



TEXAS TECH UNIVERSITY
HEALTH SCIENCES CENTER™
EL PASO

Institutional Student Handbook:

Code of Professional and Academic Conduct

2023-2024

Texas Tech University System Board of Regents
Approved May 1, 2023

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Statement of Accreditation

Texas Tech University Health Sciences Center El Paso is accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) to award baccalaureate, masters, and doctoral degrees. Degree-granting institutions also may offer credentials such as certificates and diplomas at approved degree levels. Questions about the accreditation of Texas Tech University Health Sciences Center El Paso may be directed in writing to the Southern Association of Colleges and Schools Commission on Colleges at 1866 Southern Lane, Decatur, GA 30033-4097, by calling (404) 679-4500, or by using information available on SACSCOC's website (www.sacscoc.org).

I. Foreword

A. General Policy

The mission of Texas Tech University Health Sciences Center El Paso (TTUHSC El Paso) is to improve the lives of people in our State and our community by focusing on the unique health care needs of socially and culturally diverse border populations through excellence in integrated education, research, and patient care.

A University, like any community, must have regulations and standards by which its members abide and procedures by which its components function. The standards should provide order and an atmosphere conducive to intellectual and personal development. This Student Handbook, the TTUHSC El Paso Operating Policies and Procedures, and the individual Schools' catalogs and handbooks are intended to serve these purposes in the interest of all components of the Texas Tech University Health Sciences Center El Paso.

The University has a responsibility to maintain order within the University community and to discipline those who violate its standards, rules, and policies. Enrollment at TTUHSC El Paso requires students to share in this responsibility. Students are expected to conduct themselves in a professional manner, not only in interactions with patients, but also with faculty, staff, and peers of TTUHSC El Paso and the general community. TTUHSC El Paso students will be evaluated on issues related to their professional conduct/judgement according to standards defined by the school, program and profession for which they are training. The standards, rules, and policies outlined in this Student Handbook, the TTUHSC El Paso Operating Policies and Procedures, and the individual Schools' catalogs and any other official University publications provide additional information and guidance. Registered student organizations are required to follow defined standards, rules, and policies.

The Texas Tech University Health Sciences Center El Paso (TTUHSC El Paso or the University) reserves the right to change, modify, amend, or rescind, in whole or in part, this Handbook at any time without prior notice. This Handbook supersedes all previous editions. The provisions of this Handbook do not constitute a contract, expressed or implied, between any student or faculty member and Texas Tech University System, TTUHSC El Paso, Hunt School of Nursing (HSON), Francis Graduate School of Biomedical Sciences (FGSBS), Foster School of Medicine (FSOM), or Hunt School of Dental Medicine. (HSDM).

B. Authority

The authority to enact and enforce the regulations of the University is vested in the Texas Tech University System Board of Regents. The responsibility for enforcing regulations and imposing penalties is delegated to the Chancellor and/or the President of the University and any University officials the President designates.

All references to the Chancellor and/or President of the University and Vice President of Academic Affairs or Assistant Vice President for Student Services and Student Engagement

(SSSE) or designee shall be interpreted to include persons designated to act on behalf of these officials.

C. Applicability

Each TTUHSC El Paso student is responsible for compliance with the Rules & Regulations of the Board of Regents of the Texas Tech System and the rules of this institution. Any student who participates in conduct that is in violation with these rules and regulations, specific instruction by an administrative official or TTUHSC El Paso administrative official acting in their authorized duties, or general, state, or local laws is subject to discipline. A student is subject to discipline for prohibited conduct as detailed in this Code, including (where applicable) conduct that occurs off-campus, including but not limited to University off-campus activities such as field trips, internships, rotations or clinical assignments, regardless of whether civil or criminal penalties are also imposed for such conduct.

Freedom of speech and principles of academic freedom are critical to the mission of higher education institutions. Consistent with Texas law (SB 18), the Texas Tech University System and each of its component institutions recognize freedom of speech and expression as fundamental rights and seek to ensure free, robust, and uninhibited debate and deliberations by students enrolled at TTUS universities as well as other persons, [see HSCEP OP 61.27](#).

D. Our Values

A values-based culture is a living, breathing culture of shared core values among all employees. A values-based culture is shaped by a clear set of ground rules establishing a foundation and guiding principles for decision-making, actions and a sense of community. In a values-driven culture, employees find alignment between their personal values and the organization's values, creating a unified and motivated workforce. Management and leadership set examples for their organizations and live the values they preach, these values include:

- a) Advancement: Improve the institution through creativity and discovery.
 - a. Seek opportunities for growth, partnership and improvement
 - b. Promote innovation and a culture of positive change and creativity
 - c. Demonstrate and inspire commitment to lifelong learning and professional development
- b) Service: Serve our community
 - a. Provide excellent education, research and patient care
 - b. Create positive experiences through a culture of yes
 - c. Partner with our community to improve healthcare
- c) Accountability: Be Responsible for decisions, actions and impact
 - a. Acknowledge and learn from both successes and failures

- b. Promote responsibility management of resources
 - c. Be a dependable team member and leader
 - d. Hold ourselves accountable and each other accountable by accepting and giving constructive feedback
 - e. Respond rather than react
- d) Teamwork: Include diverse perspectives to achieve our mission
- a. Empower and energize one another to create positive growth
 - b. Promote a culture of diversity and inclusivity
 - c. Foster a fun and health environment that encourages team spirit
 - d. Recognize and celebrate contributions and achievements
 - e. Collaborate across disciplines and professions as one team
- e) Respect: Demonstrate high regard for self and others
- a. Treat others as we would like to be treated
 - b. Be aware of how our actions impact others
 - c. Communicate in a courteous, kind, and respectful manner
 - d. Assume good intentions
 - e. Listen first to understand
- f) Integrity: Be ethical and trustworthy in every situation
- a. Honor commitments
 - b. Lead by example
 - c. Be honest in purpose, interactions and expectations
 - d. Comply with laws, rules and regulations

E. Policy on Non-Discrimination

TTUHSC El Paso brings together, in common pursuit of its educational goals, persons of many backgrounds and experiences, thus the University does not tolerate discrimination or harassment of any employee or applicant for employment because of sex, including pregnancy, race, color, religion, national origin, age, disability, genetic information, status as a protected veteran, or any other legally protected category, class, or characteristic. While sexual orientation and gender identity are not explicitly protected categories under state or federal law, it is the University's policy not to discriminate in employment, admission, or use of programs, activities, facilities, or services on these bases. Employment actions, such as hiring, promotion, demotion, transfer, rate of pay or other forms of compensation, selection for training, and termination, shall not be made based on an employee's protected status. Discriminatory behavior is prohibited regardless of how it is exhibited, whether verbally, in writing, or electronically displayed or conveyed.

Discriminatory behavior is prohibited by this policy, as well as by federal laws such as Title VII, which prohibits discrimination in employment, Title IX, which prohibits discrimination on the basis of sex in education program or activities, as well as the Equal Pay Act, the Age

Discrimination in Employment Act, the Americans with Disabilities Act, the Rehabilitation Act of 1973, the Civil Rights Act of 1991, the Vietnam Era Veterans' Readjustment Assistance Act of 1974, Title II of the Genetic Information Non-Discrimination Act, and state laws such as Chapter 21 of the Texas Labor Code. The University expects all members of the University Community to comply with the law. For more information, see Texas Tech System Regulation [07.09](#), Texas Tech University System Regulation [07.10](#), [HSCEP OP 51.01](#) Equal Employment Opportunity Policy and Affirmative Action Program, [HSCEP 51.02](#), Non-Discrimination and Anti-Harassment Policy and Complaint Procedure, and Part V of this Student Handbook.

F. University Name, Documents and Records

The use by any person or organization of the University's name in connection with any program or activity, without the prior written permission of the TTUHSC El Paso Office of the Vice Chancellor for Institutional Advancement or designee, or any unauthorized use of University documents, records or seal is prohibited. See [HSCEP OP 67.01](#), Publication Guidelines and [HSCEP OP 10.32](#), [Use and secure handling of the presidential seal](#).

G. Clery Annual Security Report

In accordance with the guidelines established by TTUHSC El Paso, the Texas Tech Police Department, and pursuant to the federal law identified as the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*, all currently enrolled students, campus employees and all prospective students and prospective employees are entitled to request and receive a copy of the Annual Campus Security Policy and Campus Crime Statistics Report. The report contains statistics about certain specified crimes and related incidents that have been reported to the Texas Tech Police Department and other campus security authorities over the past three calendar years (2020, 2021 and 2022). All incidents contained within the report have either occurred on-campus, in off-campus buildings, or on or near property owned or controlled by TTUHSC El Paso. The report also contains policies and practices pertaining to campus security, crime reporting, alcohol and drugs, victims' assistance programs, student discipline policies, campus resources, community safety alerts, crime prevention, access to campus facilities and properties as well as personal safety tips.

Annual reports can be accessed at <https://el Paso.ttuhsc.edu/about/policies/annual-security-report.aspx>

To request a paper copy of this report, contact the Texas Tech Police Department by email at police@ttuhsc.edu or by phone at 915-215-7111 during normal business hours, 8 a.m. – 5 p.m., Monday through Friday.

For additional information also refer to [HSCEP OP 76.40](#) Annual Crime Reporting Clery Act Compliance and related Texas Tech University System Regulation [07.05](#).

H. Drug and Alcohol Abuse Prevention Program

As per [HSCEP OP 10.03 Alcohol and Illegal Drugs](#), TTUHSC El Paso prohibits the unlawful possession, use, or distribution of alcohol and illegal drugs on TTUHSC El Paso property or as a part of any officially sponsored TTUHSC El Paso activities.

The Drug-Free Schools and Communities Act Amendments of 1989, 20 U.S.C. § 7101 et seq., as amended, require that, as a condition of receiving funds or any other form of financial assistance under any federal program, an institution of higher education must adopt and implement a program designed to prevent the unlawful possession, use, or distribution of alcohol and illegal drugs by faculty, staff, and students. In addition to meeting the requirements of the federal law, TTUHSC El Paso also intends this to be part of a positive effort in alleviating alcohol abuse and other drug-related problems among members of the campus communities in all regional sites and components. Thus, the emphasis in program implementation will be on prevention, education, counseling, intervention, and treatment.

This policy is in addition to, and not in lieu of, any other TTUHSC El Paso policy. TTUHSC El Paso reserves the right to take disciplinary action against faculty, staff, residents, or students for violations under this or other applicable policies of TTUHSC El Paso.

All TTUHSC El Paso students are required to complete a drug and alcohol training program each year. Students are notified of the method to complete this training by the Office of Student Services and Student Engagement (SSSE) annually. In addition SSSE provides access to [Student Counseling](#) and Health Services. Please see <https://el Paso.ttuhsc.edu/student services> for more information and detailed schedules.

In addition, some TTUHSC El Paso students may be required to submit/complete tests or screening for the purposes of enrollment or clinical assignments:

- For those required to submit drug screening view [HSCEP OP 77.15 Working with Affiliated Entities](#) – Student Drug Screenings for additional details.
- For those required to submit criminal background checks should review [HSCEP OP 10.20 Criminal Background Checks for Students, Residents and Trainees](#).

I. Tobacco-Free Environment

According to the United States Surgeon General, tobacco use is the single largest preventable cause of premature death and disability. Tobacco users are at substantially increased risk of developing smoking-related cancers, cardiovascular disease, and lung disease. Environmental smoke can cause discomfort and disease in non-smokers. Institutions with smokers suffer from lost productivity, conflict, and plant deterioration

As a health care institution, TTUHSC El Paso is committed to the establishment and enforcement of a healthier tobacco-free environment. [HSCEP OP 10.19, Tobacco-Free Environment Policy](#), includes regulation and assessment. See also [Ambulatory Clinic Policy and Procedure EP 1.16](#) as it relates to students participating in Texas Tech Physician of El Paso ambulatory sites.

II. Code of Professional and Academic Conduct (Code)

A. General Policy

An environment in which the privileges of citizenship are protected and the obligations of citizenship are understood fosters freedom of discussion, inquiry, and expression. Accordingly, the University community has developed standards of behavior for students and student organizations.

Students and student organizations are subject to disciplinary action according to the provisions of the Code and/or any other applicable University rules or regulations.

Each student is responsible for becoming familiar with the various regulations of the University and meeting the various requirements outlined below. Written policies are described in University publications such as this Handbook and the Schools' catalogs and handbooks. Each student, in accepting admission, indicates a willingness to subscribe to and be governed by the rules and regulations of this institution, and for university officials to take such disciplinary action, including dismissal, as may be deemed appropriate for failure to abide by such rules and regulations.

Each student is responsible for their own integrity and for reporting possible violations of this Code by other students. Faculty, staff, and students shall take all reasonable steps to prevent violations and are responsible for reporting violations.

B. Disciplinary Jurisdiction

The Code of Professional and Academic Conduct shall apply to conduct that occurs on University premises, at University sponsored activities, and to off-campus conduct that adversely affects the professional and ethical standards of each school and/or the University and/or pursuit of its objectives. On a case-by-case basis the Dean and their designee of each respective School, in their sole discretion, shall determine whether the Code should be applied to conduct occurring off premises.

All students are expected to comply with the professional and ethical standards of each school which they are enrolled. Each student shall be responsible for their conduct from the time of the application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and periods between terms of actual enrollment. The Code shall apply to persons who withdraw after alleged violation of the Code, who are not officially enrolled for a particular term but have a continuing relationship with the University, or who have been notified of their acceptance.

Academic issues, such as grading and promotion, are addressed under the respective School's policies and procedures where the student is enrolled.

C. Violation of Law and the TTUHSC El Paso Discipline

A disciplinary proceeding may be instituted against a student regardless of whether conduct allegedly violates both the criminal and/or civil law and/or this Code (that is, if multiple

violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court or criminal arrest or prosecution.

Proceedings under this Code may be carried out before, simultaneously, or following civil and/or criminal proceedings. Determinations made or sanctions imposed under the Code shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of University rules were dismissed, reduced, or resolved in favor of or against the criminal and/or civil law defendant.

State law will be strictly enforced at all times on all property controlled by the University and is inclusive of all clinical and teaching sites and its components.

D. Misconduct

Any student or student organization found to have committed the following misconduct is subject to disciplinary sanction(s), condition(s) and/or restriction(s). Misconduct or prohibited behavior includes, but is not limited to:

1. *Alcoholic Beverages*
 - a) The use, possession, sale, delivery or distribution of alcoholic beverages, except as expressly permitted by university policy ([HSCEP OP 10.03 Alcohol and Illegal Drugs](#)) as allowed by law.
 - b) Being under the influence of alcohol and/or intoxication except as allowed by law.
2. *Narcotics or Drugs*
 - a) Use, possession, sale, delivery or distribution of any narcotic, drug or medicine prescribed to someone else, chemical compound or other controlled substance or drug-related paraphernalia, except as expressly permitted by the laws of the State of Texas or university policy (see [HSCEP OP 10.03 Alcohol and Illegal Drugs](#)).
 - b) Being under the influence of narcotics or drugs, except as permitted by law.
 - c) The failure of a drug test, whether required by TTUHSC El Paso or any health care facility to which a student is assigned or has any type of patient care, contact or responsibility (see HSCEP OP 77.15, Working with Affiliated Entities – Student Drug Screenings).
3. *Firearms, Weapons and Explosives*
 - a) Use or possession of firearms, ammunition, explosive weapons, illegal knives, and other deadly weapons are prohibited on university property, except as specifically authorized by federal, state, or local laws.
 - b) [HSCEP OP 10.30](#) outlines regulations for the carrying of concealed handguns by licensed holders.

- c) As a health-related educational institution, TTUHSC El Paso facilitates a complex composition of activities, which include education, patient care, research, and community engagement. As such, TTUHSC El Paso campuses must accommodate the unique needs of diverse stakeholders, including patients, learners of all types, faculty, staff, contractors, and visitors. Within the context of this unique and complex composition, TTUHSC El Paso is committed to the following principles for the campus environment:
 - a. TTUHSC El Paso will comply with all necessary laws and regulatory requirements regarding safety and security on its campuses;
 - b. Within reasonable effort, TTUHSC El Paso will create an environment in which all stakeholders can conduct their business with a sense of personal and collective safety and security;
 - c. TTUHSC El Paso will communicate safety policies to stakeholders through all appropriate means.

4. *Theft or Unauthorized Use of Property*

- a) Attempted or actual theft of property of the University, students, or members of the University community or campus visitors.
- b) Possession of property known to be stolen or belonging to another person without the owner's permission.
- c) Attempted or actual unauthorized use of a credit card, debit card, automated teller machine card, telephone card and/or personal check; alteration, forgery or misrepresentation of any form of identification including, but not limited to, a social security number or driver's license number.

5. *Destruction of Property*

- a) Actual or threatened damage to or destruction of university property or property of others, whether done intentionally or with reckless disregard.

6. *Endangering Health or Safety*

- a) Physical harm or threat of harm to any person.
- b) Intentional or reckless conduct or behavior which endangers the physical or mental health or safety of any person, campus visitor, or volunteer including activities that creates reasonable fear of such action;
- c) Behavior that disrupts the normal operation of the University, including its students, faculty, staff or volunteers; or conduct that otherwise interferes with or creates a hostile or intimidating environment for a member of the University community in their academic pursuits or work environment. Such

conduct does not necessarily have to be in violation of the law to violate this section.

- d) Sexual Misconduct: a broad term encompassing all forms of gender-based harassment or discrimination and unwelcomed behavior of a sexual nature. Conduct included that involves:
 - a. Deliberate touching of another's sexual parts without consent;
 - b. Deliberate sexual invasion of another without consent; or,
 - c. Deliberate constraint or incapacitation of another, without that person's knowledge or consent, so as to put another at risk of sexual injury; see [Part V](#) Antidiscrimination and Sexual Misconduct (including Title IX).
- e) Unwelcomed sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature that expressly or implicitly imposes conditions upon, threatens, interferes with, or creates an intimidating, hostile or demeaning environment for an individual's:
 - a. Academic pursuits;
 - b. University employment;
 - c. Participation in activities sponsored by the University or organizations or groups related to the University; or,
 - d. Opportunities to benefit from other aspects of University life; see [Part V](#). Anti-discrimination and Sexual Misconduct (including Title IX).
- f) Stalking or engaging in a pattern of unwanted conduct directed at another person that threatens or endangers the safety, physical or mental health, or life or property of that person, or creates a reasonable fear of such a threat or action. When stalking is sex or gender based, it falls under sexual misconduct (see d above in this section and [Part V](#). Anti-discrimination and Sexual Misconduct (including Title IX).
- g) Excessive pressure, threats, or any form of conduct, coercive tactics or mind control techniques used to recruit, initiate, retain or otherwise intimidate a student for membership in an organization.
- h) Actions involving free expression activities are covered in Parts VIII and IX of this Handbook and governed by [HSCEP OP 61.07](#) Use of TTUHSCEP Premises and Amplification Equipment and HSCEP OP 61.27, Freedom of Expression.

7. *Gambling, Wagering or Bookmaking*

Gambling, wagering, or bookmaking on University premises is prohibited.

8. *Hazing*

Any intentional, knowing or reckless act directed against a student, occurring on or off campus, by one or more individuals acting alone or collectively that endangers the mental or physical health or safety of a student for the purpose of pledging or associating, being initiated into, affiliating with, holding office in, seeking and/or maintaining membership in any organization whose members are, or include, students. Consent or acquiescence by a student or students subjected to hazing is not a defense in a disciplinary proceeding. Hazing includes, but is not limited to:

- a) Any type of physical or emotional brutality, or the threat of such activity, 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 a student;
- c) Any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug or other substance which subjects a student to an unreasonable risk or harm, or which adversely affects the mental, physical health or safety of a student;
- d) Any activity that intimidates or threatens a student with ostracism that subjects a student to extreme mental stress, shame or humiliation, or that adversely affects the mental health or dignity of a student, or that discourages a student from entering or remaining registered at this university, or that may reasonably be expected to cause a student to leave the organization or the university rather than submit to acts described above;
- e) Any activity in which a person engages in, solicits, encourages, directs, aids or attempts to aid another, directly or indirectly, in hazing; intentionally, knowingly or recklessly permits hazing to occur; having firsthand knowledge of the planning of a specific hazing incident which has occurred; and fails to report the incident in writing to the specific School's student conduct office;
- f) Any activity in which hazing is either condoned or encouraged or actions of any officer or combination of members, pledges, associates or alumni of the organization in committing or assisting in the commission of hazing; or,
- g) Any act that is unlawful as designated by local, state, or federal government.

NOTE: See [Texas Education Code, Subchapter F, Sections 37.151-37.157 and Subchapter Z, Section 51.936](#).

9. *False Alarms or Terrorist Threats*

Intentionally or recklessly sounding a false alarm of any kind or character; making a false emergency call or terrorist threat; issuing a bomb threat; constructing mock explosive devices; improperly possessing, tampering with or destroying fire equipment, Automatic External Defibrillator (AED) or emergency signs on University premises.
10. *Financial Irresponsibility*

Failure to meet financial obligations owed to the University, including, but not limited to, the writing of checks on accounts with insufficient funds. See also 3.c above.
11. *Unauthorized Entry, Possession or Use*
 - a) Unauthorized entry into or use of University facilities;
 - b) Unauthorized possession or duplication, processing, production, or manufacture of any key or unlocking device or access code for use in any University facility;
 - c) Unauthorized use of the University name, logotype, registered marks or symbols of the University; or,
 - d) Use of the University's name to advertise or promote events or activities in a manner which suggests sponsorship by the University without prior written permission.
12. *Traffic and Parking*
 - a) Violation of TTUHSC El Paso Parking and Transportation Services regulations (see [HSCEP OP 76.32 Traffic and Parking Regulations](#); or,
 - b) Obstruction of the free flow of vehicle, pedestrian or other traffic on University premises.
13. *Student Recreation Regulations*

Violation of rules, which govern behavior in the student lounges, recreational activities or exercise areas.
14. *Failure to Comply with Directions/Requests of University Officials*

Failure to comply with the reasonable directions or requests of a University official acting in the performance of his or her duties.
15. *Student Identification - Failure to present and appropriate use*

The failure of a student to present their student identification to any University official upon request to identify them to any University official acting in the performance of their duties. The student identification card is the property of

the university. Students shall neither allow their student identification card to be used by other persons, nor shall they alter their student identification in any way. A student must pay a replacement charge for lost, stolen or damaged student identification cards.

16. *Abuse, Misuse or Theft of University Computer Data, Programs, Time, Computer or Network Equipment*

See [HSCEP OP: 56.01](#) Acceptable Use of Information Technology Resources.

- a) Unauthorized or non-academic use of computing and/or networking resources;
- b) Unauthorized installation, accessing, copying, or removing of programs, records or data belonging to the University, another user or copyrighted software without written authorization;
- c) Attempted or actual breach of the security of another user's account and/or computing system, depriving another user of access to University computing or networking resources, compromising the privacy of another user or disrupting the intended use of computing or network resources;
- d) Attempted or actual use of the University's computing or networking resources for financial gain;
- e) Attempted or actual transport of University's programs, records or data to another person or computer without written authorization;
- f) Attempted or actual destruction or modification of programs, records or data belonging to the University or another user or destruction of the integrity of computer-based information;
- g) Attempted or actual use of the computing and/or networking facilities to interfere with the normal operation of the University's computing and/or networking systems; or through such actions, causing a waste of such resources (people, capacity, computer); or,
- h) Allowing another person, either through one's personal computer account, or by other means, to accomplish any of the above.
- i) Attempted or actual addition/modification/removal/circumventing of Institutionally- approved computer security products/processes.
- j) Participate in any computer-related activity that may cause TTUHSC El Paso to incur legal liability or loss of reputation.
- k) Violation of any policy defined in the TTUHSC El Paso IT Security Policies see <https://elpaso.ttuhs.edu/it/policies/default.aspx>.

17. *Providing False, Misleading or Untrue Statements or Misuse of Records*

Knowingly providing to the University, or to a University official in the performance of their duties, either verbally, or through forgery, alteration or misuse of any University document, record or instrument of identification.
18. *Skateboards, Roller Blades, or Similar Devices*

Use of skateboards, roller blades, bikes, scooters, or other similar devices in University buildings or on University premises in such a manner as to constitute a safety hazard or cause damage to University or personal property or which disrupts the normal operation of the University.
19. *Student Obligation of Reporting*
 - a) A student who witnesses academic misconduct or who is approached with an offer to gain unfair advantage or commit academic misconduct is obligated to report that violation to the appropriate authority (See [Part II.D](#)). Failure to do so may result in disciplinary action. Faculty and staff are likewise responsible to report academic misconduct in accordance with [Part II.D](#).
20. *Academic Misconduct*

“Academic misconduct” involves any activity that tends to compromise the academic integrity of the University, or subvert the educational process, including, but not limited to, cheating, plagiarism, falsifying academic records, misrepresenting facts and any act designed to give unfair academic advantage to the student or the attempt to commit such an act. Examples of academic misconduct include, but are not limited to:

 - a) “Cheating” includes, but is not limited to:
 - a. Using any aid, sources and/or assistance beyond those authorized by the instructor in taking a course, laboratory, field work, quiz, test or examination; writing papers; preparing reports; solving problems; or carrying out assignments;
 - b. Failing to comply with instructions given by the person administering the test;
 - c. Using, buying, stealing, transporting or soliciting in whole or part the contents of an examination, test key, homework solution or computer program;
 - d. Seeking aid, receiving assistance from, or collaborating (collusion) with another student or individual during a course, quiz, test, examination or in conjunction with other assignments (including, but not limited to writing papers, preparing reports, solving problems or making presentations) unless specifically authorized by the instructor;

- e. Discussing the contents of an examination with another student who has yet to take the examination;
 - f. Divulging the contents of an examination, for the purpose of preserving questions for use by another, when the instructor has designated that the examination is not to be removed from the examination room, be returned to or kept by the student;
 - g. Substituting for another person, or permitting another person to substitute for oneself to take a course, test or any course-related assignment;
 - h. Paying or offering money or other valuable things to, or coercing another person to obtain an examination, test key, homework solution or computer program, or information about an examination, test key, homework solution or computer program;
 - i. Falsifying research data, laboratory reports and/or other academic work offered for credit;
 - j. Taking, keeping, misplacing or damaging the property of the University, or of another, if the student knows or reasonably should know that an unfair academic advantage would be gained by such conduct;
 - k. Possession, at any time, of current or previous test materials without the instructor's permission;
 - l. Acquisition or dissemination by any means, without written permission, of tests or other academic material belonging to a member of the University community;
 - m. Alteration of grade records;
 - n. Bribing, or attempting to bribe, a member of the University community or any other individual to alter a grade;
 - o. Falsification, fabrication, or dishonesty in reporting laboratory and/or research results;
 - p. Submitting substantially the same work to satisfy requirements for one course that has been submitted in satisfaction of requirements for another course, without specific permission of the instructor of the course for which the work is being submitted;
 - q. Possession or access to during an exam of prohibited materials, including but not limited to study/review materials, class notes, review questions, or electronic devices.
 - r.) Serving as, or enlisting the assistance of, a substitute for a student in any graded assignments;
 - s. Engaging in activities that unfairly place other students at a disadvantage, such as taking, hiding or altering resource material;
- b) "Plagiarism" includes, but is not limited to, the appropriation, buying, receiving as a gift, or obtaining by any other means another's work (such as words, ideas, expressions, illustrations, or product of another), in whole or in part, and the submission of it as one's own work offered for an academic

credit or requirement. When a student presents the works of another (published or unpublished) in their academic work, the student shall fully acknowledge the sources according to methods prescribed by their instructor.

- c) “Falsifying academic records” includes, but is not limited to, altering or assisting in the altering, of any official record of the University and/or submitting false information or omitting requested information that is required for, or related to, any academic record of the University. Academic records include, but are not limited to, applications for admission, awarding of degree, diplomas, grade reports, official and unofficial transcripts, test scores, attendance and excused absence documents, grade reports, patient records, test papers, registration materials, any official forms, documents, or items related to academic performance.
 - d) “Misrepresenting facts” to the University or an agent of the University includes, but is not limited to, providing false academic information on resumes, false information relating to absences or accommodations, providing false or misleading information in an effort to receive a postponement or an extension on a test, quiz, or other assignment for the purpose of obtaining an academic or financial benefit for oneself or another individual, or providing false or misleading information in an effort to injure another student academically or financially.
 - e) Violation of course rules as contained in the course syllabus or other information provided to the student;
21. *Violation of Published University and School Policies, Rules, or Regulations*
Violation of any published University policies, rules, or regulations that govern student or student organization behavior, including, but not limited to, applicable publications for each TTUHSC El Paso School, such as student handbooks, catalogs, professional and ethical standards and course syllabi.
22. *Violation of Federal, State, and/or Local Law*
Misconduct which constitutes a violation of any provisions of federal, state and/or local laws.
23. *Recording or distribution without knowledge.*
Using electronic or other means to make or distribute a video, audio, or photographic record of any person in a location where there is a reasonable expectation of privacy without the person’s prior knowledge, when such a recording is likely to cause injury, distress, or damage to reputation. This includes, but is not limited to, taking video, audio, or photographic records in shower/locker rooms and restrooms. The storing, sharing, and/or distributing of such unauthorized records by any means is also prohibited.

24. *Abuse of the Student Conduct Board Administrator or System*

- a) Failure by a Respondent(s) to comply with or respond to a notification to appear before the Student Conduct Board or the Student Conduct Administrator during any stage of a disciplinary proceeding. Failure to comply with or respond to a notice issued as part of a Student Conduct procedure and/or failure to appear will not prevent the Student Conduct Board from reviewing the complaint;
- b) Falsification, distortion or misrepresentation of information in Student Conduct proceedings;
- c) Disruption or interference with the orderly conduct of a Student Conduct proceeding;
- d) Filing an allegation known to be without merit or cause;
- e) Discouraging or attempting to discourage an individual's proper participation in, or use of, the Student Conduct system;
- f) Influencing or attempting to influence the impartiality of a member of the Student Conduct Board prior to and/or during its proceeding;
- g) Harm, threat of harm, or intimidation either verbally, physically or written of a member of a Student Conduct Board prior to, during and/or after its proceeding;
- h) Failure to comply with the sanction(s), condition(s) and/or restriction(s) imposed under this Code or by a Student Conduct Board;
- i) Influencing or attempting to influence another person to commit an abuse of the Student Conduct system; or,
- j) Retaliation against any person or group who files a complaint accordance with the Code of Professional and Academic Conduct or files a grievance under the applicable institutional or School grievance policy.

25. *Retaliations*

- a) Any intentional adverse action against any individual who makes and allegation, files a report, services as a witness, assists a respondent or participates in any university investigation or proceeding.

26. *Other violations*

- a) Creating or contributing to behaviors which jeopardize the relationship of the University and the greater community, including failure to comply with public health mandates.

- b) Interference with any educational process or other university sponsored activities, including disruptions in the classroom or other learning environments.
- c) Acts of fraud or attempted fraud, including but not limited to acts of fraud committed by forgery, by alternation or misuse of TTUHSC El Paso documents, records, or by other means.

E. Other Professional and Ethical School Standards

In addition to the Misconduct identified in Part II.D, each TTUHSC El Paso School publishes its professional and ethical standards. School handbooks and catalogs should be consulted for these standards; alleged violations may be referred for institutional Student Conduct review. School committees review the alleged conduct under the professionalism, ethical, and licensure requirements related to their academic discipline.

F. Student Conduct Procedure

1. *Nature of Proceedings*

These proceedings are part of an educational process whereby the University applies its values to establishing the best possible learning environment for its students. These proceedings are not intended to follow, or be restricted by, courtroom or judicial procedures, including the rules of evidence. In addition, these proceedings are not intended for grading and promotions issues, which should be addressed under respective School policies.

2. *Procedural Deviations*

If the Student Conduct Board has not yet been appointed, or in the absence of the Chair of the Student Conduct Board, the parties and the Student Conduct Administrator may agree in advance and in writing to deviations from procedure. If a Student Conduct Board has been appointed, the parties and the Chair of the Student Conduct Board may mutually agree to procedural deviations, such as deadlines for submission of evidence and hearing dates and times.

NOTE: Any notices that are sent by email will be considered to have been received on the third calendar day after the date of emailing, excluding any intervening Saturday, Sunday or holiday.

3. *Filing a Complaint*

- a) Any faculty, staff, or student of TTUHSC El Paso may file a complaint against a student(s) or a student organization(s) for violation(s) of the Code of Professional and Academic Conduct. When appropriate, a preliminary investigation/discussion with a supervisor (program director, chair, etc.) should be done prior to filing a complaint. If a basis for the complaint

against a student, Attachment A should be completed and delivered by the Complainant to the Student Conduct Administrator. Attachment B should be used for complaints against student organizations. A Complaint shall be submitted no later than twenty (20) business days from the date of the event or when the complainant becomes aware of the event. Complaints filed more than twenty business days after the event shall include a justification for the delay.

- b) When a Complaint is filed, the Student Conduct Administrator will provide the Respondent (Accused Student) with the Complaint form filed by the Complainant and will notify the Respondent(s) in writing that they shall appear before the Student Conduct Administrator to discuss the Complaint within five (5) business days from the date of the letter. It is recommended that the Respondent(s) meet with the Student Conduct Administrator prior to the Student Conduct Board.
- c) If the Respondent(s) agrees, the Student Conduct Administrator may conduct an administrative review to determine if the complaint may be handled prior to a formal hearing. Any administrative review decision must be in writing and agreed to by all of the parties (complainant and respondent). Such disposition shall be final and there shall be no subsequent proceedings. The Student Conduct Administrator will send a written notification of the resolution to all parties involved.
 - a. If the Respondent admits violating institutional rules and agrees to the sanctions recommended by the Student Conduct Administrator, the Student Conduct Board is not convened and sanctions imposed by the Student Conduct Administrator are final.
- d) If the Complaint is not handled administratively under Part II.F.3.c above, the Student Conduct Administrator will meet with the Respondent to determine if the Respondent(s) admits or denies violating institutional rules.
 - a. If the Respondent admits violating institutional rules, but sanctions are not agreed to, a Student Conduct Board hearing shall be conducted in accordance with Part II.F.4 but shall be limited to recommending the appropriate sanction(s) Part II.G.
 - b. If the Respondent Respondent(s)denies violating University rules, the Student Conduct Administrator refers the allegations for a hearing before the Student Conduct Board under Part II.F.4 below
- e) A Student Conduct Board hearing shall be scheduled within twenty (20) business days after the Respondent(s) has met with the Student Conduct Administrator under Part II.F.3.d. In cases in which an examination period intervenes between the time of the notice to the Respondent and the Student Conduct Board hearing date, such hearing will be held during the

first week in which classes are again in session. In the case of inclement weather, the chair of the Student Conduct Board will notify all parties of any cancellations or schedule changes.

4. *Student Conduct Board Hearings*

a) Closed Hearing

A Student Conduct Board hearing will be conducted in closed session with the complainant(s), respondent(s) or student organization representative(s), and Student Conduct Board members, and Student Conduct Administrator present. Requests for an advisor for the Respondent(s) and witnesses should be made in advance to the Student Conduct Administrator.

b) Hearing Notice

At least fifteen (15) business days prior to the Student Conduct Board hearing, the Chair of the Student Conduct Board will provide written notice to the parties of the following:

- a. Date, time and place for the hearing;
- b. Names of the members of the Student Conduct Board;
- c. Summary statement of the charge(s), or a copy of the complaint; and
- d. Request in writing that at least five (5) business days prior to the Student Conduct Board Hearing, the Respondent and the Complainant submit the information outlined in Part II. F.4.d below

c) Challenge

A Respondent(s) and/or Complainant may challenge in writing the impartiality of any member of the Student Conduct Board up to three (3) business days after receiving the Hearing Notice by submitting their reasons for the challenge to the Student Conduct Administrator.

Any member of the Student Conduct Board whose participation is challenged shall be required to establish to the Student Conduct Board Administrator or his or her designee that the member can serve with fairness and objectivity. If the member cannot establish his or her fairness and objectivity to the satisfaction of the Student Conduct Board Administrator, the member in question shall be removed and a substitute will be appointed by the Student Conduct Administrator. If such member is removed the Student Conduct Administrator, may in his or her sole discretion choose to reschedule the hearing.

d) Evidence Submission

At least ten (10) business days prior to the date scheduled for the Student Conduct Board hearing, the Complainant and the Respondent(s) must submit to the Chair of the Student Conduct Board the following information, if applicable. Requests for extensions or late submission to file information/evidence with the Student Conduct Board shall be submitted to the Chair of the Student Conduct Board for approval.

- a. All pertinent records and exhibits;
- b. Written statements must be notarized (including Impact or Position Statements);
- c. A list of all witnesses, if any, who will be speaking on behalf of the Respondent(s) or Complainant; and
- d. The name of the advisor, if any, who may be present in an advisory capacity at the hearing. See Part II.F.4. i below.

e) Evidence Exchange

At least five (5) business days prior to the hearing, the Chair will provide each party with the information, if any, submitted by the other party.

f) Separate or Joint Hearings

A Student Conduct Board Hearing involving two or more Accused Students, may be conducted separately or jointly as determined by the Student Conduct Administrator. A Respondent(s) may request in writing to the Student Conduct Administrator a separate hearing up to three (3) business days after receiving the notice of hearing. The Student Conduct Board Administrator shall notify the student within three (3) business days the determination of the request.

g) Recordings

The University shall record all Student Conduct Board hearings. No recording will be made of the Board's discussion or deliberations. The record is University property. Pursuant to the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, the student will be allowed to review, but not to copy, the hearing record. 34 C.F.R. § 99.10 (2003). Neither the Complainant, the Respondent(s) nor any witnesses are permitted to make any independent record of the proceedings.

h) Hearing Attendance

The Complainant, Respondent(s) and their respective advisor, if any, shall be allowed to attend the portion of the Student Conduct Board Hearing at which information is received, excluding deliberations.

i) Advisors

The advisor must be a faculty, staff, or student of TTUHSC El Paso. However, a Respondent(s) may be allowed to have an attorney serve as his or her advisor, at his or her own expense, to participate only in the same manner as any other advisor. If an advisor for the Respondent(s) is an attorney, an attorney from the Office of General Counsel may attend the Student Conduct Board Hearing on behalf of the University. TTUHSC El Paso will provide legal counsel for the Student Conduct Board as the Student Conduct Board Chair deems it necessary.

An advisor may confer with and advise the respondent(s) but may not advocate for the student in a hearing. The Complainant and/or the Respondent(s) is responsible for presenting his or her own information. A student should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the Student Conduct Board hearing, as delays will not be allowed due to the scheduling conflicts of an advisor, except at the discretion of the Chair upon written request five (5) business days in advance of the date scheduled for the Student Conduct Board Hearing.

j) Witnesses

Members of the Student Conduct Board may question all witnesses, followed by the parties. Questioning by the Complainant and the Respondent(s) may be limited in the sole discretion of the Chair of the Student Conduct Board for such issues as preserving the civility of the hearing, avoiding redundant and irrelevant questioning, and/or providing for the efficient administration of the Hearing. Witnesses are permitted to attend the Student Conduct Board Hearing only during the time they are providing testimony, they are being questioned by the complainant, the accused or the committee unless the Student Conduct Board Chair, in their sole discretion determines otherwise.

a. Parties' Witnesses

The Complainant and the Respondent(s) may arrange for witnesses to present pertinent information to the Student Conduct Board. The Complainant and the Respondent(s) are responsible for arranging for the voluntary attendance of his or her own witnesses.

b. Board Witnesses

In its sole discretion, the Student Conduct Board may call other witnesses not identified by the Respondent(s) or the Complainant. If prior to the hearing the Student Conduct Board anticipates calling additional witnesses, the Board shall notify the Chair of the Student Conduct Board. The Chair of the Student Conduct Board will then arrange for the voluntary attendance of the witnesses identified by

the Student Conduct Board. The Chair of the Student Conduct Board shall notify the Respondent(s) and the Complainant of the additional witnesses. If any witness called by the Student Conduct Board intends to present written information to the Board, the Chair of the Student Conduct Board is responsible for forwarding such information to the Complainant, the Respondent(s) and the Student Conduct Board prior to the Hearing. No Board members shall have communication with any witnesses, except in the hearing with the Respondent(s) and Complainant present.

k) Procedural Questions

All procedural questions are subject to the final decision of the Chair of the Student Conduct Board. If a Student Conduct Board has not yet been appointed, the Student Conduct Administrator will issue a final decision in response to procedural questions.

l) Deliberations

If the Student Conduct Board concludes that all pertinent information has been received, the Student Conduct Board shall adjourn the Hearing to discuss, deliberate and prepare Findings and Recommendations. The Student Conduct Board will determine by a simple majority (more than half of the votes cast) of members present at a duly called meeting vote whether the Respondent(s) has violated any section of the Code which the student is charged with violating. If the Student Conduct Board finds a violation(s) of the Code, the Student Conduct Board may also recommend all or any of the sanctions identified in Part II.G below.

m) Failure to Appear

The Respondent(s) is expected to attend and participate in the Student Conduct Board Hearing. If the Respondent(s) or the Complainant elects not to attend a hearing after appropriate written notice Section II.F.4.b above, the charges will be reviewed as scheduled on the basis of the information available, and a recommendation will be made by the Board. Although no inference may be drawn against a Respondent(s) for failing to attend a hearing or remaining silent, the hearing will proceed and the conclusion will be based on the evidence presented. No decision shall be based solely on the failure of the Respondent(s) to attend the hearing or answer the charges.

n) Findings, Recommendations and Rationale

The Chair is responsible to prepare the Student Conduct Board's Findings, Recommendations and Rationale in writing. If the Findings, Recommendations and Rationale are not unanimous, opinion(s) may be written by those who differ with the Majority's report. The Chair will

forward the Findings, Recommendations and Rationale, including differing opinion(s), within five (5) business days to the Assistant Vice President for SSSE for review.

o) Review of Findings and Recommendations

The Assistant Vice President for SSSE will review the Findings and Recommendations of the record from the Student Conduct Hearing, recording and supporting documents, and transmit the final outcome in writing within five (5) business days from receipt to the Respondent(s), the Complainant and the Chair of the Student Conduct Board.

p) Appeal

Within five (5) business days of receipt of the decision of the Student Conduct Board, if either party believes that the due process procedures have been violated, an appeal may be made, in writing, to the Vice President for Academic Affairs (VPAA). The VPAA will review the case and notify all parties of their decision within ten business days. If a written appeal is not submitted within ten business days following receipt of the Student Conduct Board decision letter, the right to appeal is thereby waived and said decision is final.

The Respondent(s) or Complainant may only raise, and the VPAA shall only consider, the following:

- a. Whether a procedural deviation occurred that substantially affected the outcome of the case;
- b. Whether there is new information sufficient to alter the Findings or other relevant facts not available or mentioned in the original hearing, because such information and/or facts were not known to the person appealing at the time of the original Student Conduct Board hearing.
- c. The VPAA will review the Findings and Recommendations and, at their sole discretion, the record from the Student Conduct Board hearing and supporting documents, and transmit their decision in writing to the Respondent(s), the Complainant, the Student Conduct Administrator, the Chair of the Student Conduct Board, and the Assistant Vice President of SSSE. The VPAA's decision shall be final.

G. Sanctions

Any student found to have engaged in misconduct may be assigned sanction(s). The sanctions are designed to educate students in critical reflection of their choices, as well as educate and develop students through a process of accountability that promotes integrity, responsibility, growth and a culture of care.

Sanctions which may be recommended by the Student Conduct Board, and imposed by the Assistant Vice President for SSSE, upon any student found to have violated this Code of Professional and Academic Conduct include, but are not limited to, the following:

1. *Student Sanctions*

a) Failing Grade or Cancellation of Credit

Failing grade for an examination or assignment or for a course, and/or cancellation of all, or any portion, of a prior course credit.

b) Censure

A notice in writing to the student that the student is in violation or has violated institutional regulations. At the Student Conduct Board's discretion, the censure may remain permanently in the student's disciplinary file or be removed at graduation if certain conditions are met.

c) Probation

A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the likelihood of more severe disciplinary sanctions if the student is found to violate any institutional regulation(s) during the probationary period.

d) Professional Growth Plan

Development of goals, timelines, interventions and requirements for improved behavior and interactions with faculty, staff, students and patients. Details related to consequences if plan is not followed.

e) Loss of Privileges

Denial of specified privileges for a designated period of time.

f) Restitution

Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.

g) Educational Requirements

Assignments may be made at the discretion of the Student Conduct Board, such as work assignments, essays, training, and community service to the University.

h) Suspension

Separation of the student from University for a defined (or specific) period of time, after which the student is eligible to return. Conditions for re-enrollment or readmission must be specified. (During the time of

disciplinary suspension, notice is placed in the student's permanent file see [77.05 Student Leaves of Absence and Suspensions.](#))

i) Institutional Dismissal

Student Conduct Board decisions of dismissal of the student from the institution without the option to apply for readmission to any School in the University. The student's transcript will include a notation of dismissal for non-academic and non-financial reasons and the date of the action or appeal decision.

j) Contact Restrictions

Compliance with orders or no contact that limited access in time and space to TTUHSC EP areas, digital environments or forms of contact with particular persons or groups.

k) Revocation of Admission

Admission to the University may be revoked for fraud, misrepresentation or other violations of University standards.

l) Revocation of Degree

A degree awarded by the University may be revoked for fraud, misrepresentation or other serious violations committed by a student prior to graduation.

m) Withholding Degree

The University may withhold awarding a degree otherwise earned until the completion of the process set forth in a Student Conduct Board or Student Conduct Administer decision.

n) Multiple Sanctions

More than one of the sanctions listed above may be imposed for any single violation.

o) Not eligible for re-enrollment

The Student Conduct Board will specify whether the student is eligible for re-enrollment.

p) Suspension of Rights or Privileges

Including but not limited to suspension of participation in co-curricular or extra-curricular activities or access to specific campus spaces.

q) Other Sanctions

Any other sanction(s) which may be appropriate under the particular circumstances of the violation.

Other than dismissal from the University or revocation of a degree, Student Conduct Board decisions shall not be made part of the student's permanent education record, but shall become part of the student's disciplinary record which is maintained in the TTUHSC El Paso Student Services and Student Engagement office. Where professionalism matters are involved, a copy of a Student Conduct Board decision may be maintained in the disciplinary file of the respective school.

NOTE: State law mandates that the student's transcript a) may be withheld pending investigation and b) include a notation regarding ineligibility to return due to disciplinary processes (e.g. withdrawal, dismissal, suspension): See TX HB 49 and 1734 (2019).

2. *Student Organization Sanctions*

The following sanctions may be imposed upon registered student organizations and/or members thereof:

- a) Those sanctions as listed in Part II. G.1. above;
- b) Loss of selected rights and privileges for a specified period of time;
- c) Organizational deactivation; loss of all privileges, including University recognition and/or registration, for a specified period of time.

H. Interpretation and Revision

1. *General Policy*

- a) Any question of interpretation or application of this Code shall be referred to the Student Conduct Administrator or his or her designee for final determination.
- b) The Code of Professional and Academic Conduct Review Committee (Review Committee) shall conduct an annual review of the Code and make recommendations to the Academic Council, Vice President for Academic Affairs and President regarding omission, clarifications, constructive changes and other matters relevant to the interpretation and operation of the Code. The Review Committee is composed of the Assistant Vice President for Student Services and Student Engagement (SSSE), the Student Conduct Administrator (if different than the AVP), SSSE Conduct Investigator, General Counsel, Vice President of Academic Affairs or his/her designee.

2. *Definitions*

- a) “Business day” means a day in which the University normally carries on business or business operations, but excludes weekends and official University holidays.
- b) “Complainant” means a member of the University community who submits a Complaint alleging that a student or student organization violated the Code of Professional and Academic Conduct. When a student believes that he or she has been a victim of another student’s misconduct, the student who believes that he or she has been a victim will have the same rights under the Code as are provided to the Complainant, even if the victim is not acting as a Complainant.
- c) “Complaint of Misconduct” or “Complaint” means a formal, written charge against a student(s) or student organization(s) alleging violation(s) of the Code of Professional and Academic Conduct or other published rule, policy, standard or guideline applicable to students at the university.
- d) “Hold” means the indicator placed on a student’s official academic record which prevents registration, financial aid, university services, and/or the issuance of an unofficial and/or official transcript until the student meets the requirements of the University office placing the hold, as described in this Handbook and/or in School’s catalogs or handbooks.
- e) “Member of the University community” means any person who is a campus visitor, volunteer including high school students, enrolled student, faculty or staff member, University official, any other person employed by the University.
- f) “Registered student organization” means any number of students who have complied with the formal requirements for University registration.
- g) “Respondent” means any student accused of violating the TTUHSC El Paso Code of Professional and Academic Conduct set forth in Part II of this Handbook. This term may also may refer to a registered student organization.
- h) “Student” means any person enrolled in a degree program and/or for credit courses at the University. In addition, persons who withdraw or who are on a leave of absence (approved interruption of continuous enrollment) but have a continuing relationship with the University are considered to be students. Individuals who have been accepted for admission are also considered students under this Handbook.
- i) “Student Conduct Administrator” means a TTUHSC El Paso official authorized by the Assistant Vice President for Student Services and Student Engagement (SSSE) to receive complaints and administer the procedures

outlined herein. The Student Conduct Administrator will provide technical assistance and support to the Student Conduct Board and may be present at the Student Conduct Board Hearing, but will not be present during the Board's deliberations.

- j) "Student Conduct Board Hearing" or "Hearing" refers to an administrative process whereby a student contests the facts upon which charges of inappropriate conduct, violations of the Code of Professional and Academic Conduct and/or sanctions resulting from an alleged violation(s) are based.
- k) "Student Handbook" or "Handbook" means the TTUHSC El Paso Institutional Student Handbook. Schools also have "Handbooks" that are labeled specifically with the School title in front of "Handbook".
- l) "University" means TTUHSC El Paso (inclusive of all teaching and clinical sites and their components).
- m) "University official" means any person employed by Texas Tech University System, Texas Tech University or TTTHSC El Paso, while performing their assigned administrative or professional responsibilities.
- n) "University premises" includes all land, buildings, facilities, and other resources owned, leased, managed or operated by the University (including adjacent streets and sidewalks).

III. Withdrawal of Consent to Be In Attendance or Present On University Premises

A. Recommendation to Withdraw Consent during Periods of Disruption

1. *Periods of Disruption Defined*

The term "period of disruption" is any period in which it reasonably appears that there is any of the following (Texas Education Code § [51.231](#)):

- a) Threat(s) of destruction to University premises;
- b) Threat(s) of physical or emotional injury to human life on University premises; or,
- c) Threat(s) of willful disruption of the orderly operation of the University.

2. *Withdrawal of Consent*

During periods of disruption, the Assistant Vice President for SSSE or designee may recommend to the Vice President of Academic Affairs that prior to a Student Conduct Board hearing, and in accordance with Texas Education Code § [51.233](#), a student have their consent to be in attendance at the University or on University premises be withdrawn when there is reasonable cause to believe that the student has willfully disrupted the orderly operation of University

premises and that his/her presence on University premises will constitute a substantial and material threat to the orderly operation of the University premises.

3. *Terms of Withdrawal*

Withdrawal of Consent shall not be longer than fourteen (14) days from the date on which consent was initially withdrawn.

Withdrawal of Consent is specifically provided by state statute (Texas Education Code § 51.233, et seq.). The provisions of Part III do not affect the power of the University to suspend or dismiss any student at the University in accordance with the procedures set forth in Part II of this Handbook. If a person is alleged to have violated the Code of Professional and Academic Conduct, and Withdrawal of Consent also occurs, the procedures set forth in Parts II and III may occur concurrently.

B. Concurrence by Vice President of Academic Affairs required notifications

1. *Written notice*

Withdrawal of consent must be made in writing. The written notice must contain all of the following (pursuant to [Texas Education Code § 51.234](#)):

2. *Notice requirements*

- a) That consent to remain on the campus has been withdrawn and the number of days for which consent has been withdrawn, not to exceed fourteen (14);
- b) Name and job title of the person withdrawing consent, along with an address where the person withdrawing consent can be contacted during regular working hours;
- c) Brief statement of the activity or activities resulting in the Withdrawal of Consent; and,
- d) Notification that the student is entitled to a hearing on the withdrawal not later than three (3) days from the date of receipt by the Assistant Vice President for SSSE of a request for hearing from the person.
- e) See Texas Education Code § [51.233\(a\)](#), [51.234](#) & [21.5235](#)

3. *Notification of the President or designee*

- a) Whenever consent is withdrawn by any authorized officer or employee other than the VPAA, the officer or employee shall submit a written report to the VPAA within 24 hours, unless the authorized officer or employee has reinstated consent for the person to remain on the

campus. The report must contain all of the following (pursuant to [Texas Education Code § 51.235](#)):

- a. Description of the student, including, if available, the student's name, address, and phone number; and,
- b. Statement of the facts giving rise to the Withdrawal of Consent.

C. Confirmation of the President or Designee

1. *Confirmation*

If the VPAA or his/her designee upon reviewing the written report described above finds that there was reasonable cause to believe that the student has willfully disrupted the orderly operation of the University or University premises, and that his presence on University premises will constitute a substantial and material threat to the orderly operation of the campus or facility, he/she may enter written confirmation upon the report of the action taken by the officer or employee [Texas Education Code §51.236 \(b\)](#).

2. *No Confirmation*

If the VPAA or his/her designee does not confirm the action taken by the officer or employee within 24 hours after the time that consent was withdrawn, the Withdrawal of Consent shall be deemed void and of no force or effect, except that any arrest made during the period shall not for this reason be deemed not to have been made for probable cause.

D. Hearing for withdrawal of consent

1. *Request by student*

The student from whom consent to remain on campus has been withdrawn may submit a written request for a hearing to the VPAA or designee, within the fourteen (14) day period of withdrawal. The written request must state the address to which notice of hearing is to be sent.

2. *Hearing Procedures*

The student shall be entitled to the following procedures in accordance with the Texas Education Code, Sections 51.234 and 51.243.

a) *Hearing Notice*

Upon receipt of the request for hearing, the VPAA or designee shall grant the request and immediately mail a written notice of the time, place, and date of the hearing, along with pertinent records, exhibits and written statements to the student. A hearing will be conducted no later than three (3) days from the date that the VPAA or designee receives the request for hearing. The Hearing Committee will be appointed by the VPAA or designee

and will be comprised of members from the respective schools other than the accused and individual issuing notice. Pursuant to Texas Education Code § 51.243 Required Hearing Procedures will be followed.

b) Representation

The student may be advised by counsel. The University will be represented by the Office of General Counsel.

c) Witnesses

The student, as well as the party who recommended consent be withdrawn, have the right to call and question witnesses and to cross-examine witnesses at the hearing. Members of the Hearing Committee may also question the witnesses. Witnesses are permitted to attend the Hearing only when they are providing information, unless the Hearing Committee, in its sole discretion, allows otherwise. The student shall be advised of the content of the statements, and the names of the persons who made them, at the hearing.

d) Evidence

All matters upon which the decision to withdraw consent may be based shall be introduced into evidence at the hearing. The decision to withdraw consent shall be based solely on the evidence presented at the hearing. At least one (1) day prior the date scheduled for the Hearing, the parties must submit to the Chair of the Hearing Committee the following information, if applicable:

- a. All pertinent records, exhibits and written statements (including Impact or Position Statements);
- b. A list of witnesses, if any, who will be speaking on behalf of the Accused Student or Complainant, including a brief summary of the information to be given by each; and,
- c. The name of the advisor, if any, who may be present in an advisory capacity at the hearing. See Part [II.F.4.i](#).

e) Procedural Questions

All procedural questions are subject to the final decision of the chair.

f) Recordings

University shall record all Hearings. No recording will occur when the Hearing Committee is in discussion or deliberation. Deliberations shall not be recorded. The record is University property.

g) Appeal to the President

The student may appeal the decision within three (3) days from the date of the decision by sending a written appeal to the President. If the student does not appeal the decision by the hearing committee, the decision is final. The president will review and render a decision within seven (7) days.

E. Entering or remaining on campus after withdrawal of consent

Any person who has been notified by an administrative officer of TTUHSC El Paso or employee designated by the VPAA to maintain order on the campus or facility, that consent to remain on the campus or facility has been withdrawn pursuant to Section 51.233, who has not had consent reinstated, and who willfully and knowingly enters or remains upon the campus or facility during the period for which consent has been withdrawn, is guilty of a misdemeanor, and is subject to punishment as set out in Texas Education Code § 51.244.

This section does not apply to any person who enters or remains on the campus or facility for the sole purpose of applying to the administrative officer or authorized officer or employee for the reinstatement of consent or for the sole purpose of attending a hearing on the withdrawal.

F. Reinstatement of Consent to Remain on Campus

The VPAA or designee shall reinstate consent whenever they have reason to believe that the presence of the person from whom consent was withdrawn will not constitute a substantial and material threat to the orderly operation of the campus or facility.

IV. Student Complaint or Grievance Policies and Procedures

The following section summarizes TTUHSC El Paso's student complaint or grievance policies and procedures, *other than those listed in Part V of this Institutional Student Handbook* (e.g. Title IX and discrimination). Links to specific policies and procedures are provided on the Student Services and Student Engagement web page.

It is the policy of the Texas Tech University Health Sciences Center El Paso to affirm the right of its students to a prompt and fair resolution of a complaint or grievance involving allegations of inappropriate behavior by other TTUHSC El Paso students or by TTUHSC El Paso personnel toward students.

A. General or Academic Misconduct of another Student

Policies and procedures governing complaints regarding the general or academic misconduct of students are defined in the Code of Professional and Academic Conduct (Code), which is published as [Part II](#) of this handbook. Students, faculty, and staff are all encouraged to report violations of the Student Code in accordance with the Disciplinary Procedures outlined in the Student Code.

B. General Misconduct of a faculty or staff member toward a student

1. *Framework*

TTUHSC El Paso strives to provide an educational environment that is safe, equitable, and hospitable so that students across all schools have the opportunity to succeed in their academic programs. TTUHSC El Paso has a zero tolerance policy for student mistreatment by faculty and staff. Student mistreatment, intentional or unintentional, occurs when behavior shows disrespect for the dignity of others and interferes with the learning process. Examples of unacceptable student mistreatment at TTUHSC El Paso include, but are not limited to:

- a. Disparaging or demeaning comments about an individual or group;
- b. Loss of personal civility including shouting, displays of temper, public or private abuse, belittling, or humiliation;
- c. Use of grading or other forms of evaluation in a punitive or retaliatory manner;
- d. Sending students on inappropriate errands.

Sexual harassment and assault, as well as discrimination and harassment based on race, color, religion, or sexual orientation are also forms of student mistreatment. The processes and procedures of such discrimination are found under [Section V. C](#), of this handbook.

The Student Mistreatment Policy does not cover appeals of academic grades, academic progression, or disciplinary action against a student at the school and institutional

levels. Students should refer to the appropriate school and institutional academic and conduct policies and procedures through their school if they have any complaints.

A grievance involving perceived mistreatment may be resolved in an informal or a formal manner.

2. *Informal Grievance Resolution Process:*

A student pursuing an informal, non-academic grievance resolution must contact their school's Associate Dean/Director for Student Affairs, in writing, within twenty (20) business days of the alleged incident. The written informal complaint must include a short description of the alleged incident, the expressed desire to handle the issue informally, and the date it occurred. If the grievance involves staff, faculty, student(s) from the broader TTUHSC El Paso community, the Associate Dean for Student Affairs will refer the informal grievance to the Vice President for Academic Affairs. The Assistant/Associate Dean for Student Affairs will assist the student in the informal resolution of the grievance, to be completed within twenty (20) days from receipt of the student's written grievance. If an informal resolution is not achieved, the aggrieved student has an additional five (5) business days to file a formal written grievance in accordance with procedures described in Section IV.B.3.a and IV.B.3.b.

3. *Formal Grievance Resolution Process¹:*

a. Nonacademic grievance within school

To file a formal, non-academic grievance within a specific TTUHSC El Paso school the student must first contact the school's Associate Dean/Director for Student Affairs for a review of applicable policies and procedures. If the allegation is one of sexual harassment/assault or gender-based discrimination, the Associate Dean/Director for Student Affairs will engage TTUHSC El Paso's Title IX Director (see part V. Anti-Discrimination and Sexual Misconduct Policies and Procedures).

The student must submit a formal written grievance with the school-level Associate Dean/Director for Student Affairs within twenty (20) business days from the alleged incident. The formal grievance must include a detailed description of the incident, the underlying reason for filing the formal grievance, and a proposed resolution, if possible.

Copies of the written grievance will be made available to named parties and the appropriate advocacy/supervisory authorities. The Associate Dean/Director for Student Affairs may, at their discretion, hold discussions with or without the involved/accused individual(s) to hear and resolve the grievance, schedule a meeting between the student(s) and the involved/accused individual(s) and/or involve other parties in facilitating a resolution of the grievance. The Associate Dean/Director for Student Affairs has twenty (20) business days from receipt of the

¹ Section IV. 2. Formal Grievance Resolution Process was modified to separate nonacademic grievances within school versus those encompassing the broader TTUHSC El Paso campus community. Changes were made to provide greater clarification of complaint process and appeal procedures. Effective December 27, 2022.

formal written grievance to resolve the case and provide the aggrieved student(s) a written summary of resolution.

If the aggrieved student(s) is dissatisfied with the resolution, they may file a formal written appeal with the School's Dean within five (5) business days of the decision. The decision of the School Dean is final. The School Dean has twenty (20) business days to provide a written decision to the student(s) and to the School's Associate Dean/Director for Student Affairs.

The Dean's decision regarding the merits of the grievance and its resolution are final. If the student alleges that institutional policies were not followed, the student may appeal at the institutional level only if the student claims they were not afforded due process.

Appeals on the basis of procedural violations must be submitted to the to the Vice President for Academic Affairs (VPAA), or designee, within five (5) business days of receipt of the Dean's decision pertaining to the non-academic grievance. The VPAA's appeal response is final.

b. Nonacademic Grievance involving the broader TTUHSC El Paso community

To file a formal, nonacademic grievance involving staff, faculty or students(s) from the broader TTUHSC El Paso community, the student(s) must first consult their school's Associate Dean/Director for Student Affairs for a review of applicable policies and procedures. If the allegation is one of sexual harassment/assault or gender-based discrimination, the Associate Dean/Director for Student Affairs will engage TTUHSC El Paso's Title IX Director (see part V. Anti-Discrimination and Sexual Misconduct Policies and Procedures).

The student must submit a formal written grievance with the Vice President of Academic Affairs within twenty (20) business days from the alleged incident. The formal grievance must include a detailed description of the incident, the underlying reason for filing the formal grievance, and a proposed resolution, if possible.

Copies of the written grievance will be made available to named parties and the appropriate advocacy/supervisory authorities. The Vice President of Academic Affairs (VPAA) may, at their discretion, hold discussions with or without the involved/accused individual(s) to hear and resolve the grievance, schedule a meeting between the student(s) and the involved/accused individual(s) and/or involve other parties in facilitating a resolution of the grievance. The VPAA has twenty (20) business days from receipt of the formal written grievance to resolve

the case and provide the aggrieved student(s) a written summary of resolution.

The VPAA's decision regarding the merits of the grievance and its resolution are final. If the student alleges that institutional policies were not followed, the student may appeal only if the student claims they were not afforded due process.

Appeals on the basis of procedural violations must be submitted to the TTUHSC El Paso President or designee, within five (5) business days of receipt of the VPAA's decision pertaining to the non-academic grievance. The TTUHSC El Paso President's response is final.

C. Discrimination

This handbook identifies several policies intended to ensure the fair and equitable treatment of all members of the university community. The processes for filing complaints are detailed in the [TTUHSC El Paso Operating Policies and Procedures](#). The following list identifies key institutional policies governing complaints regarding discrimination:

[HSCEP OP 51.01](#) Equal Employment Opportunity Policy and Affirmative Action Program

[HSCEP OP 51.02](#) Non-Discrimination and Anti-Harassment Policy and Complaint Procedure

[HSCEP OP 51.03](#) Sexual Misconduct

[HSCEP OP 51.04](#) Access for Individuals with Disabilities

Information related to Anti-Discrimination and Sexual Misconduct Policy and Procedures (including Title IX) is detailed in [Section V](#). of this handbook and is developed in conjunction with Texas Tech University [System Regulation 07.10 Non-Discrimination and Anti-Harassment Policy and Complaint Procedure](#), [HSCEP OP 51.02](#), Texas Tech University [System Regulation 07.06 Sexual Misconduct](#), and [HSCEP OP 51.03](#)

D. Student Records

For details associated with filing complaints related to student records, see [HSCEP OP 77.13 Student Education Records](#)

E. TTUHSC El Paso Employment

Information about employment grievances for students who are employed at TTUHSC El Paso is provided in [HSCEP OP 70.10](#), Non-faculty Employee Complaint and Grievance Procedures. This policy covers complaints concerning issues pertaining to wages, hours, working conditions, performance evaluations, merit raises, job promotions, job assignments, or similar matters involving management decisions concerning the employee.

F. Grades and Grading

The processing of formal grade appeal procedures is the responsibility of the school that administers the course. Relevant school policies are included in their catalogs and handbooks.

- [Hunt School of Nursing](#): Academic Grade Challenges/Appeals
- [Francis Graduate School of Biomedical Sciences](#): Grade Appeals
- [Foster School of Medicine](#): Challenging Student Records or Grades
- [Hunt School of Dental Medicine](#)

G. Digital Citizenship Guidelines

TTUHSC El Paso defines digital citizenship as, the use of critical thinking and ethical choices and the recognition of the rights and responsibility related to living, learning and working in an interconnected community. Digital content must be considered through the impact on oneself, others, and one's community of what one sees, says, and produces with media, devices, and technology. The International Society for Technology in Education (ISTE) outlines the following as indicators of digital citizens:

- a) Students cultivate and manage their digital identity and reputation and are aware of the permanence of their actions in the digital world.
- b) Students engage in positive, safe, legal and ethical behavior when using technology, including social interactions online or when using networked devices.
- c) Students demonstrate an understanding of and respect for the rights and obligations of using and sharing intellectual property.

Students manage their personal data to maintain digital privacy and security and are aware of data-collection technology used to track their navigation online.

Students who feel that they have been harassed in a digital environment from a faculty, staff or student member may file a grievance as defined by the Code. Forms of harassment are defined by Texas Penal Code – Penal § 42.07 where a person acts with the intent to harass, annoy, alarm, abuse, torment, or embarrass another person via electronic communications.

H. Other Types of Mistreatment

Students who feel that they have been mistreated in a manner that is not directly addressed by any of the specific policies identified above are encouraged to refer to the policies and procedures governing student complaints, grievances, and appeals within their school. Relevant school policies include the following:

- [Hunt School of Nursing](#): Academic Grade Challenges/Appeals and Complaint or Grievance Resolution (Non-Grade Related)
- [Francis Graduate School of Biomedical Sciences](#): Procedure for Grade and Non-Grade Complaints
- [Foster School of Medicine](#): Appropriate Treatment of Medical Students; Student – Faculty Dispute Resolution Policy; Student-Student Dispute Resolution Policy
- [Hunt School of Dental Medicine](#)

Students should process their complaints or appeals through the appropriate channels. Procedures are delineated in the policies identified above. Students are required to bring their concerns to the designated student affairs officer of their school. The student affairs officer in each school is as follows:

- Hunt School of Nursing: Associate Dean for Academic Programs
- Francis Graduate School of Biomedical Sciences: Dean
- Foster School of Medicine in El Paso: Associate Dean for Student Affairs
- Hunt School of Dental Medicine: Associate Dean for Student Affairs

The deans of the schools have final authority in resolving disputes related to academic issues, such as grading and promotion, and in non-academic issues involving the school's faculty and staff.

Every effort should be made to resolve complaints against faculty and other school personnel at the school level. If the complaint is about personnel or services at the institutional level, the student is advised to contact the TTUHSC El Paso Office of Student Services and Student Engagement (SSSE) in accordance with the following institutional-level student complaint procedures.

I. Other Institutional-Level Student Complaint Procedures

The procedures defined below apply to student complaints that fall outside the scope of other institutional and school-based policies and procedures governing specific types of student complaints, including, for example, *student complaints against staff members or TTUHSC El Paso administrators employed at the institutional level* (outside of Title IX). The TTUHSC El Paso Office of Student Services and Student Engagement will administer this institutional policy and will insure that due process is afforded to all concerned.

1. *Early Resolution*

Prior to contacting the TTUHSC El Paso Office of Student Services and Student Engagement (SSSE), the student shall attempt to resolve the issue with the individual(s) involved. If the student is not satisfied with the outcome after meeting with the individual or does not feel comfortable talking to the administrator or staff member involved, the student may contact the Assistant

Vice President for SSSE. The student shall address the issue and initiate action under this policy within twenty (20) days of the event-giving rise to the complaint.

The Assistant Vice President for SSSE or designee may counsel the student to discuss the issue with the involved administrator or staff member. If the student does not feel comfortable talking to the person involved, the Assistant Vice President for SSSE or designee will investigate the complaint, attempt to reconcile differences, and propose a solution. The Assistant Vice President for SSSE or designee will provide a written statement of his or her recommendation to all parties within ten (10) business days following the initial receipt of the student's report of the complaint. All involved parties will then have ten business days to respond. Every effort should be made to resolve the issue without going beyond this level.

(If the complaint is against the Assistant Vice President for SSSE, the student should meet with the Vice President for Academic Affairs, who will follow the procedures outlined here.)

2. *Filing a hearing request*

If the student is not satisfied with the recommendation of the Assistant Vice President Student Services and Student Engagement (SSSE) or designee, they may file a request for a hearing by submitting a written complaint to the Assistant Vice President SSSE.

- a) The hearing request must include a specific statement of the student's complaint, an explanation of what remedy the student seeks, and a copy of the Assistant Vice President for SSSEs' or designee recommended resolution.
- b) If the student files a request for a hearing, a Student Hearing Committee as defined below must convene within 15 business days.

3. *Hearing Procedure*

Upon receipt of a written request for a hearing, the Assistant Vice President for Student Services and Student Engagement (SSSE) or designee will appoint a Hearing Committee according to the following procedure:

- a) Each party will propose in writing a list of four TTUHSC El Paso faculty, staff, and/or students to serve on the Hearing Committee. The Assistant Vice President for SSSE or designee will contact one person from each list in order of the submitting party's preference to determine the person's willingness to serve. Through this process, one person will be selected from each list. The two people selected will then select a third member (a TTUHSC El Paso faculty or staff member) and these individuals will comprise

the Hearing Committee. This group will select a chair from among themselves.

- b) The Assistant Vice President for SSSE or designee will provide technical assistance and support to this committee.
- c) As soon as the hearing is scheduled, the chair of the Hearing Committee will send a written notice to all involved parties. The notice will specify the time, place, and nature of the hearing, plus a brief description of the complaint. The notice will also confirm the right of all involved parties to present witnesses and evidence and to be accompanied by counsel for advisory purposes only.
- d) At least five days prior to the hearing, all parties will provide to the chair of the Hearing Committee and the Assistant Vice President for SSSE or designee a list of the names of any witnesses or counsel who will attend the hearing in addition to any evidence that will be offered. If the student will be advised by counsel, the University may be represented by the Office of General Counsel. The student and the involved individuals(s) shall have access to all information to be considered by the Hearing Committee, including the names of all persons giving evidence.
- e) The student and the involved parties shall attend the hearing and be offered an opportunity to state their positions and present testimony and other evidence relevant to the case. The responsibility of establishing the validity of the complaint rests with the student.
- f) The Hearing Committee chair shall keep a recording of the hearing, which shall include date, time, and location of the hearing, names of those present, and any evidence introduced (e.g., records, written testimony, duplicated materials). Deliberations will not be recorded.

4. *Committee Decision*

After completion of the hearing, the Hearing Committee shall meet in closed session and prepare a written decision. Copies of the Hearing Committee chair's report shall be forwarded to the involved parties within five business days.

5. *Appeal*

Within ten business days of receipt of the decision of the Hearing Committee, if either party believes that the due process procedures have been violated, an appeal may be made, in writing, to the Vice President for Academic Affairs (VPAA).

The VPAA will review the case and notify all parties of their decision within ten business days.

If a written appeal is not submitted within ten business days following receipt of the Hearing Committee decision letter, the right to appeal is thereby waived and said decision is final.

The Accused Student or Complainant may only raise, and the VPAA shall only consider, the following:

- a) A procedural deviation occurred that substantially affected the outcome of the case;
- b) There is new information sufficient to alter the Findings or other relevant facts not available or mentioned in the original hearing, because such information and/or facts were not known to the person appealing at the time of the original hearing.

The VPAA will review the Findings and Recommendations and, at his or her sole discretion, the record from the Hearing Committee and supporting documents, and transmit his or her decision in writing to the Complainant, the Hearing Committee chair, and the Assistant Vice President for SSSE. The VPAA's decision shall be final.

The VPAA will review the Hearing Committee decision and render a decision within five business days. The decision of the Vice President for Academic Affairs is final.

V. Anti-Discrimination and Sexual Misconduct Policy and Procedures (Including Title IX)

The University is committed to providing and strengthening an educational, working, and living environment where students, faculty, staff, and visitors are free from sex discrimination of any kind. The University prohibits discrimination based on sex, which includes pregnancy, sexual orientation, gender identity, gender expression, and other types of Sexual Misconduct. Sexual Misconduct is a broad term encompassing all forms of gender-based harassment or discrimination and unwelcome behavior of a sexual nature, Sexual Harassment, Sexual Assault, Sexual Exploitation, Stalking, Public Indecency, Interpersonal (Dating, Domestic, or Family) Violence, Dating Violence, Sexual Violence, and any other misconduct based on sex. Discriminatory behavior is prohibited regardless of the manner in which it is exhibited, whether verbally, in writing, by actions, or electronically conveyed.

A. Introduction

This provides information regarding the University's response and prevention efforts related to sex discrimination and Sexual Misconduct. In conjunction with Texas Tech University [System Regulation 07.10 Non-Discrimination and Anti-Harassment Policy and Complaint Procedure](#), TTUHSC El Paso [OP 51.02](#), Texas Tech University [System Regulation 07.06 Sexual Misconduct](#), and TTUHSC El Paso [OP 51.03](#), the policies set forth here apply to all members of the University Community, provide students with their rights and options, and also explain how the University will proceed once it is made aware of allegations of prohibited conduct in keeping with the University's values and in order to meet the legal obligations of Title IX, the Violence Against Women Act (VAWA), the Campus Sexual Violence Elimination Act (SaVE), the Clery Act, Texas Education Code, 34 CFR Part 106, and other applicable law.

The University expects all members of the University Community to comply with the law. Members of the University Community who violate these policies and laws may be subject to disciplinary action or sanctions, up to and including termination of employment, expulsion from the university, or being barred from University premises and events.

B. Non-Discrimination and Anti-Harassment Policy

The University does not tolerate discrimination or harassment based on or related to sex (including pregnancy), race, color, religion, national origin, age, disability, genetic information, protected veteran status, genetic information, sexual orientation, gender identity, gender expression, or other protected categories, classes, or characteristics. Texas Tech University [System Regulation 07.10 Non-Discrimination and Anti-Harassment Policy and Complaint Procedure](#), adopted by Texas Tech University Health Sciences Center El Paso in [OP 51.02](#), applies to all University students and University employees, visitors, applicants for admission to or employment with the University, as well as University affiliates and others conducting business on University campuses.

If a student has a complaint of discrimination or harassment by an employee, whether faculty, staff, or student employee (other than for Sexual Misconduct, which is addressed under Section C below), the provisions relating to the complaint process set forth in Texas Tech University [System Regulation 07.10](#) and TTUHSC El Paso [OP 51.02](#) shall apply. Students with such

complaints of discrimination or harassment by an employee should contact the System Office of Equal Opportunity (OEO) and/or submit a completed Complaint of Discrimination or Harassment form to OEO, which is available at:

<https://www.texas-tech.edu/offices/equal-employment/>. OEO's complete contact information is as follows:

Contact	Phone	Address	Email
Dawn R. Payne Assistant Vice Chancellor of Administration, Texas Tech University System Office of Equal Opportunity	806.742.3627	TTU System Administration Building 1508 Knoxville Avenue Suite 208 TTUS Office of Equal Opportunity Box 41073 Lubbock, TX 79409	eeo@ttu.edu

If a student has a complaint of discrimination or harassment by a student or a student organization, such complaints are guided by the Student Conduct Procedures set forth in Part II of this Student Handbook. Students with complaints of discrimination or harassment by a student or student organization should contact the TTUHSC El Paso Student Services and Student Engagement and/or utilize the online Incident Report Form available at <https://www.ttuhsc.edu/student-affairs/grievances.aspx>. TTUHSC El Paso Student Services and Student Engagement complete contact information is as follows:

Contact	Phone	Address	Email
Assistant Vice President Student Services	915.215.4370	TTUHSC El Paso MSBII – MSC 21014 137 Rick Francis El Paso TX 79905	elp.studentservices@ttuhsc.edu

In instances of complaints of sex/gender discrimination, the complainants may contact the University's Title IX Coordinator, whose complete contact information is as follows:

Contact	Phone	Address	Email
Jennifer Erickson TTUHSC El Paso Title IX Coordinator	915.215.5439	Human Resources Department 5001 El Paso Drive, MSC 51017 El Paso, TX 79905	titleixcoordinator@ttuhsc.edu

While Sexual Harassment, Sexual Assault, and other forms of Sexual Misconduct may constitute prohibited acts of discrimination under this Section B, such behavior is prohibited under TTU System Regulation 07.06 and TTUHSC El Paso OP 51.03, as discussed in Section C below.

C. Sexual Misconduct

Sexual Misconduct in the TTUHSC El Paso community is prohibited pursuant to Texas Tech University [System Regulation 07.06 Sexual Misconduct](#) (adopted by TTUHSC El Paso as OP [51.03](#)).

1. *Separate Policies for Title IX Sexual Misconduct and Non-Title IX Sexual Misconduct*

While all Sexual Misconduct is prohibited, in accordance with applicable federal and state law, the University has adopted two distinct policies and grievance procedures for Title IX Sexual Misconduct and Non-Title IX Sexual Misconduct. These policies are available at the following links:

- [Texas Tech University System Regulation 07.06.A Title IX Sexual Misconduct](#); and
- [Texas Tech University System Regulation 07.06.B Non-Title IX Sexual Misconduct](#).

The University Title IX Coordinator will assist those making reports or complaints of Sexual Misconduct with understanding which policy may apply based on the nature, context, and location of the alleged conduct. The Flowchart available [here](#) visually depicts the applicability of these two policies and their respective grievance processes. In the event of any conflict between this Student Handbook and System Regulations 07.06.A, 07.06.B, and 07.10, the system regulations will control.

The University Title IX Coordinator oversees the University's compliance with the Sexual Misconduct policies, including both Title IX and Non-Title IX Sexual Misconduct. The University has also designated a Title IX Deputy Coordinator for employees. Contact information for the Coordinator and Deputy Coordinator is as follows:

Contact	Phone	Address	Email & Website
Leslie Collins TTUHSC El Paso Title IX Coordinator	806-743-9861	3601 4 th Street STOP 6262 UC Suite 330A Lubbock, TX 79430	leslie.collins@ttuhsc.edu
Dawn R. Payne TTUHSC Title IX Deputy Coordinator for Employees	806.742.3627	System Administration Building 1508 Knoxville Ave., Suite 208 Box 41073 Lubbock, TX 79409	eeo@ttu.edu http://www.texastech.edu/offices/equal-employment/

2. *Title IX Sexual Misconduct*

Title IX Sexual Misconduct is governed by Texas Tech University System Regulation 07.06.A. Generally, only sexual assault; stalking; dating violence; domestic violence; quid pro quo conduct; and conduct that is severe, pervasive, and objectionably offensive will constitute Title IX Sexual Misconduct, and be governed by such policy. The procedure for reporting and filing a formal complaint of Title IX Sexual Misconduct, and the grievance process for addressing such complaints, is set forth in [System Regulation 07.06.A](#). The provisions of the remainder of this Section C may not apply to reports and complaints of Title IX Sexual Misconduct. The University's Title IX Coordinator will assist students in navigating these policies.

All other forms of Sexual Misconduct are addressed pursuant to the Non-Title IX Sexual Misconduct policy, set forth in this Student Handbook and governed by [System Regulation 07.06.B](#).

3. *Non-title IX Sexual Misconduct*

All Sexual Misconduct that does meet the threshold of Title IX Sexual Misconduct will proceed under the Non-Title IX Sexual Misconduct policy set forth in this Student Handbook.

All investigations and procedures under this policy will be conducted in a reasonably prompt timeframe and in an equitable and impartial manner. Investigations conducted hereunder are not criminal investigations. For all complaints, the burden of proof shall be a preponderance of the evidence, which means more likely than not.

The Title IX Coordinator or designee will investigate complaints of Sexual Misconduct by or between students. The Texas Tech University System Office of Equal Opportunity (OEO) will investigate complaints of Sexual Misconduct by or between employees. Student complaints of Sexual Misconduct by an employee will be investigated jointly by the Title IX Coordinator or designee and the Office of Equal Opportunity.

Students with complaints of Sexual Misconduct by an employee should contact the Title IX Coordinator or Office of Equal Opportunity, and/or utilize the online reporting tool available on the University's website at <http://www.ttuhs.edu/title-ix/default.aspx>. Students with complaints of Sexual Misconduct by a student or student organization should contact the Title IX Coordinator and/or utilize the online reporting tool available on the University's website at <http://www.ttuhs.edu/title-ix/default.aspx>.

Individuals wishing to remain anonymous can report Sexual Misconduct in any manner, including by telephone or written communication, with the University Title IX Coordinator or Office of Equal Opportunity. However, electing to remain anonymous may greatly limit the University's ability to investigate an alleged incident, collect evidence, and/or take effective action against individuals or organizations accused of violating the TTUHSC El Paso Sexual Misconduct policies.

4. *Employees are Mandatory Reporters*

Pursuant to Texas law, all employees, including student employees, who in the course and scope of employment, witness or receive information regarding the occurrence of an incident that the employee reasonably believes constitutes Sexual Misconduct and is alleged to have been committed by or against a person who was a student enrolled at or an employee of the University at the time of the incident shall promptly report the incident to the University's Title IX Coordinator or Deputy Title IX Coordinators. An Employee is required to report an incident regardless of where or when the incident occurred. Failure to report Sexual Harassment, Sexual Assault, Dating Violence, or Stalking is a violation of state Texas that shall result in termination of employment and may result in criminal penalties.

Reports by mandatory reporters must include all information concerning the incident known to the Reporting Party, including the involved parties' names, regardless of whether the Complainant has expressed a desire for confidentiality; however, the Reporting Party may also state whether the Complainant has expressed a desire for confidentiality.

Disclosures to a healthcare provider, mental health care provider, or other medical provider acting in the course and scope of their employment with the University are not subject to the foregoing mandatory reporting requirements and are considered Confidential Resources. These employees are encouraged to provide students or employees with information and guidance regarding University reporting options and available resources but absent consent from the Complainant, disclosures to a healthcare provider, mental health care provider, or other medical provider acting in the course and scope of their employment with the University shall only state the type of incident reported and may not include any information that would violate an expectation of privacy.

5. *Making a Report*

Any individual may inquire or make a report or complaint of Sexual Misconduct of any kind. Any person may submit a report in person, by mail, by phone, by email, or by online form, using the contact information set forth in Section 1 above, or by any other means that results in the University's Title IX Coordinator or System Office of Equal Opportunity receiving the verbal or written report. Such a report may be made at any time (including during non-business hours) by using the phone number or email address, or by mail to the office address. Persons other than Employees wishing to remain anonymous may do so by submitting a report in an anonymous manner; however, electing to remain anonymous may limit the ability to investigate an alleged incident, collect evidence, and/or take effective action against individuals accused of violating the University's Sexual Misconduct policies.

While not required, students are strongly encouraged to report any incident of Sexual Misconduct to the University, including incidents in which the student was a victim. Students may also report incidents of Sexual Misconduct to law enforcement, including

on-campus and local police. Complainant may choose to notify law enforcement and will be provided the assistance of the Title IX Coordinator if the individual wishes. Parties may also choose not to notify law enforcement of incidents of Sexual Misconduct. A student who experiences sexual or dating violence is encouraged to seek medical care for treatment and preservation of evidence, if applicable, as soon as possible after the incident. Preserving DNA evidence can be key to a sexual violence case. Students can undergo a sexual assault forensic exam (SAFE) performed by a sexual assault nurse examiner (SANE) to preserve physical evidence with or without police involvement. If possible, this should be done immediately. If an immediate medical exam is not possible, a SANE may still collect evidence up to 4 days following a sexual assault. With the examinee's consent, the physical evidence collected during this medical exam can be used in a criminal investigation.

Anyone who experiences any form of Sexual Misconduct should also preserve other evidence relevant to the incident reported, such as items of clothing, photographs, phone records, text messages, social media activity, computer records, and other documents.

6. *Confidentiality*

TTUHSC El Paso is committed to ensuring confidentiality during all stages of a grievance process. The confidentiality of the Complainant, the Respondent, the Reporting Party, any individuals who have sought guidance about this policy or have participated in an investigation or incident will be honored by the University to the extent possible without compromising the University's commitment and obligation to investigate allegations of misconduct, to protect the University Community, and to the extent allowed by law. Unless waived in writing by the individual, the identity of aforementioned individuals:

- a) Is confidential and not subject to disclosure under Chapter 552, Government Code; and
- b) May be disclosed only to:
 - (1) University Employees or individuals under contract with the University to which the report is made who are necessary for an investigation of the report or other related hearings;
 - (2) a law enforcement officer as necessary to conduct a criminal investigation of the report;
 - (3) a health care provider in an emergency, as determined necessary by the University;
 - (4) the Respondent, to the extent required by other law or regulation; and
 - (5) potential witnesses to the incident as necessary to conduct an investigation of the report and to the extent required by other law or regulation.

In some exceptional circumstances, where the incident in question presents a continuing threat to the University Community, the University may be required to investigate irrespective of the Complainant's desire to pursue allegations of Sexual Misconduct, and may be required to issue a "timely warning" to the campus community as required by the Clery Act. Timely warnings do not include personally identifiable information of involved parties.

However, because the University also has an obligation to maintain an environment free of sex discrimination and Sexual Misconduct, all University employees have mandatory reporting and response obligations and may not be able to honor a Complainant's request for confidentiality. The Title IX Coordinator or designee will evaluate requests for confidentiality. The willful and unnecessary disclosure of confidential information by anyone, including the Complainant or Respondent, may affect the integrity of the investigation.

Students may make confidential reports to TTUHSC El Paso Student Counseling Services. Complainants may also make confidential reports to licensed clinical and/or mental health professionals acting in their professional role of providing those services, including medical providers employed by the University. Information may be shared by the clinical and/or medical provider only with the Complainant's or Respondent's consent.

Absent consent from the Complainant, disclosures to a healthcare provider, mental health care provider, or other medical provider acting in the course and scope of their employment with the University shall only state the type of incident reported and may not include any information that would violate an expectation of privacy. These Employees are encouraged to provide Complainants with information and guidance regarding University reporting options and available resources.

The following Confidential Resources are available to TTUHSC El Paso students:

Resources	Phone
Student Support Center	915-TALK (8255)
TTUHSC EP Student Counseling Services	https://el Paso.ttuhs c.edu/student services/SCS.aspx
Texas Tech Physicians Psychiatry (Student Assistance and Employee Assistance Program)	915-215-6170 and 915-215-5850
Emergence Health Hotline (24 Hour Crisis Helpline)	915-779-1800

Note: Access local advocacy groups and services through any of the above resources.

7. *Interim and Supportive Measures*

The University may take immediate action to eliminate hostile environments and address any effects on the Complainant and community prior to the initiation of any Investigation and/or formal Grievance Process. These measures will be taken to minimize the burden on the Complainant while respecting due process rights of the Respondent. Supportive Measures for involved students may include, but are not

limited to, counseling services, medical assistance, modifications to on-campus housing, modifications to parking permissions, academic support referrals, modifications to academic or work situations, instituting a No Contact Order between the parties in a complaint, and reporting criminal behavior to the Texas Tech Police Department or local law enforcement agencies. Additionally, the University may pursue Emergency Removal, altering the University status of the Respondent. Supportive Measures may be implemented and will be evaluated on a case-by-case basis. Supportive Measures may be kept in place through the conclusion of any review, investigation, resolution, or appeal process. Supportive Measures can be implemented regardless of whether or not the Complainant pursues a Formal Complaint or criminal action. The Title IX Coordinator is available to help students understand the Grievance Process and identify resources. Remedies may be implemented after a determination regarding responsibility in the Grievance Process to restore and preserve equal educational opportunities to the Complainant.

- a) *Supportive Measures*: Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to a Complainant or Respondent. The range of Supportive Measures available includes, but is not limited to: separation or modification of Complainant and Respondent's academic or working situations; mutual restrictions on contact; one-way restrictions on contact, where justified by the specific facts and circumstances; permissive withdrawal from or retake of a class without penalty; counseling; extensions of deadlines or other course-related adjustments; campus escort services; leaves of absence; increased security and monitoring of certain areas of campus; or any other similar measures tailored to the individualized needs of the parties. Consistent with Texas law, a Complainant or Respondent who is the subject of an alleged incident of Title IX Sexual Misconduct will be allowed to drop a course in which they are both enrolled without any academic penalty. Supportive Measures may be kept in place through or beyond the conclusion of any review, investigation, or appeal process and may be implemented regardless of whether Complainant files a complaint of Sexual Misconduct.
- b) *No Contact Order*: When initial inquiry indicates persistent and potentially escalating conflict between members of the University Community, a No Contact Order may be issued as a remedial, non-punitive deterrent to further conflict or situational complication. A No Contact Order will be issued by the Title IX Coordinator via the student's official TTUHSC El Paso email. The notice serves as an official directive that the student(s) have no contact with the other listed parties. Contact cannot occur in person, by telephone, email, text message or other electronic means of communication, or through a third party (other than an attorney). Should contact need to occur, the student should coordinate with the Title IX Coordinator. This notice may also come with other information related to

changes in class schedule or other restrictions to facilitate the No Contact Order. Failure to comply with the No Contact Order may result in disciplinary action, including possible suspension or expulsion. Violations of No Contact Orders may also result in Emergency Removal pending the completion of a Grievance Process. The term of a No Contact Order is one year from the date of issuance, or the graduation of one or both parties, whichever comes first.

- c) *Emergency Removal*: The University may conduct an individualized safety and risk analysis to determine if an individual poses an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Misconduct that justifies removal. Where the University finds that a Respondent poses an immediate threat to the physical health or safety of any student or individual, the University may remove the Respondent prior to the conclusion of the Grievance Process to protect the safety of the University Community where an immediate threat exists. The University shall provide the Respondent with notice and an immediate opportunity to challenge the decision in writing to the Title IX Coordinator immediately following the removal.

Through an Emergency Removal, a student may be denied access to the University's campus, facilities, and events. This restriction may include classes and/or all other University activities or privileges for which the student might otherwise be eligible. At the discretion of the Title IX Coordinator or designee and with the approval of, and in collaboration with, the appropriate Dean(s), alternative coursework options may be pursued to ensure as minimal an impact as possible on the Respondent.

Emergency Removal is not a sanction. It is taken in an effort to protect the safety and well-being of the Complainant, Respondent, and/or other members of the University Community. Emergency Removal is preliminary in nature; it is in effect only until the Grievance Process has been completed. However, violations of Emergency Removal may result in additional allegations of this Student Handbook. A student who receives an Emergency Removal may request a meeting with an Appeals Officer or designee to challenge an Emergency Removal. Regardless of the outcome of this meeting, the University may still proceed with an Investigation and adjudication.

- d) *Non-Student Supportive Measures*: TTUHSC El Paso, in conjunction with the Texas Tech Police Department, may issue a Criminal Trespass to any individual(s) or guest of the University whose presence could significantly disrupt the normal operations of the University, or who is alleged to have violated University policies and/or is deemed to pose a threat to the physical and/or emotional well-being of a student or other members of the University Community.

8. *Student Rights and Responsibilities*

Prior to the formal investigative process, a student will be provided a Student Rights and Responsibilities document. This document will be reviewed and signed by the student prior to an interview. The Student Rights and Responsibilities document informs the student of their rights to be exercised before and during the Grievance Process.

Subject to applicable law, information gathered by the University during the course of the Investigation and Grievance Process may only be shared with faculty, staff, students, and/or advisors who are directly involved in the incident or necessary to the Grievance Process. Information gathered may also be disclosed in compliance with a judicial order or lawfully issued subpoena.

Involved parties have the right to, and are encouraged to, be accompanied by an advisor of the individual's choosing during all meetings, proceedings, and/or disciplinary hearings at which the individual is present. In Non-Title IX Sexual Misconduct Hearings, the role of the advisor will be limited to advising only and will not be allowed to actively participate in the Hearing. CARE Coordinators may also attend any meeting or Hearing in addition to the student's advisor.

9. *Amnesty*

- a) Subject to the exceptions noted below, the University will not take any disciplinary action against a student enrolled at the University who in good faith reports to the University being the victim of, or a witness to, an incident of Sexual Harassment, Sexual Assault, Interpersonal Violence, or Stalking for a violation by the student of this Student Handbook, occurring at or near the time of the incident, regardless of the location at which the incident occurred or the outcome of the University's disciplinary process regarding the incident, if any.
- b) The University reserves the right to investigate to determine whether a report of an incident of Sexual Harassment, Sexual Assault, Interpersonal Violence, or Stalking was made in good faith. After such investigation, the Title IX Coordinator or their designee will make a determination as to whether a student is entitled to amnesty. Once a determination is made regarding amnesty for a student, such determination is final and may not be revoked.
- c) Notwithstanding the forgoing, amnesty does not apply to a student who reports the student's own commission or assistance in the commission of Sexual Harassment, Sexual Assault, Interpersonal Violence, or Stalking.
- d) Although students eligible for amnesty may avoid disciplinary action under these amnesty provisions, amnesty does not preclude the University from encouraging students to participate in directives such as counseling or educational opportunities relating to the conduct students were engaged in.

- e) Abuse of these amnesty provisions by a student may result in a violation of this Student Handbook. The amnesty provisions do not impact criminal proceedings or charges, mandatory reporting to state licensing boards, legal actions, or actions required to comply with professional ethic requirements.

10. *Interference with an Investigation*

Any person who knowingly and intentionally interferes with a Grievance Process conducted under this Student Handbook is subject to disciplinary action up to and including dismissal or separation from the University. Interference with a Grievance Process may include, but is not limited to:

- Attempting to coerce, compel, influence, or prevent an individual from providing testimony or relevant information;
- Divulging confidential information;
- Removing, destroying, or altering documentation relevant to the investigation;
- Providing false or misleading information to the investigator, or encouraging others to do so; or
- Making a report under this policy that, after investigation is found not to have been made in good faith.

11. *Retaliation and False Information*

Retaliation against an individual who reports a potential violation in good faith under this policy, assists someone with a report of a violation, or participates or refuses to participate in any manner in an investigation or in the resolution of a complaint made under this policy is strictly prohibited and will not be tolerated. Retaliation includes, but is not limited to threats, intimidation, coercion, discrimination, reprisals, or adverse actions related to an individual's employment or education. The University will take appropriate steps to ensure that an individual who, in good faith, reports, complains about, or participates or refuses to participate in an investigation pursuant to this policy will not be subjected to retaliation. Individuals who believe they are experiencing retaliation are strongly encouraged to report the incident to the Title IX Coordinator using the same procedure outlined in this section.

Individuals who are found to have retaliated under this policy will be subject to disciplinary action, up to and including termination of employment, expulsion from the University, or being barred from University premises and events.

An individual found to have knowingly and in bad faith provided false or malicious information may be subject to disciplinary action up to and including dismissal or separation from the University. A determination that a Respondent is not responsible for allegations of Sexual Misconduct does not imply information provided was false. Similarly, a determination that a Respondent is responsible for a policy violation does not imply that a Respondent's statements disclaiming responsibility were false.

D. Grievance Process for Non-Title IX Sexual Misconduct

This Section D sets forth the Grievance Process for Non-Title IX Sexual Misconduct. The process for Title IX Sexual Misconduct is set forth in [System Regulation 07.06.A](#). The University Title IX Coordinator will assist parties in determining which process applies to the particular alleged conduct.

1. *Intake and Initial Inquiry*

Upon receipt of a report of Sexual Misconduct, the Title IX Coordinator, or designee, will review the allegations. As reported allegations of Sexual Misconduct have varying degrees of complexity and severity, the investigation and resolution procedures described below may vary. The Title IX Coordinator or designee will inquire, gather, and review information and will evaluate the accuracy, credibility, and sufficiency of the information received. If a formal complaint is not filed, the Title IX Coordinator may nonetheless conduct an investigation if the University learns of alleged Sexual Misconduct through other means depending on the source and nature of the information provided, the seriousness of the alleged incident, the specificity of the information, the objectivity and credibility of the source of the report, whether any individuals can be identified who were subjected to the alleged Sexual Misconduct, and whether those individuals want to pursue the matter.

The Title IX Coordinator may conduct an initial meeting with the Reporting Party and/or Complainant to gather additional information regarding the allegation; inform him/her of on and off-campus resources, procedural options, and the University's policy regarding retaliation; and to determine safety, security, or other interim measures. Additional meetings may be necessary depending on the complexity of the reported allegations.

Incidents will not be investigated unless there is reasonable cause to believe a policy has been violated. Reasonable cause includes some credible information to support a policy violation. If it is determined that an investigation will be conducted, the Respondent will be given notice of the complaint and an opportunity to respond. If it is determined that an investigation will not be conducted, the Title IX Coordinator may contact the Respondent to discuss the reported concern.

When a Complainant is reluctant, and/or refuses to participate in the investigation process, the Title IX Coordinator may investigate the allegations to the fullest extent possible given the information made available. The University will make every attempt to follow the wishes of the Complainant while protecting the University Community.

2. *Filing a Formal Complaint*

A Formal Complaint is a document signed by a Complainant or the Title IX Coordinator alleging Sexual Misconduct against a Respondent requesting that the University investigate the allegation(s) of Sexual Misconduct. While incidents may be reported by

any third party, only the Complainant or Title IX Coordinator may initiate the Grievance Process through the Formal Complaint. A Formal Complaint is also required for any individuals wishing to pursue an Informal Resolution.

When a Formal Complaint is filed, the Title IX Coordinator provides written notice to the Respondent with sufficient time for the Respondent to prepare a response before an initial interview. The Notice of Formal Complaint includes information about the Grievance Process, the Informal Resolution Process, the allegations and any details known at the time, such as the name of the Complainant, the location, date and time of the alleged incident(s), and the specific section(s) of the policy that the Respondent is alleged to have violated. The Complainant also receives a copy of the Notice of Formal Complaint.

3. *Review of Formal Complaints*

When a Formal Complaint is received, the Title IX Coordinator will evaluate jurisdiction and mandatory and discretionary dismissal described below, assess appropriate Supportive Measures for both parties, evaluate the need for Emergency Removal, and initiate the Grievance Process.

Mandatory and Permissive Dismissal. The Title IX Coordinator shall dismiss a Formal Complaint of Non-Title IX Sexual Misconduct in the following situations: (1) the allegation describes conduct that would not constitute Non-Title IX Sexual Misconduct as defined, even if proven; or (2) the Respondent is not a member of the University Community. The Title IX Coordinator may dismiss a Formal Complaint in the following situations: (1) the Complainant notifies the Title IX Coordinator in writing that they wish to withdraw the Formal Complaint or some allegations in the Formal Complaint; (2) the Respondent is no longer enrolled in or employed by the University; or (3) circumstances exist that prevent the University from gathering sufficient evidence to reach a determination as to the Formal Complaint or the allegations.

Application of Other Policies upon Dismissal. If the Title IX Coordinator dismisses a Formal Complaint or any of the allegations in the Complaint, the Title IX Coordinator must promptly send written notice of the dismissal and the reason(s) for the dismissal simultaneously to the Complainant and Respondent. Dismissal of a Formal Complaint does not preclude action under other policies, such as Title IX Sexual Misconduct.

Appeal of Dismissal Decision. Any party can appeal the dismissal decision following the criteria and procedures listed below under Appeal Procedures.

Right to Consolidate Complaints. The University may consolidate Formal Complaints as to allegations of Sexual Misconduct: (1) against more than one Respondent, (2) by more than one Complainant against one or more Respondents, or (3) by one party against the other party, where the allegations of Sexual Misconduct arise out of the same facts or circumstances.

4. *Investigation Process*

If the Title IX Coordinator or designee conducts an investigation of the reported allegation, the investigation may consist of the review of the complaint, any relevant documentation, and interviews with relevant individuals. Each party will be given the opportunity to share information regarding the allegation, as well as any response to such, and identify witnesses and other relevant evidence. The extent of the investigation and its procedures will be determined by the Title IX Coordinator. During the investigative process, it is expected that the Complainant and the Respondent will cooperate with the University in providing all information or evidence that they believe should be considered. Additionally, other administrators may be consulted to assist with the investigation.

Prior to an investigative interview, the Complainants and Respondents will be provided a student rights and responsibilities document to review and sign. The student rights and responsibilities document informs the student of their rights to be exercised before and during the course of the investigation and student conduct process. Information gathered during the course of the investigation and student conduct process may only be shared with faculty, staff, students, and/or advisors who are directly involved in the incident or necessary to the student conduct process. Information gathered may also be disclosed in compliance with a judicial order, lawfully issued subpoena, or otherwise required by law.

During the Investigation, the burden of proof and burden of gathering evidence sufficient to reach a determination regarding responsibility is on the University and not on the parties. Complainants and Respondents are encouraged to present witnesses and evidence, including fact and expert witnesses, and other inculpatory and exculpatory evidence that they believe should be considered. The University will make all reasonable efforts to obtain relevant information such as surveillance video footage, University card swipe access and other information that may be available to the Institution. The University cannot obtain information that is protected by a legally recognized privilege without the party's voluntary written consent. The University shall not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, therapist/mental health professional, or other professional/paraprofessional providing treatment to the party, unless the party gives voluntary written consent.

After the investigation is complete, the Title IX Coordinator will prepare a written investigation report. Complainants and Respondents will have access to the completed investigation report and/or investigative materials relevant to the allegation(s) after the formal investigative process has concluded. In order to protect confidentiality, Complainants and Respondents are not given copies or investigation reports and/or investigative materials, but will have an opportunity to inspect and review any evidence obtained as part of the Investigation that is directly related to the allegations raised in the Formal Complaint.

Withdraw During a Formal Complaint. In accordance with state law, if a student withdraws or graduates from the University pending a Formal Complaint alleging the student violated the Student Code of Conduct by committing sexual harassment, sexual assault, dating violence, or stalking, the institution:

- a) May not end the disciplinary process or issue a transcript to the student until the institution makes a final determination of responsibility; and
- b) Shall expedite the institution's disciplinary process as necessary to accommodate both the Respondent's and Complainant's interest in a speedy resolution.
- c) On request from another institution, the University shall provide to the requesting institution information relating to a determination that a student enrolled violated the institution's Student Code of Conduct by committing sexual harassment, sexual assault, dating violence, or stalking.

Should students not participate in the Investigative Process, the Grievance Process may continue without their participation. The Investigator may assign allegation(s) to the Respondent based on the information that the Investigator collected without the student's participation, if appropriate.

5. *Resolution Process*

Options for resolving Formal Complaints under the Grievance Process include:

- a) *Informal Resolution.* Prior to the formal Hearing, either the Complainant or the Respondent may make a request, either orally or in writing, for informal resolution to the Title IX Coordinator. The Title IX Coordinator will assess the severity of the alleged harassment and the potential risk of a hostile environment for others in the University Community to determine whether informal resolution may be appropriate. Mediation will not be used to resolve complaints of Sexual Assault and Interpersonal Violence.

Upon determining that informal resolution is appropriate, the Title IX Coordinator will consult further with the person initiating the request, inform the other party, and gather additional relevant information from the parties and others as useful to assist in the informal resolution process. The Title IX Coordinator may also put in place any appropriate interim measures to protect the educational and work environment of the parties and the University Community.

The University will not compel the Complainant or Respondent to engage in mediation, to directly confront the other party, or to participate in any particular form of informal resolution. Participation in informal resolution is voluntary, and the Complainant and Respondent have the option to discontinue the informal process at any time and request a formal investigation. If at any point during the informal resolution process, the

Complainant, the Respondent, or the University wishes to cease the informal resolution process and to proceed through the formal resolution process, the informal resolution process will stop and the formal resolution process outlined in this of the Student Handbook below will proceed.

- b) *Administrative Resolution.* At any point in the student conduct process, if the Respondent accepts responsibility for the alleged violations of policy, the Parties may choose to resolve the issue through the Administrative Resolution process outlined below. The Administrative Resolution process is voluntary.

The Title IX Coordinator will, in consultation with the appropriate University dean, or if the allegation involves a student organization, the appropriate University staff member advisor of the organization, review the complaint and information gathered about the reported Sexual Misconduct, and if applicable, propose findings and specify appropriate sanctions. The Title IX Coordinator will send written notice to both the Complainant and the Respondent of the proposed findings and sanctions. The Parties will have five (5) business days to review the Administrative Resolution and decide whether they would like to accept or decline the proposed findings and recommended sanctions. Agreement with the terms of the Administrative Resolution is established by one of the two following ways:

- (1) A signature, or an electronic signature, by a Party or the Parties attesting to agreement with the findings and sanctions; or
- (2) No written objection by the Complainant or the Respondent to the findings and sanctions within five (5) business days of the date the proposed findings and recommended sanctions were sent to the Parties.

If both the Complainant and the Respondent agree with the proposed findings and recommended sanctions, the matter is considered concluded. Additionally, if accepted, the Parties waive their right to a hearing, the process ends, the finding is final, and there is no appeal. The complaint will only be reopened if new material, previously unavailable is presented.

If either Party disagrees with or does not accept the proposed findings and/or recommended sanctions, then the complaint will proceed, and a hearing will take place.

- c) *Hearing.* See Section E below for Hearing Procedures.

6. *Sanctions*

A Hearing Officer or a Hearing Panel may impose sanctions as a result of an Informal Resolution, or formal hearing, when a student is found responsible. Implementation of the disciplinary Sanction(s) will begin when the time period to file an appeal has expired or when the appeal decision has been sent to the parties.

Both the Complainant and Respondent will be simultaneously notified of the Appeal Officer's decision and Sanctions as appropriate. When sanctions are final, appropriate University Administrators may be notified of the student's sanctions. Findings and Sanctions agreed upon through the Informal Resolution are final and cannot be appealed.

All records related to the disciplinary process will remain on file with the Title IX Coordinator for a minimum of seven (7) years from the date the case is completed through an Informal Resolution, formal hearing and/or the Appeal Procedures. All records related to the Grievance Process resulting in suspension and/or expulsion will remain on file indefinitely.

If a student is found responsible for violating the University Sexual Misconduct policies, sanctions may be imposed and can include, but are not limited to the following:

- a) *Disciplinary Reprimand*. The Disciplinary Reprimand is an official written notification using the notice procedures outlined in this section to the student that the action in question was Misconduct.
- b) *Disciplinary Probation*. Disciplinary Probation is a period of time during which a student's conduct will be observed and reviewed. The student must demonstrate the ability to comply with University policies, rules, and/or standards and any other requirement stipulated for the probationary period.
- c) *Time-Limited Disciplinary Suspension*. Time-Limited Disciplinary Suspension is a specific period of time in which a student is not allowed to participate in class, University related activities, or be present on campus property. The status of Disciplinary Suspension will be shown on the student's academic record, including the transcript. Disciplinary Suspension is noted on the student's transcript by the phrase "Disciplinary Suspension" and will include the period of time in which the student is/was suspended from the University. In most instances, the notation of Disciplinary Suspension will remain on the transcript permanently. A student has the ability to petition to remove a Disciplinary Suspension notation in the following instances: 1) the student is eligible to reenroll in the institution or 2) the Title IX Coordinator or designee determines that good cause exists to remove the notation. A Disciplinary Suspension of a student will indicate the date on which the suspension period begins and the earliest date the application for student readmission will be considered. The Title IX Coordinator or designee may deny a student's readmission, if the student's Misconduct during the suspension would have warranted additional disciplinary action. If the student has failed to satisfy any Sanction that was imposed prior to application for readmission, the Title IX Coordinator or designee may recommend denial of readmission of a student. On denial of a student's readmission, the Title IX Coordinator or designee will set a date when another application for readmission may again be made. An administrative

hold will be placed on the student's record to prevent registration during the Disciplinary Suspension.

- d) *Disciplinary Expulsion*: Disciplinary Expulsion occurs when the student is permanently withdrawn and separated from the university. This status of Disciplinary Expulsion will be shown permanently on the student's academic record, including the transcript. Disciplinary Expulsion is noted on the student's transcript by the phrase, "Expulsion" and the date in which the student's expulsion became effective. In most instances, the notation of Disciplinary Expulsion will remain on the transcript permanently. A student has the ability to petition to remove a Disciplinary Expulsion notation in the following instances: 1) the student is eligible to reenroll in the institution or 2) the Title IX Coordinator or designee determines that good cause exists to remove the notation. An administrative hold will be placed on the student's record to prevent future registration.

7. *Appeal Procedure*

Either the Complainant or Respondent may appeal the decision, or the sanction(s), condition(s) and restriction(s) imposed by the Hearing Officers by submitting a written appeal to the VPAA or their designee within three (3) business days of receiving the written decision. The appeal must clearly set forth the grounds for the appeal, together with the evidence upon which the appeal is based. A disagreement with the decision alone shall not constitute grounds for appeal. The only proper grounds for appeal and the only issues that may be considered on appeal are as follows:

- a) A procedural irregularity that affected the outcome of the matter;
- b) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- c) The Title IX Coordinator, Investigator(s), or Hearing Panel Members had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter; or
- d) The sanctions imposed substantially vary from the range of sanctions normally imposed for similar infractions.

The appeal process is initiated upon a party's filing of a written appeal within three (3) University business days after University's delivery of the written decision regarding responsibility. The written appeal must be filed with the University's Title IX Coordinator or System Office of Equal Opportunity, as directed in the written determination regarding responsibility, and the party's written appeal must set forth the grounds for the appeal and any supporting information.

Upon the filing of a written appeal, University will give written notice of the filed appeal to the non-appealing party. The non-appealing party will have three (3) University business days after University's delivery of the written notice to respond to the appeal.

The Vice President of Academic Affairs (VPAA) or their designee will review the appeal to determine if the appeal is timely and properly sets forth the appropriate grounds for appeal. If any of these requirements are not met, the appeal will be dismissed, and the original decision of the Hearing Officers will be final. If the grounds for an appeal are determined proper by the VPAA or their designee, the Title IX Coordinator will provide the request for appeal to the other party and provide opportunity for response. Any responses must be provided to the VPAA or their designee within five (5) business days after receiving a copy of the request for appeal.

If the VPAA or their designee determines that a procedural [or substantive] error occurred that significantly impacted the outcome of the hearing, they may order a new hearing. If a new hearing is ordered, all hearing procedures in will be followed. The Title IX Coordinator will notify the Complainant and Respondent of the outcome within five (5) business days of the decision of the Hearing Officers. The decision of the Hearing Officers is final and may not be appealed.

If the VPAA or their designee determines that new evidence should be considered, they may return the complaint to the original Hearing Officers to reconsider the new evidence or may order a new hearing. If new evidence is considered, the Hearing Officers may increase, decrease, or otherwise modify the findings, sanctions, conditions, and/or restrictions. The Title IX Coordinator will notify the student of the outcome within five (5) business days of the decision of the Hearing Officers. The decision is final and may not be appealed. If a new hearing is ordered, all hearing procedures will be followed. The Title IX Coordinator will notify the Complainant and Respondent of the outcome within five (5) business days of their decision. The decision of the Hearing Officers is final and may not be appealed.

If the VPAA or their designee determines that the sanctions imposed substantially vary from the range of sanctions normally imposed for similar infractions, they may then increase, decrease or otherwise modify the sanctions, conditions, and/or restrictions instead of returning the case to the original Hearing Officers or ordering a new hearing. If the VPAA or their designee makes a decision regarding the sanctions, conditions, and/or restrictions without returning the case to the original Hearing Officers, they will notify the student in writing of the outcome within five (5) business days of their decision. The decision of the VPAA or their designee is final and cannot be appealed. If the VPAA or their designee returns the case to the original Hearing Officers, the Hearing Officers may increase, decrease, or otherwise modify the findings, sanctions, conditions, and/or restrictions. The Title IX Coordinator will notify the student of the outcome within five (5) business days of their decision. The decision is final and may not be appealed. If a new hearing is ordered, all hearing procedures in Part IV, Section C(3)(e), will be followed. The Title IX Coordinator will notify the Complainant and Respondent of

the outcome within five (5) business days of their decision. The decision of the Hearing Officers is final and may not be appealed.

In those cases, in which the error cannot be cured by the original Hearing Officers (i.e., some cases of bias), the VPAA or their designee may order a new hearing with a new panel of Hearing Officers.

After the findings(s) and sanctions become final and all appeals, if any, are exhausted, the Complainant shall be advised that if the complained activity persists, they should contact the Title IX Coordinator. Likewise, in the event the Complainant believes retaliation for filing a complaint has taken place, they should contact the Title IX Coordinator.

The Title IX Coordinator will follow up with the Complainant within sixty (60) calendar days after conclusion of the matter to ensure that the complained of behavior has ceased.

E. Non-Title IX Sexual Misconduct Hearing Procedure

This Section E sets forth the Hearing Procedure for Non-Title IX Sexual Misconduct. The Hearing Procedure for Title IX Sexual Misconduct is set forth in [System Regulation 07.06.A and Attachment 2](#).

1. *Prehearing/Formal Allegations Assigned*

Once the investigation is complete, if the complaint is not otherwise resolved, the Complainant and the Respondent will be given notice of a pre-hearing meeting. Should the Complainant or the Respondent not participate in the pre-hearing meeting, the conduct process may continue without their participation through resolution. During this meeting, the Complainant and the Respondent will be given the opportunity to review the investigation report, relevant evidence, and other documents to be used in the hearing. Other documents may include Complainant's allegations, list of potential Hearing Officers, and hearing script. Following the pre-hearing, the Complainant and the Respondent will be notified of a date, time, and location of the hearing.

While the Complainant and the Respondent may identify errors in their own statements during the pre-hearing, they are not able to add additional information to the investigation report unless that information, in the judgment of the Title IX Coordinator, was unavailable during the investigative process and is pertinent to the complaint. If a Complainant or Respondent discovers new, previously unavailable information during the time after the pre-hearing but before the hearing, the party should inform the Title IX Coordinator immediately. If the new information is pertinent to the consideration of the complaint, the Title IX Coordinator will determine whether the new information should be included in the investigation report or presented verbally during the hearing. If there is new evidence introduced, the Complainant and the Respondent will be given the opportunity to provide a response to any such evidence that will be presented in the hearing.

The Title IX Coordinator or designee will schedule the hearing no sooner than five (5) business days from the date of the last pre-hearing meeting. The five-day period can be waived by the Title IX Coordinator with agreement by the involved Parties.

2. *Hearing*

After notice has been given to the Complainant and the Respondent, the University may proceed to conduct a hearing and render a finding of Responsible or Not Responsible for the Respondent's alleged misconduct and, in the event of a responsible finding, decide appropriate sanctions, conditions, and/or restrictions. The Provost or their designee shall appoint a panel of three (3) Hearing Officers to conduct the hearing. All persons serving as Hearing Officers shall be oriented and trained to adjudicate a Sexual Misconduct case in accordance with this Student Handbook. If there is a conflict of interest, or appearance thereof, with one of the selected Hearing Officers, that person will recuse themselves and the Provost or their designee shall appoint another person to the panel. Additionally, both the Complainant and the Respondent may raise issues of conflicts of interest with regard to the potential Hearing Officer panel to the Provost or their designee within three (3) business days after notice has been given to the Parties of the panel members. The Provost or their designee will weigh these issues and resolve them accordingly. No party has a right to disqualify a Hearing Officer Panel member absent a demonstrated bias.

The hearing may be held and a decision or recommendation made, regardless of whether the Complainant or the Respondent fail to respond or fail to attend the hearing. Should the Complainant or the Respondent fail to respond or fail to attend the hearing, the Hearing Officers may consider the available information and render a decision.

Hearings are closed to the public. Both the Complainant and Respondent have the right to be present at the hearing; however, they do not have the right to be present during the deliberation of the Hearing Officers. Arrangements can be made so that Complainant and Respondent do not have to be in the hearing room at the same time. To request changes in the scheduled hearing time, the parties should contact the Title IX Coordinator not less than five (5) business days prior to the scheduled hearing.

During the hearing, the Title IX Coordinator or designee presents the allegations, investigation report, evidence, witnesses, and questions for deliberation in the hearing. The Hearing Officers may question the Title IX Coordinator, Title IX Investigator, Complainant, Respondent, and any witnesses. The Complainant and Respondent do not have the right to question each other nor witnesses directly but may do so through the Title IX Coordinator or designee. The Complainant and Respondent have the right to add or make additional comments about the facts of the complaint. Should new evidence be presented without prior discussion with the Title IX Coordinator, the hearing may be halted to consider the inclusion of this information. Impact statements will also be halted if they are shared prior to the sanctioning phase of the hearing. In the event the Hearing Officers remove a student due to misconduct in the hearing process, the alleged

misconduct in the hearing process will be forwarded to the appropriate student conduct administrator, who will follow the conduct process in Part II of this Student Handbook.

Following the hearing, the Hearing Officers will deliberate and will render a finding of responsible or not responsible for the Respondent's alleged misconduct as well as decide any sanctions, conditions and/or restrictions if applicable. Any findings of the investigation will be based upon a preponderance of the evidence, which means more likely than not. The Hearing Officers will inform the Complainant and the Respondent in writing within five (5) business days of their decision(s).

Either the Complainant or Respondent may utilize the Appeal Procedures.

F. Pregnancy

Discrimination based on pregnancy is a form of discrimination based on sex. Women affected by pregnancy, childbirth, or related medical conditions shall be treated the same for all educational opportunities as other persons not so affected but similar in their ability or inability to participate in education programs or activities.

If a pregnant or parenting student feels that they require flexibility or an accommodation in order to be successful at TTUHSC El Paso, it is the student's obligation to make the request initially through their appropriate school's student affairs personnel. Students requesting a pregnancy or parenting related accommodation should do so as soon as they become aware that an accommodation may be needed. If the student and school are unable to come to a mutually agreeable decision in relation to reasonable flexibility and adjustments, the student should contact the TTUHSC El Paso Title IX Coordinator. The Title IX Coordinator will consult with the student and school administrator(s) to begin the interactive process and ultimately, reasonable flexibility and adjustments will be determined.

If a student disagrees with the determination and/or proposed accommodation after engaging in the interactive process, the student may file a complaint with the Title IX Coordinator.

In certain situations, if there is a medical condition due to pregnancy, it may be protected under the Americans with Disabilities Act (ADA), entitling the student to a reasonable accommodation. Accommodation requests due to pregnancy-related complications should be directed to the Academic Success and Accessibility Office.

VI. Student Records

A. General Policy

Policies and procedures concerning student records are based on respect for the privacy of the individual. To minimize the risk of improper disclosure, academic records are maintained

separately from disciplinary records. (During the time of disciplinary suspension, the notice is placed in the student's permanent file.) The conditions for access to each are set forth in the Institutional Student Handbook and complies with federal and state statutes and with registered student organization guidelines. The procedures set forth below apply to all persons formerly or currently enrolled at Texas Tech University Health Sciences Center El Paso. See [HSCEP OP 77.13](#) Student Education Records.

B. Address of Record

Students must maintain an accurate permanent and local physical address with the Office of the Registrar. The address and school issued email account is used for official notifications including, but not limited to, grade reports, billing and notification of official university requirements and other university correspondence. **Students must also maintain a current telephone number with the Office of the Registrar. Students may have holds placed on their student accounts until updated information is received.**

C. Student Access to Educational Records

All current and former students of the university have the right to access their educational records as provided by law.

Notification of Rights under FERPA for Postsecondary Institutions

The Family Educational Rights and Privacy ACT (FERPA) affords eligible students certain rights with respect to their education records. (An "eligible student" under FERPA is a student who is 18 years of age or older or who attends a postsecondary institution.) These rights include:

1. *Right to Inspect and Review*

The right to inspect and review the student's education records within 45 days after the day Texas Tech University Health Sciences Center El Paso receives a request for access.

A student should submit to the Office of the Registrar a written request that identifies the record(s) the student wishes to inspect by completing [HSCEP OP 77.13](#) Attachment B Student Request To Access Education Records

* The school official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the school official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

Generally, if the Education Record is covered under FERPA, the student may inspect or review the education record at the Office of the Registrar, but does not have the right to receive copies of the education record unless a student is effectively prevented from onsite inspection or review of his/her education record. The student may then have a right to receive copies of the education record at the student's expense after evaluation of the circumstances by the Office of the Registrar.

Official copies of academic records or transcripts will not be released for students who have a delinquent or unpaid financial or institutional obligation to the University, have a “hold” at the University, or have an unresolved disciplinary action pending at the University, provided that applicable law does not otherwise require disclosure of the records.

2. *Right to Provide Consent*

The right to provide written consent before the university discloses personally identifiable information (PII) from the student’s education records, except to the extent that FERPA authorizes disclosure without consent.

The school discloses education records without a student’s prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by TTUHSC El Paso in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person serving on the board of trustees; or a student serving on an official committee, such as a disciplinary or grievance committee. A school official also may include a volunteer or contractor outside of TTUHSC El Paso who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, or collection agent or a student volunteering to assist another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for TTUHSC El Paso.

3. *Filing a Complaint*

The right to file a complaint with the U.S. Department of Education concerning alleged failures by TTUHSC El Paso to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

4. *Personally Identified Information (PII)*

Personally identifiable information related to academic outcomes such as rank in class, grade point average, academic progress, etc., shall not be released to non-authorized personnel without the written consent of the student.

D. Records Not Accessible to Students

The following records are not accessible to students:

- Records of instructional, administrative and educational personnel that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;
- Records of the Texas Tech Police Department, subject to the provisions of 34 C.F.R. 99.8;
- Records relating solely to an employee of TTUHSC El Paso in his/her capacity as an employee that are not available for any other purpose, unless the student is employed as a result of his/her status as a student;
- Student medical and counseling records created, maintained, and/or used only in connection with providing medical treatment or counseling to the student, that are not disclosed to anyone other than the individuals providing the treatment; and
- Alumni records or other records that contain information about an individual after he/she is no longer a student at that agency or institution (e.g., information gathered on the accomplishments of alumni).

E. Disclosure of Education Records

FERPA permits the disclosure of PII from students' education records, without consent of the student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the student, §99.32 of FERPA regulations requires the institution to record the disclosure. Eligible students have a right to inspect and review the record of disclosures. A postsecondary institution may disclose PII from the education records without obtaining prior written consent of the student in accordance with the following;

- To other school officials, including teachers, within Texas Tech University Health Sciences Center El Paso whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31 (a)(1)(i)(B)(1) – (a)(1)(i)(B)(2) are met. (§99.31(a)(1))
- To officials of another school where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31 (a)(2))
- To authorized representatives of the U. S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as a State postsecondary authority that is responsible for supervising the university's State-supported education programs. Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal-or-State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by

them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31 (a)(3) and 99.35)

- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31 (a)(4)).
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31 (a) (6)).
- To accrediting organizations to carry out their accrediting functions. (§99.31 (a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31 (a)(8))
- To comply with a judicial order or lawfully issued subpoena (§99.31 (a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31 (a)(10))
- Information the school has designated as “directory information” under §99.37. (§99.31 (a)(11))
- To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of §99.39. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding. (§99.31 (a)(13))
- To the general public, the final results of a disciplinary proceeding, subject to the requirements of §99.39, if the school determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has committed a violation of the school’s rules or policies with respect to the allegation made against him or her (§99.31 (a) (14)).
- To parents of a student regarding the student’s violation of any Federal, State, or local law, or of any rule or policy of the school, governing the use of possession of alcohol or a controlled substance if the school determines the student committed a disciplinary violation and the student is under the age of 21. (§99.31(a)(15))

F. Student Request to Amend Records

Students have the right to request an amendment of their educational records and information directly relating to them. This section does not include procedures for student challenging individual grades. Grade appeals and grievance procedures are set forth in the individual Student Handbooks for each school. The procedures set forth below are to address inaccurate, misleading or otherwise inappropriate records or information requiring amendment.

1. Student who believes that his/her Education Records are inaccurate or misleading, or that the records violate his/her privacy rights, must first request an informal discussion regarding the questionable item with the Office of the Registrar, who may or may not honor the request.
2. Written Request to Amend Records: If the result of the informal discussion with the Office of the Registrar (Records Custodian) is not satisfactory to the student, and the student still wishes to have the record corrected, the student should complete the online form, Student Request to Amend Education Records [HSCEP OP 77.13, Attachment C, Student Request To Amend Education Record](#), via the Office of the Registrar. The request shall clearly identify the part of the record the student believes should be changed, and specify why it should be changed. [Note: The substantive judgment of a faculty member regarding a student's work, expressed in grades or evaluations, is not within the purview of the right to seek amendment of Education Records under this section. See also grade appeal and grievance procedures as set forth in the individual student handbooks for each School.]
3. Review: After receiving the written request from the Student for a change in their Education Records, the Assistant Vice President for SSSE or designee shall request, and the Office of the Registrar shall provide, a written statement that explains why the request for the change in the Education Record was denied at the informal stage. After reviewing the request by the Student and the response of the Office of the Registrar (Records Custodian), the Assistant Vice President for SSSE or designee will provide written notification to the student whether or not TTUHSC El Paso will implement the change. If not, the Vice President for Academic Affairs or designee will notify the student of the right to a hearing to challenge the information believed by the student to be inaccurate, misleading, or in violation of the student's rights.
4. Hearing Procedure: Upon receiving a written request from the student for a hearing, the Assistant Vice President for SSSE or designee shall arrange for a hearing and provide written notice to the student reasonably in advance of the date, time and place of the hearing. The hearing will be conducted according to the following procedures:
 - a. The hearing shall be conducted by a hearing official or committee appointed by the VPAA or designee. Such individual(s) must have no direct interest in the outcome of the case and shall decline to serve if a conflict of interest, or an appearance of a conflict of interest, exists with either the student or the Office of the Registrar (Records Custodian).
 - b. At least five (5) days prior to the date scheduled for the hearing, the student and the Office of the Registrar (Records Custodian), shall submit to each other, as well as to the hearing official or committee, any and all pertinent documents and a list of witnesses and advisors who are to be involved in the hearing process. The student may, at his/her own expense, be assisted or represented by one or more individuals of his/her own choice, including an attorney for advisory purposes only. If the student is advised by an advisor, the Office of General Counsel shall represent the University. The student and the Records

Custodian are each responsible for presenting relevant information. Therefore, the advisors and/or attorneys for the parties are not permitted to speak or participate directly in the hearing.

- c. At the hearing, the student shall have the opportunity to present evidence to support his/her position that the content of the relevant educational record is inaccurate, misleading and/or otherwise in violation of the privacy rights of the student.
- d. Any additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
- e. Within seven (7) business days after the conclusion of the hearing, the hearing officer or chair of the hearing committee, if applicable, will transmit the decision in writing to the student, the Office of the Registrar, and the Assistant Vice President for SSSE or designee. The decision must include a summary of the evidence and the reasons for the decision. If, as a result of the hearing, the hearing official or committee determines that the information in the Education Record is not inaccurate, misleading, or otherwise in violation of the privacy rights of the student, the student will be notified of the right to place a statement in the record contesting the information in the record or stating why the student disagrees with the decision of the agency or institution, or both. Any statement provided by the student shall be maintained with the contested portion of the record for as long as the record is maintained. In the event the contested portion of the record is later requested, the statement shall be disclosed with the record to the extent it pertains to the contested portion.

G. Release of Directory Information

The following student information is considered Texas Tech University Health Sciences Center El Paso Directory Information:

- Student Name
- Permanent and Local Address
- Previous Institutions Attended
- Major Field of Study
- Dates of Attendance
- Enrollment Status (undergraduate or graduate, full-time or part-time)
- Classification
- Degrees Conferred (included degrees from previous institutions)
- Awards, and Honors Received (including scholarships)
- Participation in Officially Recognized Activities
- Postgraduate Training/Clinical sites for R.N., M.D., or Ph.D. graduates and degree candidates

This information will be released by various campus offices periodically, or on request, unless the student stipulates that directory information (as defined above) be withheld. Students may

request that directory information be withheld by submitting a completed [HSCEP OP 77.13 Attachment A, Student Consent to Release Education Records](#), or by restricting personal directory information in the [MyTech-El Paso](#) portal. Follow Directory Profile then select Personal Information to update release of directory information status.

H. Destruction of Records

The university constantly reviews the “educational records” it maintains and periodically destroys certain records. The university will not destroy records if prohibited by state or federal law, see [HSCEP OP 77.11](#) Permanent Student Record for designated permanent records. The student’s basic scholastic record is kept and maintained permanently in the Office of the Registrar. Disciplinary records are maintained for at least seven years in the Assistant Vice President for SSSA office. Student disability records are maintained for three years after the last date of enrollment. Record retention follows the TTUHSC El Paso Records Retention Schedule, see [HSC EP OP 10.09](#) Records Retention for detailed information.

I. Letters of Recommendation

Students may review recommendations used in application for employment or for admission to any educational agency or institution, or information concerning honors awarded, except when the student waives, in writing, the privilege of examination.

Under the Family Educational Rights and Privacy Act 1974, as amended, the student does not have access to confidential letters and statements of recommendation which were placed in the educational records before January 1, 1975, if the letters or statements are used for purposes for which they were specifically intended.

J. Medical Records

TTUHSC El Paso community is guided by [HSCEP OP 52.02](#) Privacy and Security of Health Information to ensure compliance with the provision of the Health Insurance Portability and Accountability Act of 1996 (HIPPA) and state laws and regulations for the privacy and security of health information. Medical records of students seen by a TTUHSC El Paso faculty member at Texas Tech Physicians are completely confidential and will not be released to another person or institution without written permission of the student unless otherwise authorized by law. Students needing to request a copy of their medical records should contact the office where they received care. See also [HSCEP OP 52.09](#), Confidential Information and [HSCEP OP 52.02](#), Privacy and Security of Health Information.

VII. Regulations of Student Organizations

A. Conditions of Registration

- Student organizations wishing to register with the TTUHSC El Paso must file an online application with the Office of Student Engagement and Wellness, through [Tech Engage](#). The purposes and activities of the organization shall be lawful and not in conflict with regulations published by the Texas Tech University Health Sciences Center El Paso.
- Registered Student Organization (RSO) application shall be submitted electronically each year through the Tech Engage student organization management platform and shall contain, but not be limited to, the following information:
 - At least six students, four who serve as executive officers. New RSOs may register with at least four students. Students are permitted to hold a Presidency position in no more than two organizations at any given time. Students are permitted to hold any leadership role, including any Presidency, in no more than three organizations at any given time, total. Students seeking an exception can only do so with the permission of the Office of Student Engagement and Wellness and their respective school Office of Student Affairs (OSA). Their OSA will be asked to verify that the student is in good academic standing and has the capacity to take on additional leadership responsibilities.
 - At least one fulltime faculty or staff member serving as advisor.
 - Advisors are permitted to advise a maximum of two student organizations. While they can serve as a secondary advisor for more, they cannot be primary for more than two.
 - The following contact info for all members listed above:
 - Full name
 - Email address
 - Office location, position, and department of advisor
 - Constitution and bylaws. Constitution and bylaws must include the required non-discrimination, anti-hazing, and Title IX acknowledgement.
 - Student Organization Risk Management Certification.
 - Each RSO executive member is required to complete the Student Organization Risk Management Module before the application can be fully approved. The Risk Management Module can be found on the Forms page of Tech Engage.
 - Advisor Acknowledgement Form.
 - Each RSO advisor is required to complete the Advisor Acknowledgement before the application can be fully approved. The form can be found on the Forms page of Tech Engage.
- Membership in the organization shall be open to enrolled TTUHSC El Paso students without regard to race, color, religion, sex, national origin, age, disability, genetic information, status as a protected veteran, or any other legally protected category, class, or characteristic. Faculty, staff and alumni may hold adjunct memberships in accordance with the organization's constitution.

- The organization shall not duplicate the purposes and for functions of a previously registered student organization unless the need for such duplication is substantiated.
- All funding requests from TTUHSC El Paso controlled sources must be maintained in a TTUHSC El Paso account. Depending on the nature of the expense, the Office of Student Engagement and Wellness or the Student Services Fee Advisory Committee will review the request and allocate funding. For more information on processes, students should refer to the Student Services Fee Advisory Committee Guide to Submitting Appropriation and Funding Requests in Tech Engage.
- The organization shall show promise of effectively meeting its stated objectives, be free from control by any other organization, and be lawful and peaceful in its activities. If an organization shows non-compliance with policies and processes, they will be at risk of inactivation at the discretion of the Office of Student Engagement and Wellness or subject to conduct proceedings as outline in Part II. Code of Professional and Academic Conduct (Code) of this handbook.
- The organization shall not use the name of the Texas Tech University Health Sciences Center El Paso, logotype, or symbols of TTUHSC El Paso as part of its name, or in its publications. In addition, the organization shall not advertise or promote events or activities in a manner, which suggests sponsorship by TTUHSC El Paso. The organization is permitted to use the word “TTUHSC El Paso Chapter” as part of its name or to use the complete statement “a registered student organization at TTUHSC El Paso.” Requests to use logos or symbols protected by TTUHSC El Paso, Texas Tech University or the Texas Tech University System must be submitted to the Office of Student Engagement and Wellness for approval from the Office of Institutional Advancement.
- Registration of an organization results from compliance with these regulations; it does not imply TTUHSC El Paso approval of the organization or its activities. The organization shall agree to adhere to the policies, rules, and regulations of TTUHSC El Paso.

B. Faculty of Staff Advisor Requirement

Each registered organization must have a TTUHSC El Paso full-time faculty or staff advisor who provides the following support and guidance:

- available to the officers and members for consultation about the organization’s affairs,
- attends organization meetings and functions as often as possible,
- certifies the expenditures of the organization,
- offers suggestions regarding the operations of the organization,
- oversight to the adherence to TTUHSC El Paso regulations and the organization’s constitution and bylaws,
- Registers and utilizes the [Tech Engage](#) platform to support RSO

Advisors are limited to serving as the primary advisor for a maximum of two registered student organizations at any given time. Advisors are permitted to be secondary advisors for additional organizations if requested.

C. Conditions for Maintaining Registration

In order to maintain its registration, a student organization shall comply with the following requirements:

- The organization shall submit an electronic re-registration form through [Tech Engage](#) each academic year. The current president of the organization or designated representative shall file a notification of subsequent changes when they occur and keep rosters up-to-date in the Tech Engage system.
- The organization shall submit to the TTUHSC El Paso Office of Student Engagement and Wellness for approval, all changes in documents on file in that office relating to the organization, such as revisions in its constitution, changes in its statement of purpose, changes in procedures for handling organization funds, or changes in membership requirements through [Tech Engage](#).
- The organization shall maintain its funds in accordance with Section A of this part and be in good standing with the Texas Tech University Health Sciences Center El Paso.
- The organization shall demonstrate by its activities that it is conducting business to achieve its purpose and mission as stated on the application.
- The organization shall conduct its affairs in a lawful manner, in accordance with the constitution and bylaws it has on file, and in accordance with applicable Texas Tech University Health Sciences Center El Paso regulations and state statutes.
- The organization shall be responsible for the observance of all applicable TTUHSC El Paso regulations by off-campus individuals or organizations whose appearance on campus is sponsored by the organization.
- The TTUHSC El Paso Office of Student Services and Student Engagement (SSSE) may withdraw the registration of an organization for non-compliance with University policies and procedures

D. Denial of Registration

No student organization will be officially registered with the Texas Tech University Health Sciences Center El Paso if the Office of Student Engagement and Wellness determines that the organization's actions or activities are detrimental to the educational purposes of the University, not in accordance to the Institutional Student Handbook or overlap with an established student organization.

If registration is denied, the designated president and advisor of the applying organization shall be notified of the decision through [Tech Engage](#). The applying organization may make the requested revisions to their application and resubmit via the application process through [Tech Engage](#). If the registration is again denied for any reason, the applying organization may appeal in writing to the Assistant Vice President for Student Services and Student Engagement (SSSE) within five (5) business days from the date of the denial letter. The decision of the Assistant Vice President for SSSE is final.

E. Individual Participation Eligibility in Leadership Roles

Student participation in Registered Student Organization leadership positions requires good academic standing. School-level policies may exist that mandate additional participation restrictions based on academic progress or professionalism concerns. Contact your school Student Affairs office or dean for additional information related to school-level sanctions.

An individual student may hold an officer position in up to three different registered student organizations concurrently, of which no more than two may be president. Written appeals to school-level Student Affairs offices or dean may be made to override this rule under certain circumstances.

VIII. Use of University Space, Facilities and Amplification Equipment

A. Expressive Activities

- TTUHSC El Paso recognizes freedom of speech and expression as a fundamental right and seeks to ensure free, robust, and uninhibited debate and deliberation by students enrolled at TTUHSC El Paso as well as other persons.
- Expressive activities on the TTUHSC El Paso campus are governed by Texas Tech [University System Regulation 07.04](#).
- In the event of any conflict between this Section VII (1)(a) and any other provision of this Handbook, the provisions of this Section shall control.

B. Other Use of TTUHSC Space and Facilities

- The provisions of this Section VII(1)(b) shall apply to all uses of TTUHSC El Paso facilities for purposes other than expressive activities conducted in outdoor common areas.
- The space and facilities of the University are intended primarily for the support of the instructional program of the institution.
 - See [HSCEP OP 61.23](#), TTUHSC El Paso Classroom and Class Lab Scheduling Policy
- Permission to use campus space facilities may be granted only by the offices designated by [HSCEP OP 61.07](#), Use of TTUHSC El Paso Premises and Amplification Equipment.

IX. Solicitations, Advertisements and Printed Materials

Solicitation, sales, and services on University premises or in University-owned or University-controlled buildings are prohibited without prior written approval from the Office of Student Services and Student Engagement (SSSE). This includes financial planners, mortgage vendors and other financial services. The distribution of advertising leaflets or handbills or the use of sound trucks and equipment to promote sales on University premises is also prohibited without prior approval from the SSSE.

X. Student Travel Policy

[HSCEP OP 77.08](#) Student Travel Policy regulates any travel undertaken by one or more students presently enrolled at TTUHSC El Paso to an activity or event that is located more than 25 miles from the campus of TTUHSC El Paso. This Operating Policy (OP) applies to any event or activity which is organized, sponsored and/or funded by TTUHSC El Paso, is undertaken using a vehicle owned or leased by the university or is a required event or activity by a student organization registered at TTUHSC El Paso.

Each student who travels by any form of transportation to participate in a University-related activity, including but not limited to academically-related field trips, courses, competitions, or contests, or non-academic activities, must, prior to such activities, execute a copy of the [Travel Release and Indemnification Agreement](#) and the [Authorization for Emergency Medical Treatment](#).

Please refer to the TTUHSC El Paso Travel Office and the Office of Diversity, Inclusion and Global Health for information regarding travel abroad. See [HSCEP OP 10.29](#) Global Health Program for Students.

Students may apply for travel sponsorship in advance via a college, department and/or the Student Services Fee Advisory Committee (SSFAC) with Student Services and Student Engagement at ssfac.elp@ttuhsc.edu.

XI. Other Policies

Policies and procedures for certain items, including, but not limited to, academic advisement, academic review, appeals, attendance in academic courses, auditing courses, clinical attire, grades, promotions/dismissal, grievance procedures and student employment may be referenced in the various Schools' student handbooks and/or catalogs.

A. Absences, Attendance and Religious Holy Days

1. *Absences*

Please refer to the individual School's catalogs and/or handbooks for more specific details relating to your program or [HSCEP OP 77.12](#), Religious Holy Day Observances and Need for Student Absence.

2. *Attendance*

The faculty member responsible for the course determines attendance requirements for each course. A student who fails to attend any class for any reason is responsible for the material presented in class, assignments, examinations, announcements, etc. to the same extent as though the student had attended the class. Please refer to the individual School's catalogs and/or handbooks for more specific details relating to your program.

3. *Religious Holy Days*

See [HSCEP OP 77.12](#), Religious Holy Day Observances and Need for Student Absence.

B. Academic Requirements

Academic requirements vary with each TTUHSC El Paso School and particular degree program in which the student is enrolled. Students should consult with their respective School's academic/program advisor and/or School's catalog and/or handbook for specific details. Information related to individual student progress toward degree is also available via the [MyTech](#) portal at [DegreeWorks](#) link under Registration heading.

Inter-professional Education: Depending upon the school affiliation, TTUHSC El Paso students may be required to complete a non-credit courses in inter-professional education. Implementation of this requirement will vary across schools and degree programs and may not be detailed in DegreeWorks. Students should consult their academic/program advisor and/or school catalog and/or handbook for additional information.

C. Personal Counseling Services

Personal counseling services are available to all TTUHSC El Paso students. An on-campus Student Support Center is available to students weekdays (9a-4p) for drop-in or appointments may be made by calling 915-215-TALK (8255) or emailing support.elp@ttuhsc.edu (no session limit). For those interested in non-campus providers our affiliated partners are listed at [Office of Student Services and Student Engagement website](#). Visits to outside providers are limited to a maximum of 8 sessions covered by student services fees academic each year (September-August) by presenting their student identification card to the selected provider. Additional sessions with external providers must be covered by personal health insurance so check in advance if your insurance is accepted by your selected provider. For after-hours call Emergence Health Network at (915) 779-1800, for emergencies dial 911. The [National Suicide Prevention Lifeline](#) is available by phone at 1-800-273-8255 or dial 988 to connect with a trained counselor.

D. Admissions and Applicants

The educational policies of the TTUHSC El Paso are founded upon the regulations of the Board of Regents of the Texas Tech University System. TTUHSC El Paso is a health related institution that offers upper-level undergraduate, graduate professional academic programs. The application and admissions policies for TTUHSC El Paso are outlined in the individual Schools' catalogs and/or handbooks.

Most programs at TTUHSC El Paso have a deadline for the receipt of applications and supporting documents. These deadlines vary by program and application year. Applicants are advised to contact the program to which they are seeking admission for specific deadline dates.

E. Adding and Dropping Courses

See the Office of the [Registrar web-page](#) for all related academic policies and also consult the academic catalog and/or handbook for school-level policies.

Students should make an appointment with his/her advisor to complete appropriate documentation. Students dropping a course to the point of zero hours of enrollment are considered to be withdrawing from the institution and should work with the school level office of student affairs for approval. Those receiving federal financial aid should consult the Office of Financial Aid and Student Business Services for information related to return of Title IV funds requirements and financial obligations to the institution.

F. Alcohol/Illegal Drugs and Student Drug Screening Requirements

Texas Tech University Health Sciences Center El Paso (TTUHSC El Paso) students enrolled in clinical programs are entrusted with the health, safety and welfare of patients. The safety and welfare of patients cared for by TTUHSC El Paso students is of primary concern in all TTUHSC El Paso clinical programs and its contracted affiliated entities that provide essential clinical experiences for TTUHSC El Paso students. As a result the following policies provide guidance,

See [HSCEP OP 10.03](#), Alcohol and Illegal Drugs

See [HECEP OP 77.15](#), Working with Affiliated Entities – Student Drug Screenings

G. Credit by Exam

See [HSCEP OP 77.07](#), Credit by Examination requirements for all TTUHSC El Paso schools.

H. Death of Student

The Office of Student Services and Engagement (SSSA) is the Office of the President's liaison regarding the notification of any student deaths. Schools must notify the Assistant Vice President for SSSE immediately in the event of any student death at 915215-4637 or via email at elp.studentservices@ttuhsc.edu

I. Institutional Email

The official mode of communication at TTUHSC El Paso is via your University email account. In order for us to remain in contact with each other, all members of the community are expected to use due diligence in maintaining and checking their accounts for messages, normally on a daily basis. Failure to do so may result in adverse consequences. Members of the TTUHSC El Paso community are expected to participate, when asked to do so by the University, in proceedings associated with this Code and to do so in a respectful and meaningful way.

J. Students with Disabilities

[HSCEP OP 77.14](#), Establishing Reasonable Accommodations for Students with Disabilities, provides policy related to the American with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, and state and local requirements regarding students with disabilities. Under these laws, no otherwise qualified individual with a disability shall be denied access to or participation in services, programs, and activities of TTUHSC El Paso solely based on the disability. Students with questions about disability services, documentation, and accommodations should review the [Student Disability Resource Manual](#) on the SSSE Academic Success and Accessibility Office (ASAO).

Any student seeking accommodations on the basis of disability must register with the ASAO in Office of Student Services and Student Engagement (SSSE) suite located in the MSBII 2C201. The process to request accommodations includes an application for services, appropriate documentation of the disability, and an intake interview.

Students with grievances related to discrimination on the basis of a disability should review this Institutional Student Handbook, Section V. on Anti-Discrimination policies and procedures.

K. Discrimination/Equal Opportunity

No person shall be excluded from participation in, denied the benefits of, or be subject to discrimination under any program or activity sponsored by TTUHSC El Paso on any basis prohibited by applicable law, including but not limited to, race, color, national origin, religion, sex, veteran status or disability. For more information view [HSCEP OP 51.01](#), Equal Employment Opportunity Policy and Affirmative Action Program and [Texas Tech University System Regulation 7.09](#).

L. Student Emergency Contact Information

Students must keep their Emergency Contact Information current with the Office of the Registrar. Updates may be provided in person at MSBII 2C201 or via the [MyTech portal](#) under “Personal Information” box and select “Update Emergency Contacts” to complete required information. Contact the Office of the Registrar for assistance. Student who do not have an emergency contact on file will have a registration hold placed on their student account until resolved.

M. Employment Grievance

A student wishing to pursue a grievance concerning employment with the University and who has not found satisfaction or resolution with his or her immediate supervisor or the person in charge of that department may contact the Office of Equal Employment Opportunity in accordance with the grievance procedures outlined in the [HSCEP OP 70.10](#), Non-faculty Employee Complaint Procedures. The procedures manual may be reviewed in the Office of Equal Employment Opportunity.

N. Exams – Bring your Own Device Policy

The general expectation is that students and residents will possess, maintain, and use their own electronic device(s) (i.e., laptops, smartphones, and tablets) for all administrative, curricular, and assessment purposes related to their academic or residency program(s) with authorized participation in the TTUHSC El Paso learning environment, except when otherwise specified by the academic or residency program or by TTUHSC El Paso administration; see [HSCEP OP 56.06](#) Bring Your Own Device (BYOD)

In addition, refer to the individual School’s catalogs, handbooks, and web-pages for more specific exam details relating to your program. Any student seeking exam accommodations on the basis of disability must register in advance with the Student Success and Accessibility Office (see IX.J. for additional information) in the Office of Student Services and Student Engagement and must provide all required documentation to support accommodation request. Appropriate and reasonable accommodations, if any, will be determined by the Student Success and Accessibility Office.

O. Financial Responsibility

Students must meet all financial responsibilities due to the University. The writing of checks on accounts with insufficient funds, issuance of stop pays, disputed credit card chargebacks, or the non-payment or delinquent payment of outstanding loans, and failure to meet any other financial obligations to the University, (including failure to return Title IV funds), are considered a lack of financial responsibility. Financial irresponsibility may subject the student to additional fees, fines, suspension of check writing privileges, denial of registration, withholding of grades, transcripts, and diplomas and possible adjudication under the Code of Professional and Academic Conduct. A student who fails to make full payment of tuition and mandatory fees, including any incidental fees, by the due date, may be prohibited from registering for classes

until full payment is made. Generally, failure to meet financial obligations to the University may result in:

- Cancellations of the student's registration if tuition and registration fees are not paid by the 20th class day (15th class day in summer), or if a returned check given in payment of tuition and fees is not redeemed by that time;
- Loss of University check writing privileges and possible criminal prosecution for writing insufficient fund checks and for failure to pick up a returned check;
- A student who fails to make full payment prior to the end of the semester or term may be denied credit for the coursework completed that semester or term.
- A hold placed on a student's academic records preventing future registration or receiving transcripts (before registering or requesting a transcript, students may check on the presence of holds by accessing their records at <https://portal.texastech.edu> under the MyTech – El Paso tab).
- Reporting of delinquent accounts to a credit agency or a collection agent.
- For more information, please visit the [Student Business Services website](#) .

P. Grades/Grading

- See [HSCEP OP 59.05](#), Grading Procedures and Academic Regulations.
- The instructor assigned to a course has the responsibility for determining a grade and for judging the quality of academic performance.
- The processing of formal appeal procedures is the responsibility of the School which administers the course. A copy of the grade appeal procedures may be found in the individual Schools' catalogs and/or handbooks. A grade can be formally appealed only when there is demonstrable evidence that prejudice, arbitrary or capricious action on the part of the instructor has influenced the grade. The burden of proof that such an unfair influence has affected a grade rests with the student who appeals the grade. Only final course grades may be formally appealed to the responsible academic dean. Earlier grades and other academic grievances may be discussed with the instructor involved and with the chair of the department or division involved.

Q. Patient Rights and Responsibilities

It is the policy of Texas Tech University Health Sciences Center at El Paso (TTUHSC at El Paso) to promote considerate, courteous, and respectful care and treatment for all patients. It is recognized that the patient is a vital participant in the treatment plan and therefore has rights and responsibilities regarding that treatment. See Ambulatory Clinic Policies and Procedures [6.1 Patients' Rights and Responsibilities](#).

To maintain this obligation to our patients we must commit to a culture of care and protection patients' rights and strive for the following:

- Strict adherence to all laws, regulations and policies related to patient care
- Treat patients with respect, without discrimination at all times
- Deliver service in an effective and efficient manner.

See [Ambulatory Clinic Policies and Procedures](#) for additional guidance.

R. Graduation Procedures

Degree requirements are published in the individual School's catalogs.

Prior to graduation, all candidates for TTUHSC El Paso degrees are required to:

- Complete all graduation requirements set forth by the applicable School;
- Complete the *Intent to Graduate Application* (link provided by school level office of student affairs in the semester before anticipated graduation). Please note that the student's "diploma name" as requested in the Intent to Graduate Application is printed on the student's diploma, and information provided by the student is used in commencement programs. In the event that the student has requested that directory information is confidential – specific request to release information for commencement bulletin is confirmed via the Graduation application process;
- Requires student active registration in the semester the certificate or degree is to be conferred unless the student is granted an exception by the dean of their school;
- Pay the graduation application fee applied to you bill by Student Business Services via your student account - \$75;
- Attend an online Exit Interview session scheduled by the Student Financial Aid Office for students who have received financial assistance, which must be repaid after graduation.

S. Student Health Services

The Texas Tech Physicians at Kenworthy provides health services to TTUHSC El Paso students who are currently enrolled and have paid the Medical Services Fee as part of tuition and fees. To receive health services students must present Student ID card and provide co-payment at the time of the appointment. Students may contact their insurance provider to determine if they qualify for co-payment reimbursement.

The Medical Services Fee covers only those services provided by the Texas Tech Physicians at 9849 Kenworthy and specific laboratory and radiology service performed at cooperating locations. All other charges incurred are the student's responsibility.

1. *Appointments*

- a) Call (915) 215-5500 for appointments Monday-Friday 9am – 5pm
- b) Sudden Illness: call (915) 215-5500 as early as possible on day requiring care

- c) After hour visits: Call (915) 215-5500 and ask to leave a message for the on-call physician.
- d) Those without an appointment may have to wait for a physician.
- e) Request Dr. Madrid to see a clinician who does not supervise students for increased privacy

NOTE: Immunizations, paperwork, and routine procedures are not ordinarily considered urgent care, and may not be taken care of on the same day as requested.

If you have a health emergency that requires you to be seen at a hospital emergency room, go to the hospital listed as a provider on your insurance. Visits to an emergency room that generate a charge from either TTUHSC El Paso or the hospital are your responsibility

2. *Clinic Procedure*

a) Check-in

At check-in inform the receptionist that you are a TTUHSC El Paso student.

b) ID Requirement

Present valid TTUHSC El Paso Student Identification Card; failure to do so may result in no service

c) Co-Pay

Provide \$10 co-pay at time of appointment, note additional fees may result from labs or procedures not covered (provided at a reduced rate)

3. *Billing*

If the student receives a bill from the Texas Tech Physicians at Hague for services covered by the medical service fees, please contact the Office of Student Services and Student Engagement at 915-215-4370.

T. Student Health Insurance

Students are required to have hospitalization insurance coverage for each semester enrolled throughout the duration of their academic program per [HSCEP OP 77.22 Mandatory Student Health Insurance Requirement](#). Students are required to purchase the Academic Health Plan insurance provided by the TTU system via their student account or provide proof of outside coverage at the time of bill payment to waive fee. Information on how to submit proof of coverage is provided to each enrolled student from the Office of Student Services and Student Engagement and is managed via the Academic Health Plans (AHP) Portal. Those students using financial aid to pay for insurance coverage are required to complete an authorization for surplus aid to cover AHP insurance cost.

The Texas Tech University System (TTUS) works with Academic Health Plans (AHP) to offer and administer health insurance coverage options for purchase to all students. Students have the option to investigate alternative insurance plans. Insurance information can be found on the [Office of Student Services and Student Engagement web-page](#)

U. Immunization Requirements

In order to protect the health of our students and the health of the patients with whom they come in contact, TTUHSC El Paso requires all entering students to provide documentation of all immunizations as required by their respective schools. Immunization requirements are stipulated by each School and students should consult their School catalogs and handbooks.

See also [Ambulatory Clinic Policy and Procedure EP 7.01](#)

Exclusions for Immunization Requirements in Texas Institutions of Higher Education. See <https://www.dshs.texas.gov/immunize/school/rules.aspx>

V. State Residency Classification

Residency is established at the time of application to TTUHSC El Paso. Some students may be eligible for Border County waivers; see [HSCEP OP 77.18](#), Border County Waiver.

Students are responsible for registering under the proper residence classification and for providing documentation as required by the institution. If there is any question about the right to classification as a resident of Texas, it is the student's obligation, prior to the time of enrollment, to ask for an official determination by the Office of the Registrar. Non-residents who live in Texas taking only online courses are charged non-resident tuition and fees. An applicant whose classification as a resident of the State of Texas is not clearly established should request a Residency Questionnaire from the Office of the Registrar. The Oath of Residency information can be found at: <https://el Paso.ttuhsc.edu/student services/registrar/forms.aspx>

W. Student Government Association (SGA)

The Student Government Association is the official organization representing students. Students may identify with off-campus programs and activities as individuals, but not as representatives of the student body. The Student Government Association (SGA) promotes, directs and coordinates student activities at Texas Tech University Health Sciences Center El Paso (TTUHSC El Paso). The executive council and senators are elected from each of the four schools and act to voice student concerns to the TTUHSC El Paso Faculty and Staff and encourage interdisciplinary communication and participation among the individual schools that compose TTUHSC El Paso. The Office of Student Services and Student Engagement (SSSE) provides administrative support for SGA. See the [SGA web-page](#) on [TechEngage](#).

X. Student Publications

See [HSCEP OP 77.03](#), Official Student Publications.

Y. Tuition and Fees

Visit Student Business Services for details related to tuition, fees, billing and payment options.

1. *Approval of Student Fees*

Approval of Student Fees: The Board of Regents shall approve the assessment of tuition and fees for students of TTUHSC El Paso. The recommended revisions to tuition and fees shall be presented biennially to the Board of Regents for approval.

2. *Payment Deadlines*

TTUHSC El Paso is authorized to establish payment due dates in advance of the beginning of a semester and prior to the sixth and eleventh class weeks respectively so that required payments have been received and student records have been appropriately updated on the dates required by law.

3. *Payment of Tuition and Fees*

Texas Education Code, Section 54.007, provides that state-supported institutions of higher education shall provide students with the election to pay tuition and fees during the fall, spring, or long (10 weeks or longer) summer semesters in installments. TTUHSC El Paso offers these payment alternatives.

- a) Payment alternative information

- (1) Full payment of tuition and fees in advance of the beginning of the semester; or
- (2) One-half payment of tuition and fees in advance of the beginning of the semester and separate one-fourth payments prior to the sixth and eleventh class weeks, respectively.
- (3) If a student elects to pay tuition and fees using the payment alternative, he or she shall be assessed an installment payment option fee in addition to the required payment of tuition and fees. The fee developed and recommended for approval shall reflect all costs incurred in operating and handling payments under the installment payment alternative. The Board of Regents has delegated to the President of Texas Tech University Health Sciences Center El Paso, the authority to approve all discretionary, incidental fees.
- (4) If a student who has elected to pay tuition by installment fails to pay in full all amounts of tuition, other registration fees, installment option fee, late payment fees, and other authorized fees by the end of the business day of the last day of the semester, then he or she will be dropped from School for failure to pay.
- (5) Installment payment plans may not be available for semesters or terms less than 10 weeks long.
- (6) TTUHSC El Paso shall develop procedures so that students are notified of the requirements, provisions, and penalties of the installment payment options.

4. *Tuition and Fees Refund Policies*

Visit **Student Business Services** under **Student Resources/Financial Information** for detailed information about the impact of decreasing course load on:

- All students who withdraw from TTUHSC El Paso or drop all courses during a term
- Additional considerations for students who received financial aid and withdraw from TTUHSC El Paso or drop all courses during a term

a) Institutional Refund Policy

Texas Education Code, Section 54.006, provides the amount of tuition and fees to be refunded to students who drop courses or withdraw from the institution. Class day count is based on the official institution academic calendar for the school, not the specific course dates.

Students who drop a course, but remain enrolled at the institution will be refunded at the following rate:

Term	Class Day	% Refund of Charges
Term of Session 5 weeks or less duration	1st class day through 2nd class day	100%
	After the 2 nd day of class	None
Term of Session More than 5 weeks but less than 10 weeks in duration	1st class day through 4th class day	100%
	After the 4th day of class	None
Fall, Spring or Summer Duration of 10 weeks or longer	1st class day through 12th class day	100%
	After the 12th day of class	None

Students who withdraw from the institution (zero semester credit hours) are required to pay tuition and fees according to the following schedule based on their official withdrawal date:

Term	Class Day	% Refund of Charges
Term or Session 5 weeks or less duration	Before the 1st class day	100%
	1 st class day	80%
	2nd class day	50%
	3rd class day or later	None
Term or Session More than 5 weeks but less than 10 weeks in duration	Before the 1st class day	100%
	1st, 2nd, or 3rd class day	80%
	4th, 5th, or 6th class day	50%
	7th class day or later	None
Fall, Spring or Summer duration of 10 weeks or longer	Before the 1st class day	100%
	1st five class days	80%
	2nd five class days	70%
	3rd five class days	50%
	4th five class days	25%
	21st class day and after	None

Students who withdraw from TTUHSC El Paso or drop all courses during a term that receive(d) financial aid, should be aware of the refund policies and to understand the impact they will have on the aid released and the continued financial aid eligibility. Current refund policies for students who withdraw or drop all courses during a term are determined by the Higher Education Title IV refund regulations.

Any refund due to a student will be after calculation of the amount of tuition and fees due at the time of withdrawal. If the student has paid less than the amount due at the time of withdrawal, the student will be required to pay the percentage due to TTUHSC El Paso.

Federal Refund and Repayment calculations must be performed for students who receive Title IV (Pell, FSEOG, Perkins and/or Stafford Loans) funds and officially withdraw from all courses, drop out of all courses, are expelled, take an unapproved leave of absence, or fail to return from an approved leave of absence prior to the 60% date of the term. All “unearned aid” must be returned to the federal aid programs as determined by the Federal Refund and Repayment calculations. Failure to return Title IV funds constitutes a failure to meet a financial responsibility due to the University which is subject to any of the actions stated in the Financial Responsibility section above.

- The requirements for Title IV program funds are separate from the university refund policy. As such, you are responsible for unpaid institutional charges remaining after the refund calculation. You are also responsible for charges/balances created by the returning of Title IV program funds that the school was required to return.
- If you have questions about your Title IV program funds, you can call the Federal Student Aid Information Center at 1-800-4-FEDAID (1-800-433-3243). TTY users may call 1-800-730-8913. Information is also available on Student Aid on the Web at <https://studentaid.ed.gov/sa/>

In order to keep all the financial aid issued in each term, students must be enrollment for at least 60% of the term. After this point in the term students have earned 100% of the Title IV funds released for the term. Therefore, it is in your best interest to maintain attendance and complete at least one class each term that you receive federal aid to avoid repayment of funds.

How the Title IV return calculation works:

1. Number of days attended ÷ Days in semester = % of semester completed
2. Total \$ disbursed X % completed = Earned \$
3. Total \$ disbursed - Earned \$ = \$ to be returned

An example calculation is available on the Student Business Services web page: <https://elpaso.ttuhs.edu/fiscal/businessaffairs/studentbusserv/resources/financial-information/default.aspx>

Once it is determined that you owe money back to any of the federal aid programs, you will not be eligible to receive further federal aid at TTUHSC El Paso or any other institution, until this debt is cleared.

Please note, your failure to complete a semester or term could impact your Satisfactory Academic Progress (SAP) and your future eligibility for financial aid. To remain eligible for financial aid, a student must maintain satisfactory academic progress. This consists of three categories: (1) grade point average on hours attempted (qualitative), 2 hours successfully completed (quantitative) based on hours enrolled and (3) time to degree. You must complete your program of study within 150% of the normal time required for the program.

The complete policy is available on the Financial Aid website under [Satisfactory Academic Progress](#).

Z. Use of University Seal

Texas Tech University Health Sciences Center El Paso (TTUHSC El Paso) regulates the use and secure handling of the presidential seal (also known as the university seal) as per [HSCEP OP 10.32 Use and Secure Handling of Presidential Seal](#). The embossed presidential seal is, in addition to a symbol of the identity of TTUHSC El Paso, a corporate mark of identification demonstrating the authenticity of academic records, contracts, and other documents executed in the name of TTUHSC El Paso. In these regards, the integrity of TTUHSC El Paso depends on the presidential seal being used only for permissible purposes by authorized institutional officials.

XII. Contact Information

A. Student Services and Student Engagement (SSSE)

Contact	Support areas	Phone/email
SSSE Main Office	ID Cards, general questions, 3 rd party external counseling providers	915-215-4370 elp.studentservices@ttuhsc.edu
Registrar	Registration, Verification, Transcripts, Diplomas, Student Account Holds	915-215-4183 epregistrar@ttuhsc.edu
Student Financial Aid/Veteran Affairs	FAFSA, TAFSA, Pell, Federal Loans, Scholarships, Grants, Emergency Funds, Veteran Certification	915-215-5602 elp.financialaid@ttuhsc.edu
Academic Success and Accessibility Office (ASAO)	Accommodations, Academic Support, Counseling Services Liaison	915-215-4786 disabilitysupport.elp@ttuhsc.edu
Student Conduct	Areas covered under Part II of this Handbook	915-215-4370 elp.studentservices@ttuhsc.edu
Student Engagement	Student Government, Student Organizations, Campus-wide Events/Activities, Campus	915-215-4370 elp.studentservices@ttuhsc.edu

	Activity Board, Student Leadership Development	
Student Wellness	Wellness Center, Wellness Programming, Academic Health Plan, Student Wellbeing, Intramural Sports, Student Lounges, Food Pantry	915-215-4370 elp.studentservices@ttuhsc.edu
Student Support Center	On campus counseling services for students and residents	915-215-TALK (8255) support.elp@ttuhsc.edu
Student Services Fee Advisory Committee	Requests for use of student service fees by registered student organizations or for individual student travel	Meets second Tuesday of each month ssfac.elp@ttuhsc.edu

B. School-level Student Affairs

Contact	Phone	Email
Gayle Greve Hunt School of Nursing (HSON)	915-215-6124	Leonora.Ortega@ttuhsc.edu
Francis Graduate School for Biomedical Sciences (FGSBS)	915-215-4157	Jazmin.Carrera-Blas@ttuhsc.edu
Paul L. Foster School of Medicine (FSOM)	915-215-4817	student.affairs.plfsom@ttuhsc.edu
Woody L. Hunt School of Dental Medicine (HSDM)	915-215-4207	andrea.ramirez@ttuhsc.edu Rhonda.Everett@ttuhsc.edu

C. Important Campus Contacts

Contact	Phone	Email
Associate Dean for Academic Affairs	915-215-4864	Veronica8.Rodriguez@ttuhsc.edu
Campus Police (Non-emergency)	915-215-7111	
Council on Diversity and Inclusion	915-215-8829	mayra.morales@ttuhsc.edu
Institutional Advancement	915-215-4850	
Occupational Health	915-215-4429	
Office for Diversity, Inclusion and Global Health (ODIGH)	915-215-8829	mayra.morales@ttuhsc.edu
Parking and Transportation	915-215-4425	ParkingElp@ttuhsc.edu
Police – Emergency	911	
Student Business Services	915-215-5680	sbselp@ttuhsc.edu
Title IX Coordinator for TTUHSC El Paso	915-215-5439	titleixcoordinatorelp@ttuhsc.edu

XIII. Document Updates

A. Version December 27, 2022

1. Clarification of the process related to Section IV. Student Complaint or Grievance Policies and Procedures, Item B.2. and insertion of Section IV. Item B.3. Updates provide greater clarity in process variations between grievances involving an individual school and those that cross the broader campus community.
2. Update to contact information related to Title IX resources and the Student Support and Student Engagement Office.
3. Update to name and abbreviations associated with the Francis Graduate School of Biomedical Sciences (FGSBS).
4. Addition of Section XIII. to document off-cycle updates to this handbook.