where vans are rented to transport large numbers of students in a single vehicle.

**D. Guideline Concerning Student releases and Medical Authorizations**

Each student who travels by motor vehicle (or any other form of transportation) to participate in a university-related activity, including but not limited to academically related field trips or courses, competitions or contests; or non-academic activities such as those sponsored by Recreational Sports, must execute a copy of the Release and Indemnification Agreement and The Authorization for Emergency Medical Treatment that are attached to these guidelines prior to such activities.

**E. Guidelines Concerning Use of Personal Vehicles by Students**

1. Use of personal vehicles by students to drive to university-related activities is discouraged.
2. If students use their own vehicles, and/or transport other students as passengers, they should be informed, in advance, that their personal insurance would be primarily responsible for any liability that may arise from such use.
3. The enforcement of Texas vehicle inspection laws may occur for vehicles parking or driving on the campus.

**F. Guidelines Concerning Safe Travel Practices**

Each administrative unit approving university-related travel, especially that involves students, is encouraged to promulgate Guidelines that encourage safe driving and minimize risks of injury during that travel.