

# Student Health and Safety

## Disciplinary Procedures

Students at The University of Texas of the Permian Basin maintain the rights and responsibilities of citizenship. All students are expected and required to obey federal, State, and local laws, to comply with the Regents' Rules and Regulations, with The University of Texas System and institutional rules and regulations, with directives issued by an administrative official of the U. T. System or institution in the course of his or her authorized duties, and to observe standards of conduct appropriate for an academic institution. Any student who engages in conduct that violates the fore mentioned is subject to discipline whether such conduct takes place on or off campus or whether civil or criminal sanctions are also imposed for such conduct.

The official version of the student conduct code can be found on the Dean of Student's web page within the University web pages at [www.utpb.edu](http://www.utpb.edu). The University reserves the right to restrict the enrollment of any student for disciplinary or academic reasons. According to the Regents' Rules, the Dean of Students 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.

In all cases, students are afforded due process through a meeting with the Dean of Students and/or a formal disciplinary hearing.

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.

## Grievances/Appeals

Students who have a grievance with another student, faculty or staff member are encouraged to review the procedures set out on the Dean of Student's web page on the University web pages at [www.utpb.edu](http://www.utpb.edu).

## Student Medical Plan

Students have access to medical services contracted by the University. Information about the medical services provider and the plan may be found on the University web site under Student Services.

## Student Insurance

Students needing health insurance may obtain information through the Student Life Office web pages.

## AIDS, HIV, and Hepatitis B Infection Policies

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 which is available in the office of each school or college, the Library, most U. T. Permian Basin departments, in the Falcon Student Planner and on the internet at [www.utpb.edu](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 cause 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 college 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](http://www.cdc.gov), [www.acha.org](http://www.acha.org). U.T. Permian Basin regularly informs students about this information by posting information on-line via our student registration system and posting on the back our registration cards.

### **Hazing**

Hazing in state educational institutions is prohibited by both state law (Sections 51.936 & 37.151 et seq., Texas Education Code) and by the Regents' Rules and Regulations (Series 50101, Section 2). Individuals or organizations engaging in hazing could be subject to fines and charged with criminal offenses. Additionally, the law does not affect or in any way restrict the right of the University to enforce its own rules against hazing.

### **Individuals**

A person commits an offense if the person:

1. engages in hazing;
2. solicits, encourages, directs, aids or attempts to aid another engaging in hazing;
3. recklessly permits hazing to occur; or
4. has firsthand knowledge of the planning of a specific hazing incident involving a student in an educational institution, or  
has firsthand knowledge that a specific hazing incident has occurred, and knowingly fails to report that knowledge in writing to the dean of students or other appropriate official of the institution.

### **Organizations**

An organization commits an offense if the organization condones or encourages hazing or if an officer or any combination of members, pledges, or alumni of the organization commits or assists in the commission of hazing.

### **Definition**

The term "hazing" is broadly defined by statute to mean 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 an organization. Hazing includes, but is not limited to:

- any type of physical brutality, such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body, or similar activity;

- any type of physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other activity that subject the student to unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;
- any activity involving the consumption of a food, liquid, alcoholic beverage, liquor, drug or other substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;
- any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, shame or humiliation, 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 subdivision; and
- any activity that induces, causes, or requires the student to perform a duty or task that involves a violation of the Penal Code. The fact that a person consented to or acquiesced in a hazing activity is not a defense to prosecution.

The University of Texas System Board of Regents' Rules and Regulations, Series 50101, Section 2 provide that:

1. Hazing with or without the consent of a student is prohibited by the System, and a violation of that prohibition renders both the person inflicting the hazing and the person submitting to the hazing subject to discipline.
2. Initiations or activities by organizations may include no feature which is dangerous, harmful, or degrading to the student and a violation of this prohibition renders both the organization and participating individuals subject to discipline.

Activities which under certain conditions constitute acts that are dangerous, harmful, or degrading, in violation of Rules include but are not limited to:

- calisthenics, such as sit-ups, push-ups, or any other form of physical exercise;
- total or partial nudity at any time;
- the eating or ingestion of any unwanted substance;
- the wearing or carrying of any obscene or physically burdensome article;
- paddle swats, including the trading of swats;
- pushing, shoving, tackling, or any other physical contact;
- throwing oil, syrup, flour, or any harmful substance on a person;
- rat court, kangaroo court, or other individual interrogation;
- forced consumption of alcoholic beverages either by threats or peer pressure;
- lineups intended to demean or intimidate;
- transportation and abandonment (road trips, kidnaps, walks, rides, drops);

- confining individuals in an area that is uncomfortable or dangerous (hot box effect, high temperature, too small);
- any type of personal servitude that is demeaning or of personal benefit to the individual members;
- wearing of embarrassing or uncomfortable clothing;
- assigning pranks such as stealing; painting objects; harassing other organizations;
- intentionally messing up the house or room for clean up;
- demeaning names;
- yelling and screaming; and
- requiring boxing matches or fights for entertainment.

### **Immunity**

In an effort to encourage reporting of hazing incidents, the law grants immunity from civil or criminal liability to any person who reports a specific hazing event in good faith and without malice to the Dean of Students or other appropriate official of the institution and immunizes that person for participation in any judicial proceeding resulting from that report. Additionally, a doctor or other medical practitioner who treats a student who may have been subjected to hazing may make a good faith report of the suspected hazing activities to police or other law enforcement officials and is immune from civil or other liability that might otherwise be imposed or incurred as a result of the report. The penalty for failure to report is a fine of up to \$1,000, up to 180 days in jail, or both. Penalties for other hazing offenses vary according to the severity of the injury which results and include fines from \$500 to \$10,000 and/or confinement for up to two years.

### **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.

### **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 U. T. Permian Basin 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.

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.)

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.

### **Criminal Background Checks**

Certain programs require students to submit to and satisfactorily complete a criminal background check review as a condition of admission and/or participation in education experiences. Students who refuse to submit to a background check or who do not pass the background check may be dismissed from the program. The student is responsible for the costs of the criminal background check.

### **Use of Facilities**

The property, buildings, or facilities owned or controlled by the University are not open for assembly, speech, or other activities as are the public streets, sidewalks, and parks. The responsibility of the Board of Regents and the University of Texas of the Permian Basin to operate and maintain an effective and efficient system of institutions of higher education requires that the time, place and manner of assembly, speech, and other activities on the grounds and in the buildings and facilities of the University be regulated. No person, organization, group, association, or corporation may use property or building owned or controlled by the University for any purpose other than in the course of the regular programs or activities related to the role and mission of the University, as permitted by the Regent's Rules and UT Permian Basin rules and regulations.

Most campus buildings and facilities are accessible to members of the campus community and their guest and visitors during normal business hours, Monday through Friday, and for limited hours on the weekends ( this excludes most holidays). Students have access to the buildings during scheduled class sessions including laboratory, library study, and research periods. After normal business hours, including weekends and holidays, all campus buildings are considering closed and secured. Persons needing entry must sign in at the Mesa Building Information Center or utilize " late door entry" procedures. Late doors are equipped with electronic locks and closed circuit television cameras. This electronic access control system can allow access to those authorized entry and assigned a code for the system. Exterior building doors on campus are equipped with electronic alarm, which annunciate at the alarm monitoring company during prohibited hours. A member of the U.T.P.B. Police Department responds to each alarm.

### **Student parking information**

Parking permits are required to park on campus. The parking spaces in all lots are restricted as marked or posted. All underground parking is reserved. Only Student Housing residents are allowed to park at Student Housing. Parking permits are typically purchased during registration and are valid from September through the following August. the permits are marked with a expiration sticker. Permits can also be obtained at the Police Department Information Center, located in the Mesa Building Lobby, throughout the school year and are prorated as necessary.

Incompliance with the Texas Education Code 51.207 (b), The University of Texas of the Permian Basin has procedures for enforcing State of Texas vehicle inspection laws for vehicles parking or driving on the campus of the institution.

## **Student Travel** (Texas Education Code, Section 51.949)

### **Non-employee Students as Drivers is Prohibited**

Student motor vehicle use and travel while engaged in University-related activities present special risk issues. Because they 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.

### **Students as Driver**

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.

### **Students are Passengers**

Verify health insurance coverage for all students who are to be passengers in vehicles driven on university-related activities. 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).

### **Insurance**

Where 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.

### **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.

### **Use of Personal Vehicles by Students**

Use of personal vehicles by students to drive to university-related activities is discouraged.

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.

### **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.