

Manual of Policies and Procedures for Student Affairs

Chapter 8. Student Conduct and Discipline

Subchapter 8-100. General Provisions

Sec. 8-101. Introduction

a. Students at the university neither lose the rights nor escape the responsibilities of citizenship. They are expected to obey and conduct themselves in accordance with both the penal and civil statutes of the local, state, and federal government and the Rules and Regulations of the Board of Regents, university regulations, and administrative rules, and to observe standards of conduct appropriate for an academic institution.

b. They may be disciplined by the university for violating these standards of conduct on the campus or off the campus when the incident occurs in connection with an institution-oriented activity, or has a substantial connection to the interests of the university, or when the behavior is prohibited by university policy regardless of where it occurs, even if they are or may be penalized by civil authorities for the same act. Institutional disciplinary penalties shall not, however, be used merely to duplicate the penalties imposed by civil authority.

c. This chapter contains regulations for dealing with alleged student violations of university standards of conduct in a manner consistent with the requirements of procedural due process. In addition to the general standards of conduct set forth in subsection (a), subchapter 8-800 contains descriptions of specific standards of conduct to which students must adhere.

d. For additional information regarding Judicial Affairs, please refer to the Judicial Affairs website <http://www.uttyler.edu/judicialaffairs/>.

Sec. 8-102. Application

a. This chapter applies to individual students, and states the function of faculty and administrative staff members of the university in disciplinary proceedings. Individuals who are not currently enrolled at the university remain subject to the disciplinary process for conduct that occurred while they were students.

b. A student is subject to discipline for prohibited conduct that occurs while participating in off-campus activities sponsored by the university, including field trips, internships, rotations, or clinical assignments.

Sec. 8-103. Definitions

a. In this chapter, unless the context requires a different meaning,

1. "complaint" is a written statement of the essential facts constituting a violation of a regents' rule, university regulation, or administrative rule;
2. "Judicial Officer" means the Chief Student Affairs Officer or his/her delegate or representative;
3. "faculty member" means a person who is employed by the university for the purpose of teaching a class, and who has authority to assign grades for the class;
4. "hearing officer" means a person appointed by the president to conduct hearings of alleged violations of a regents' rule, university regulation, or administrative rule;
5. "president" means the president of The University of Texas at Tyler;
6. "student" means a person currently enrolled at the university, or who is accepted for admission or readmission to the university, or who has been enrolled at the university in a prior semester or summer session and is eligible to continue enrollment in the semester or summer session that immediately follows, or who is attending an educational program

sponsored by the university while that person is on campus, or who engaged in prohibited conduct at a time when he or she met the above criteria.

7. "university" means The University of Texas at Tyler;
8. "weekday" means Monday through Friday except for official university holidays; and
9. "day" means calendar day.
10. "Campus" consists of all real property, buildings or facilities owned or controlled by U.T. Tyler.

Subchapter 8-200. Administration of Discipline

Sec. 8-201. Administration by Judicial Officer

a. The judicial officer shall have primary authority and responsibility for the administration of student discipline. The judicial officer works cooperatively with faculty members in the disposition of scholastic violations.

b. The judicial officer may delegate the authority to dispose of scholastic discipline cases to faculty members and to other administrators.

Sec. 8-202. Hearing Officer

a. The hearing officer(s) will be appointed in accordance with procedures established by the president. The president may appoint an individual to coordinate the work of the hearing officers.

Subchapter 8-300. Initiation of Disciplinary Proceedings

Sec. 8-301. Investigation

a. Upon receiving information that a student has allegedly violated a regents' rule, university regulation, or administrative rule, the judicial officer shall investigate the alleged violation. After completing the preliminary investigation, the judicial officer may dismiss the allegation as unfounded; or summon the student for a conference, and after conferring with the student, dismiss the allegation; or proceed administratively under section 8-303; or prepare a complaint based on the allegation and proceed under subchapter 8-400.

b. Pending a hearing or administrative meeting on the charges, the judicial officer may take immediate interim disciplinary action as is appropriate to the situation including but not limited to suspending the right of a student to be present on the campus and to attend classes, or otherwise altering the status of a student when the continuing presence of the student poses a danger to persons or property, or poses an ongoing threat of disrupting the academic process or any activity authorized by the university.

c. A student who is suspended or whose status is altered under subsection (b) is entitled to an administrative meeting under section 8-303 or to a hearing at his or her request by a hearing officer under subchapter 8-400. Such a hearing shall be conducted within ten days -after the interim disciplinary action was taken; however, at the discretion of the judicial officer the 10 day period may be extended for a period not to exceed an additional 10 days.

d. Notwithstanding the above, the judicial officer may withhold the issuance of an official transcript, grade, diploma, certificate, or degree to a student alleged to have violated a rule or regulation of UT Tyler which would reasonably allow the imposition of such penalty. The judicial officer may take such action pending a hearing, resolution by administrative disposition, and/or exhaustion of appellate rights if the judicial officer has provided the student an opportunity to provide a preliminary response to the allegations and in the opinion of the judicial officer, the best interests of UT Tyler would be served by this action.

e. Searches of student-occupied premises or of a student's personal possessions shall be only as authorized by law.

Sec. 8-302. Summoning Student

- a. The judicial officer may summon a student to appear in connection with an alleged violation by sending a written request to the student at the address appearing in the registrar's records. The request shall direct the student to appear at a specific time and place at least three weekdays after the date of the request if the request is sent by the mail. The meeting may take place at least two weekdays after the date of the request if the request is hand-delivered or sent by e-mail. The request may be e-mailed to the e-mail address on record with the registrar.
- b. The judicial officer may bar or cancel the enrollment or otherwise alter the status of a student (or of a former student under subsection 8-102(b)) who fails without good cause to comply with a request sent under subsection (a).
- c. A letter sent to the address listed in the registrar's records or hand delivered to the student shall constitute full and adequate notice. The failure of a student to provide an address change or forwarding address, the failure to read mail or e-mail, or the refusal to accept a registered letter shall not constitute good cause for failure to comply with the summons.

Sec. 8-303. Administrative Disposition of Violations

- a. In any case where the accused student elects not to dispute the facts upon which the charges are based and agrees to the sanctions the judicial officer assesses, the student may execute a written waiver of the hearing procedures described in Subchapter 8-400. -This administrative disposition shall be final and there shall be no subsequent proceedings regarding the charges.
- b. In any case where the accused student elects not to dispute the facts upon which the charges are based, but does not agree with the sanctions assessed by the judicial officer, the student may execute a written waiver of the hearing procedures described in Subchapter 8-400 yet retain the right to appeal the decision of the judicial officer only on the issue of penalty. The appeal regarding the penalty will be to the president of UT Tyler as outlined in Subchapter 8-600. -

Sec. 8-304. Scholastic Violations

- a. When a faculty member has reason to suspect that a student has violated university regulations concerning scholastic dishonesty, the faculty member may refer the case to the judicial officer who shall proceed under section 8-301, or meet with the student(s) involved and discuss the alleged violation and the evidence that supports the charge. After conferring with the student, the faculty member may dismiss the allegation or proceed under subsection (b) or (c).
- b. In any case where a student accused of scholastic dishonesty does not dispute the facts upon which the charges are based and executes a written waiver of the hearing procedures, the faculty member may assess an academic penalty pursuant to section 8-503, and shall inform the student of such action in writing, and report the disposition of the incident to the judicial officer. The judicial officer may summon the student for consideration of an additional disciplinary penalty.
- c. In a case where a student accused of scholastic dishonesty disputes the facts upon which the charges are based, or chooses not to waive the right to a hearing before a hearing officer, the faculty member shall refer the matter to the judicial officer who shall then proceed under section 8-301.
- d. A student may appeal the decision of a faculty member under subsection (b) by giving written notice to the judicial officer within fourteen days from the date on which the decision was announced. The appeal is conducted in accordance with subchapter 8-600. The appeal is restricted to the issue of penalty, and no transcript shall be required.

Subchapter 8-400. Hearing

Sec. 8-401. Duties of the Hearing Officer

- a. In those cases in which the accused student disputes the facts upon which the charges are based, or chooses not to waive the hearing procedure, such charges shall be heard and determined by a hearing officer.
- b. The hearing officer will preside over the hearing and shall:
 1. ascertain that the judicial officer has satisfactorily performed the requirements of section 8-402;
 2. rule on the admissibility of evidence and objections to the procedure;
 3. render a written decision which shall contain findings of fact and conclusions as to whether or not a violation has occurred;
 4. assess a penalty, or penalties;
 5. provide the student and the judicial officer with a copy of the decision; and
 6. certify the hearing record upon notice of appeal.

Sec. 8-402. Duties of Judicial Officer

- a. The judicial officer shall set the date, time, and place for the hearing and notify the accused student of the date, time, and place; arrange for recording the hearing as provided in subsection 8-407(e); and furnish a suitable room, necessary equipment, and clerical assistance for a hearing.

Sec. 8-403. Notice

- a. The judicial officer shall notify the accused student by letter of the date, time, and place for the hearing. The notice shall be delivered in person or mailed to the student at the address appearing in the registrar's records.
- b. The letter shall specify a hearing date at least ten days after the date of the letter unless the hearing is being held under the conditions required in subsection 8-301(c). A letter sent to the address listed in the registrar's records shall constitute full and adequate notice. A student may request, in writing, that an earlier date be set if feasible to arrange. The hearing officer for good cause may postpone the hearing and shall notify the judicial officer and the accused student of the new hearing date.
- c. A letter mailed under subsection (a) shall:
 1. direct the accused student to appear on the date and at the time and place specified;
 2. advise the accused student of his or her rights
 - A. to a private hearing;
 - B. to appear in person and to have an adviser at the hearing;
 - C. to challenge the person designated to hear the charges;
 - D. to know the identity of each witness who will testify against him or her;
 - E. to present testimony of witnesses, to present documentary and other evidence, to argue in his or her own behalf;
 - F. to cross-examine each witness who testifies against him or her; to be assisted by an adviser;
 - G. and to appeal under subchapter 8-600;
 3. contain the name of the person appointed to act as hearing officer;
 4. contain the names of witnesses who may testify against the accused student, a brief summary of the testimony to be given by each, and a list of documentary and other evidence that will be offered against him or her; the university may supplement the list of witnesses and documents for good cause, as determined by the hearing officer;
 5. contain a copy of the complaint, which entails a written statement of the charges; and
 6. notify the accused student that if he or she is advised by an attorney, the judicial officer's adviser may be an attorney from the Office of the General Counsel of the University of Texas System. An adviser may confer with and advise the judicial officer or accused student, but shall not be permitted to question witnesses, introduce evidence, make objections, or present arguments to the hearing officer.

- d. At least five days before the hearing, the judicial officer will make available a copy of documents to be introduced at the hearing.
- e. The judicial officer may suspend or otherwise alter the status of an accused student who fails without good cause to comply with a letter sent under this section, or the judicial officer may proceed with the hearing in the student's absence.
- f. The failure of a student to provide an address change or forwarding address, or the refusal to accept a registered letter shall not constitute good cause for failure to comply with a letter sent under this section.

Sec. 8-404. Preliminary Matters

a. Charges arising out of a single transaction or occurrence against one or more students may, at the discretion of the judicial officer, be heard together, but the hearing officer for good cause shown may grant a separate hearing.

b. At least five days before the hearing date, the student shall furnish the judicial officer with a list of any witnesses who may testify on behalf of the student, together with a summary of each witness's testimony and a copy of any documents and other evidence he or she may offer; the student may supplement the list of witnesses and documents for good cause, as determined by the hearing officer.

c. At least five days before the hearing date, the student concerned shall furnish the hearing officer with any objection that, if sustained, would postpone the hearing; the name of the adviser, if any, who will appear with the student; and a request for a separate hearing, if any, and the grounds for such a hearing.

Sec. 8-405. Challenges to the Hearing Officer

a. The accused student may challenge the hearing officer's alleged lack of fairness or objectivity, but is not entitled to disqualify the person from serving.

b. The challenge must be in writing, state the reasons for the challenge, and be submitted to the hearing officer through the office of the judicial officer at least three days prior to the hearing.

c. It shall be up to the challenged person to determine whether he or she can serve with fairness and objectivity. If the challenged person disqualifies himself or herself, another hearing officer shall be appointed.

Sec. 8-406. Procedure

a. The hearing is informal and closed, except that, with the consent of the accused student and the judicial officer, the hearing may be open.

b. The hearing officer shall proceed generally as follows:

1. the judicial officer reads the complaint;
2. the hearing officer informs the accused student of his or her rights listed in subsection 8-403(c)(2);
3. the judicial officer presents the university's witnesses and evidence;
4. the accused student presents his or her witnesses and evidence;
5. the judicial officer and the accused student present rebuttal evidence and argument;
6. the hearing officer decides whether a violation has occurred and assesses a penalty in accordance with section 8-408.

Sec. 8-407. Evidence

a. Legal rules of evidence do not apply to hearings under this subchapter; the hearing officer may admit and give effect to evidence that possesses probative value and is commonly accepted by reasonable people in the conduct of their affairs. The hearing officer shall exclude irrelevant, immaterial, and unduly repetitious evidence.

- b. The hearing officer shall give effect to the rules of privilege recognized by law. Upon a hearing of the charges, the university has the burden of going forward with the evidence and the burden of proving the charges by the greater weight of credible evidence.
- c. A witness shall testify unless the testimony is privileged or is excluded by the hearing officer.
- d. All evidence shall be offered during the hearing and made a part of the hearing record.
- e. The hearing officer shall decide whether a violation has occurred and assess an appropriate penalty solely on the basis of admitted evidence. The hearing officer may consider an accused student's disciplinary record only in determining an appropriate penalty.
- f. A recording shall be made of the hearing under supervision of the judicial officer.
- g. If either party appeals, the president may request that the recording be transcribed and both parties will be furnished a copy.

Sec. 8-408. Decision

- a. The person hearing the charges shall render and send to the judicial officer and the accused student a written decision that contains findings of fact and a conclusion as to whether the accused student is responsible for the violations as charged. Upon a finding of responsibility, the hearing officer will assess a penalty or penalties specified in Subchapter 8-500. The penalty or penalties shall also be stated in the decision.

Sec. 8-409. Record

- a. The hearing record consists of:
 - 1. a copy of the notice required under section 8-403;
 - 2. the recording of the hearing, together with all documentary and other evidence admitted;
 - 3. written motions, pleas, and any other materials considered by the hearing officer; and
 - 4. the decisions of the hearing officer.
- b. If notice of appeal is timely given as provided in section 8-601, the judicial officer shall prepare the record; the hearing officer shall certify its completeness and accuracy; and the judicial officer shall send it to the president, with a copy to the student appellant, on or before the tenth day after the record has been certified.

Subchapter 8-500. Penalties

Sec. -501. Authorized Disciplinary Penalties

- a. The judicial officer, under subchapter 8-300, or the hearing officer after a hearing under subchapter 8-400, may impose one or more of the following penalties for violation of a regents' rule, university regulation, or administrative rule:
 - 1. admonition;
 - 2. warning probation;
 - 3. disciplinary probation;
 - 4. withholding of grades, official transcript, and/or degree;
 - 5. bar against readmission, and/or drop from current enrollment, or drop
 - 6. from enrollment in one or more courses;
 - 7. restitution;
 - 8. suspension of rights and privileges, including, but not limited to, participation in athletic or extracurricular activities and residing in or entering university housing;
 - 9. failing grade for an examination or assignment or for a course and/or cancellation of all or any portion of prior course credit, or other academic penalty;
 - 10. denial of degree;
 - 11. deferred suspension;
 - 12. suspension from the university for a specified period of time;
 - 13. expulsion (permanent separation from the university);

14. revocation of degree or withdrawal of diploma;
 15. other penalty as deemed appropriate under the circumstances.
- b. If a violation of a regents' rule, university regulation, or administrative rule, other than section 8-804(a)(12), is committed because of the race, color, or national origin of a student or students directly harmed by the violation, such a discriminatory purpose shall be treated as an aggravating factor for the purpose of determining the appropriate penalty under section 8-501(a).

Sec. 8-502. Nature of Disciplinary Penalties

- a. An admonition is a written reprimand from the judicial officer to the student on whom it is imposed.
- b. Warning probation is the lesser form of probation indicating that the student has been notified that he or she has engaged in unacceptable behavior and that further violations of the regulations may result in more severe disciplinary action. The judicial officer or the hearing officer may impose conditions related to the offense, such as counseling, educational seminars, or unpaid work assignments. Failure to meet the condition(s) shall be considered an additional violation.
- c. Disciplinary probation is the greater form of probation indicating that the student has engaged in unacceptable behavior and may be required to report to the judicial officer on a regular basis during the probationary period. Further violations will result in consideration of suspension. The judicial officer or the hearing officer may impose conditions related to the offense, such as counseling, educational seminars, or unpaid work assignments. Failure to meet the condition(s) shall be considered an additional violation.
- d. The judicial officer or hearing officer may withhold the issuance of an official transcript, grade, diploma, or degree to a student alleged to have violated a rule or regulation of the University of Texas System or the university which would reasonably allow the imposition of the penalty of withholding an official transcript, grade, diploma, or degree. The judicial officer may take such action pending a hearing and/or exhaustion of appellate rights when, in the opinion of the judicial officer, the best interests of The University of Texas System or the university would be served by this action.
- e. A bar against readmission and/or a drop from current enrollment or a drop from one or more courses may be assessed as a penalty as appropriate under the circumstances. For example, a bar against readmission and/or a drop from current enrollment may be imposed on a student who fails to respond to a summons by the judicial officer to discuss an alleged violation of the Regents' Rules and Regulations, university regulations, or administrative rules. The penalty shall be lifted when the student responds to the summons as requested.
- f. Restitution is reimbursement for damage to or misappropriation of property. Reimbursement may take the form of appropriate service to repair or otherwise compensate for damages.
- g. Suspension of rights and privileges is an elastic penalty. The judicial officer or the hearing officer may impose limitations to fit the particular case.
- h. Suspension of eligibility for official athletic and non-athletic extracurricular activities prohibits, during the period of suspension, the student on whom it is imposed from joining a registered student organization; from taking part in a registered student organization's activities, or attending its meetings or functions; and from participating in an official athletic or nonathletic extracurricular activity.
- i. A failing grade or other academic penalty may be assigned to a student for a course in which he or she was found guilty of scholastic dishonesty.
- j. A student found guilty of scholastic dishonesty may be denied his or her degree.

k. Deferred suspension may be imposed on a student for whom suspension from the institution is an appropriate penalty, but for whom there are mitigating circumstances as determined by the judicial officer or hearing officer. If a student is found to have violated any rule of the university or the University of Texas System while the penalty of deferred suspension is in effect, the penalty for such a violation will be immediate suspension. The facts of the case may be decided by a university hearing officer and/or appealed to the president, but the penalty may not. The judicial officer or hearing officer may impose conditions related to the offense and failure to meet such conditions shall be considered an additional violation.

l. Suspension from the university prohibits, during the period of suspension, the student on whom it is imposed from entering the university campus without prior written approval of the judicial officer; from being initiated into an honorary or service organization; and from receiving credit for scholastic work done during the period of the suspension. The judicial officer or hearing officer may, however, permit the receipt of credit for scholastic work completed at another institution during the period of suspension, except when suspension is imposed for scholastic dishonesty. The judicial officer or hearing officer may impose conditions related to the offense, and failure to meet such conditions shall be considered an additional violation. Suspension from the institution and/or suspension of rights and privileges is the minimum penalty that shall be assessed for violation of the rules against illegal use, possession, and/or sale of a drug or narcotic on campus.

m. Expulsion from the university includes the same prohibitions as those for suspension.

n. Revocation of the degree and withdrawal of the diploma may be imposed when the violation involves scholastic dishonesty or otherwise calls into question the integrity of the work required for the degree.

o. Other penalties may be imposed when, in the opinion of the judicial officer or the hearing officer, the best interests of the University of Texas System or the university would be served.

Sec. 8-503. Authorized Academic Penalties

- a. A faculty member, under section 8-304, or the judicial officer or hearing officer may impose one or more of the following penalties for scholastic dishonesty:
 1. written warning that further scholastic violations may result in a more severe penalty;
 2. no credit or reduced credit for the paper, assignment, or test in question;
 3. retaking of examination or resubmission of assignment;
 4. failing grade or reduced final grade for the course.
- b. The judicial officer, with approval of the student's academic dean, may assign an academic penalty for violation of a university regulation concerning scholastic dishonesty to a student who fails without good cause to comply with subsection 8-302(c) or subsection 8-403(e).
- c. A student who is in violation of a university regulation concerning scholastic dishonesty may also be subject to one or more of the penalties in section 8-501.

Subchapter 8-600. Appeal

Sec. 8-601. Right to Appeal

- a. Either the judicial officer or the accused student may appeal a disciplinary decision to the president of the institution.
- b. The appealing party must submit a written appeal stating the specific reasons for the appeal and any supporting information to the president. The appeal must be stamped as received by the president's office no later than 14 days after the appealing party has been notified of the decision. If the decision is sent by mail, the date the decision is mailed initiates the 14-day period. The notice is informal, but shall contain the student's name, the date of the decision or action, if any, and the name of the accused student's adviser, if any. The non-appealing party may submit a response to the appeal which must be received by the president's office no later than 5 days after

receipt of the appeal with a copy to the other party. An appeal of a sanction given by the judicial officer in accordance with Sec. 8-303 will be reviewed on the basis of the written argument of the student and the judicial officer. In the appeal of a decision given in accordance with Subchapter 8-400, the judicial officer will submit the record from the hearing to the president as soon as it is available to the judicial officer.

c. Notice of appeal timely given by an accused student suspends the imposition of penalty until the appeal is finally decided, but interim action may be taken as authorized under subsection 8-301(b). Further, grades or degrees may also be withheld pending conclusion of the appeal.

Sec. 8-602. Consideration of Appeal

a. The decision will be reviewed upon the basis of the written appeal and response as outlined in Sec. 8-601 and the certified record of the hearing, if any.

b. Both parties may, at the discretion of the president, submit oral or written arguments to support their position. In the case of a faculty or administrative disposition of the charges, the decision will be based upon review of written arguments provided by the student and the faculty member or the judicial officer as appropriate. In order for the written arguments to be considered, they must be filed with the president within fourteen days after notice of appeal is given.

c. The president may approve, reject, or modify the decision in question, or may require that the original hearing be reopened for the presentation of additional evidence and reconsideration of the decision.

d. It is provided, however, that if the finding as to guilt is upheld in a case involving the illegal use, possession, and/or sale of a drug or narcotic on campus, the penalty may not be reduced below the minimum penalty prescribed in subsection 8-502(l).

e. The action of the president shall be communicated in writing to the accused student and the judicial officer within thirty days after the appeal and related documents have been received.

f. The decision of the president shall be the final appellate review.

Subchapter 8-700. Disciplinary Records

Sec. 8-701. Access to Disciplinary Records

a. Disciplinary records are confidential and may not be disclosed in whole or part except on the judicial officer's authorization. Invasion of the accused student's privacy will be avoided to the greatest extent possible.

b. A permanent written disciplinary record shall be kept for every student assessed a penalty of suspension, expulsion, denial or revocation of a degree, and/or withdrawal of a diploma.

c. A written record of any other penalty assessed will be maintained for at least five years.

d. The disciplinary record shall be maintained by the Office of the Director of Residence Life and Judicial Affairs. The disciplinary record shall be separate from the student's academic record and shall be confidential, and shall not be revealed except on request of the student or in accordance with applicable state and federal law.

Sec. 8-702. Notice to the Registrar

a. The judicial officer shall notify the Office of the Registrar and other appropriate administrative offices if a disciplinary penalty restricts a student from being enrolled at the university during the period of the penalty.

b. The bar may be imposed by the judicial officer if one of the following penalties has been assessed because of violation of a regents' rule or university rule or regulation:

1. bar against readmission;
 2. suspension from the university; or
 3. expulsion from the university.
- c. The judicial officer shall notify the registrar and the academic dean if any of the penalties of withholding grades, official transcript or degree, denial of degree, or revocation of degree and withdrawal of diploma are imposed.

Subchapter 8-800. Student Standards of Conduct

Sec. 8-801. Conduct Expected of Students

a. This subchapter describes offenses for which a disciplinary proceeding may be initiated, but the university expects from its students a higher standard of conduct than the minimum required to avoid discipline. The university expects all students to obey the law, to show respect for other members of the university community, to perform contractual obligations, to maintain absolute integrity and a high standard of individual honor in scholastic work, and to observe standards of conduct appropriate for a community of scholars.

Sec. 8-802. Scholastic Dishonesty

- a. The judicial officer or a faculty member may initiate disciplinary proceedings under section 8-300 against a student accused of scholastic dishonesty.
- b. "Scholastic dishonesty" includes, but is not limited to, cheating, plagiarism, collusion, falsifying academic records, and any act designed to give unfair academic advantage to the student (such as, but not limited to, submission of essentially the same written assignment for two courses without the prior permission of the instructor, providing false or misleading information in an effort to receive a postponement or an extension on a test, quiz, or other assignment), or the attempt to commit such an act.
 1. "Cheating" includes, but is not limited to:
 - A. copying from another student's test paper; using during a test materials not authorized by the person giving the test;
 - B. failing to comply with instructions given by the person administering the test;
 - C. possession during a test of materials which are not authorized by the person giving the test, such as class notes or specifically designed "crib notes." The presence of textbooks constitutes a violation only if they have been specifically prohibited by the person administering the test;
 - D. using, buying, stealing, transporting, or soliciting in whole or part the contents of an un-administered test, test key, homework solution, or computer program;
 - E. collaborating with or seeking aid from another student during a test or other assignment without authority;
 - F. discussing the contents of an examination with another student who will take the examination;
 - G. 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 or not to be returned to or kept by the student;
 - H. substituting for another person, or permitting another person to substitute for oneself to take a course, a test, or any course-related assignment;
 - I. paying or offering money or other valuable thing to, or coercing another person to obtain an un-administered test, test key, homework solution, or computer program, or information about an un-administered test, test key, homework solution, or computer program;
 - J. falsifying research data, laboratory reports, and/or other academic work offered for credit;
 - K. 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; and

- L. misrepresenting facts, including providing false grades or résumés, for the purpose of obtaining an academic or financial benefit for oneself or another individual or injuring another student academically or financially.
2. "Plagiarism" includes, but is not limited to, the appropriation, buying, receiving as a gift, or obtaining by any means another's work and the submission of it as one's own academic work offered for credit.
3. "Collusion" includes, but is not limited to, the unauthorized collaboration with another person in preparing academic assignments offered for credit or collaboration with another person to commit a violation of any section of the rules on scholastic dishonesty.
4. "Falsifying academic records" includes, but is not limited to, altering or assisting in the altering of any official record of the university or the University of Texas System, the submission of false information or the omission of requested information that is required for or related to any academic record of the university or the University of Texas System. Academic records include, but are not limited to, applications for admission, the awarding of a degree, grade reports, test papers, registration materials, grade change forms, and reporting forms used by the Office of the Registrar. A former student who engages in such conduct is subject to a bar against readmission, revocation of a degree, and withdrawal of a diploma.

Sec. 8-803. Financial Transactions with the University

a. Students who owe debts to the university may be denied admission or readmission to the university and have their official transcripts, grades, diplomas, and degrees to which they would otherwise be entitled withheld until the debt is paid. Students who write bad checks to the university for tuition and fees will have their registration canceled. Bad checks written to the university for other purposes will subject the student to legal and/or disciplinary action. Matters relating to student financial transactions will be directed by the appropriate administrative office to the Office of Financial Services.

Sec. 8-804. Certain Other Offenses

- a. Notwithstanding any action taken by civil authorities or agencies charged with the enforcement of criminal laws on account of the violation, the judicial officer may initiate disciplinary proceedings under subchapter 8-300 against a student who:
1. engages in conduct that violates any provision of federal, state, and/or local laws whether or not the violation occurs on university property or in connection with any university oriented activity;
 2. possesses, uses, or displays firearms, facsimile firearms, ammunition, explosives, or other weapons on property owned or controlled by the university, without written permission from the UT Tyler Chief of Police;
 3. conducts himself or herself in a manner that impedes, interferes with, or disrupts any university teaching, research, administrative, disciplinary, public service, learning, or other authorized activity;
 4. conducts himself or herself in a manner that endangers the health or safety of any student or employee of the university (harm or threats of harm to oneself, including suicide attempts or threats of suicide, are considered violations of this policy), or of visitors on the campus
 5. damages, defaces, destroys, tampers with, or takes without authorization property of the university or property located on the campus and belonging to any student or employee of the university or visitor on the campus;
 6. is in possession or makes use of university keys for unauthorized purposes;
 7. engages in activities that subject a probationary member of a group to dangerous, harmful, or degrading acts (Regents' Rules and Regulations, Series 50101);
 8. uses or possesses without proper authorization alcoholic beverages in a university classroom building, laboratory, auditorium, library building, museum, faculty or administrative office, intercollegiate and intramural athletic facility, or any other public campus area or any on-campus residence;
 9. engages in gambling;

10. engages in illegal use, possession, and/or sale of a drug or narcotic. Use and or possession of prescription medication is a violation of this policy if the student does not have a prescription for the medication. Distribution of prescription medication to any student other than the student the medication is prescribed for is a violation of this policy. (students found in violation of the drug policy face suspension from the university);
 11. engages in speech, either orally or in writing, that is directed to inciting or producing imminent lawless action and is likely to incite or produce such action;
 12. enters, walks, runs, lies, plays, remains, or is in the water of any fountain or other artificial body of water, which is not designed and maintained for recreational or therapeutic purposes, located on the university campus, or who dumps, throws, places, or causes to be placed any material, object, trash, person, animal, waste, or debris in the water of any fountain, or other artificial body of water located on the university campus, or who damages, defaces, or removes any portion of any fountain, monument, building, statue, structure, facility, tree, shrub, or memorial located on the university campus;
 13. engages in harassment. Harassment is defined as conduct that is sufficiently severe, pervasive, or persistent to create an objectively hostile environment that interferes with or diminishes the ability of an individual to participate in or benefit from the services, activities, or privileges provided by the university; or
 14. engages in the unauthorized use of property, equipment, resources, supplies, buildings, or facilities owned or controlled by the university or the University of Texas System, including the unauthorized entry into property, buildings, or facilities owned or controlled by the university or the University of Texas System.
 15. furnishes false information to or withholds material information from any university staff member acting in the course of his or her duties; or
 16. otherwise engages in conduct that is inappropriate for members of an academic institution (such conduct includes but is not limited to pranks, public nudity, harassing phone calls or email, and berating or otherwise abusive behavior).
- b. In the case of disruptive activity on the campus of the university, neither the judicial officer nor the president, or any representative of them, shall negotiate or attempt to negotiate with any person or persons so engaged. When such a situation arises, the judicial officer or the president, or their representative, shall take immediate action to utilize all lawful measures to halt and eliminate any and all such disruptive activities that come to their attention, and may initiate disciplinary proceedings under subchapter 8-300.
 - c. It is unlawful for any person on any property of the university to refuse to identify himself or herself to an institutional representative in response to a request. A person identifies himself or herself by giving his or her name and complete address substantiated by a current driver's license, voter registration card, or other official documentation, and by stating truthfully whether or not he or she is a student or employee of the university. An institutional representative includes any member of the Board of Regents or the executive secretary to the board; any executive officer or administrative officer of the University of Texas System; any administrative officer of the university, and any attorney, peace officer, or security officer of the University of Texas System or the university acting pursuant to the authority of Texas law.
 - d. Any person who violates any provision of the Regents' Rules and Regulations of the University of Texas System, the rules and regulations of the University of Texas at Tyler, including but not limited to administrative rules of campus offices, or specific instructions issued by an administrative official acting in the course of his or her authorized duties, is subject to disciplinary penalty.

Sec. 8-805. Policy on Sportsmanship and Appropriate Conduct for Athletics Events

a. Goal

The University of Texas at Tyler will conduct all of its athletics events in a safe and sportsmanlike manner. The University seeks to create an atmosphere that promotes the spirit of fair play for student-athletes, allows students and fans to enjoy the spirit of intercollegiate athletics, and maintains a civil and respectful environment for all involved.

b. Scope

This policy applies to all areas of athletics events at the University, except that coaches and game officials will have the primary responsibility for actions involving the behavior and sportsmanship of players during the contest. This policy is based on the NCAA Division III Commissioners Association Fan Sportsmanship Program and the policies and procedures of the NCAA and the American Southwest Conference.

c. Directive

The University directs and designates the Director of Athletics and his designee (the Game Administrator) to carry out this policy at all athletics events hosted at or by the University, regardless of sponsorship.

d. Procedures

The University will take a proactive approach to sportsmanship at athletics events through the following steps:

1. Prior to the start of every event, a statement on appropriate conduct and sportsmanship will be read by the public address announcer.
2. At every event, the public address announcer will read the NCAA Division III SAAC statement on sportsmanship.
3. The Director of Athletics and/or his designee, typically the Game Administrator, will be present throughout every contest to ensure appropriate game management duties are handled efficiently and professionally, especially with respect to visiting teams.
4. University Police will be present at all games where required by conference regulations and, if available, at any other events when requested by the athletics department.
5. The prominent display of sportsmanship messages on electronic boards, banners and other printed materials.
6. A program of fan education. In the event that inappropriate actions by spectators or other individuals are observed by game administration, the following steps will be taken.

e. At the discretion of the game administrator, the following actions will generally warrant a VERBAL WARNING:

1. Conduct that is outside the accepted norm for intercollegiate sporting events and that impedes, interferes with, or disrupts the event, or that endangers the health or safety of any spectator or participant.
2. The use of abusive, indecent, profane, or vulgar language, which by itself tends to incite an immediate disruption or breach of the peace.
3. Any act that causes a game official or coach to request that a warning be given.
4. Any other act that is inappropriate or violates University rules but does not warrant removal. In most circumstances, incidents arising under this section can be addressed by game administration and will not require the assistance of University Police. In giving a verbal warning, reasonable effort should be made to identify both the person being warned and the conduct in question.

f. At the discretion of the game administrator, the following actions will generally warrant IMMEDIATE REMOVAL:

1. Failure to heed verbal warnings so as to warrant immediate removal (see above).
2. Engaging in harassment, which for the purposes of this policy is defined as conduct that is sufficiently severe, pervasive, or persistent to create an objectively hostile environment that interferes with or diminishes the ability of an individual to participate in or benefit from the services, activities, or privileges provided by the University.
3. Coming on to the playing surface during a contest, or after a contest without permission or for disruptive reasons.
4. The attempt or act of damaging, defacing, destroying or tampering with University property.
5. Making or threatening physical contact with any person, including but not limited to an official, an opposing player or coach, or another spectator.

6. Inciting other fans to engage in any conduct in violation of the law; or prohibited by this or other relevant University policies or rules.
7. Possession of alcohol or illegal substances or exhibited behavior, which reasonably suggests the individual is under the influence of alcohol or illegal substances.
8. Any act that causes a game official to direct the removal of the offending party.
9. Any other act that disrupts the orderly operation of the campus or facility or otherwise violates relevant University rules or the law. Incidents arising under this section will be handled by game administration unless it appears that the offending party will not cooperate, in which case University Police will be asked to assist with the removal of the offending party. Once an action reaches the level where immediate removal is deemed necessary by game management, University Police should effect such removal as appropriate.

g. Penalties

For UT TYLER STUDENTS removed from athletics events, a report will be forwarded to the appropriate University official for further action at the discretion of the University pursuant to the UT Tyler Student Affairs Manual of Policy and Procedures. As part of any disciplinary hearing, the student will be told whether he/she may attend athletic events for the remainder of the academic year.

For UT TYLER FACULTY OR STAFF removed from athletics events, the Game Administrator will notify the Director of Athletics who shall report such conduct to the Executive Vice President for Academic Affairs for appropriate action pursuant to University rules and policy.

For ALL OTHER INDIVIDUALS removed from athletics events, they will be given a written notice and order to remove themselves from the event and, if necessary, a Criminal Trespass Warning will be issued and filed with University Police. The individual will not be permitted to return to any athletics events for the remainder of the current academic year. An individual who is so sanctioned may appeal to the Director of Athletics for a reduction or removal of the sanction.