**Student Code of Conduct**

Texas A&M University-Corpus Christi strives to protect its educational community and to maintain social discipline among its students and student organizations. All members of the University community are entitled to freedom from suffering deliberate hurt, injury, or loss regardless of race, ethnicity, religion, gender, sexual orientation, or disability. The University endeavors to foster the development of students who are ethically sensitive and responsible community members. The Student Handbook and *Student Code of Conduct* are available online at [www.ses.tamucc.edu](http://www.ses.tamucc.edu). Copies are available at the beginning of the Fall term for students to pick-up in the Office of Student Engagement and Success and at several other offices across campus.

The *Student Code of Conduct* is reviewed on an annual basis and is printed each August. The Code is not a contract between the student and the University. The University reserves the right to publish such revisions on the University’s website, and students will be held accountable for knowledge of these revisions. The University will attempt to keep students informed via students’ Islander email account of all changes in rules and procedures which may affect them.

Since students serve as representatives of the University, inappropriate behavior, whether occurring on or off campus, will, at the discretion of the University, be investigated and adjudicated in a manner pursuant with TAMUCC’s educational and community development goals. Consistent with this purpose, reasonable efforts will be made to foster the personal and social development of those students who are found in violation of University regulations and/or local, state, or federal law.

**Article I. Jurisdiction**

The *Student Code of Conduct* defines a process for the efficient adjudication regarding alleged misconduct by students of Texas A&M University-Corpus Christi. The *Student Code of Conduct* establishes standards of behavior, both scholastic and behavioral, for the student body of TAMUCC. The *Student Code of Conduct* applies to the on-campus conduct and/or conduct occurring at off-campus University functions of all students and student organizations.

The newest version of the *Student Code of Conduct* is the official document regarding student conduct policies, procedures, rules and regulations. The newest version of the Code supersedes all previous conduct codes, policies, or procedures in regard to student conduct. Action taken by the Office of Judicial Affairs regarding the *Student Code of...*
Conduct does not preclude prosecution in the criminal courts. Similarly, prosecution in the criminal court does not preclude action taken by the Office of Judicial Affairs regarding the Student Code of Conduct. The Texas A&M University-Corpus Christi Office of Judicial Affairs oversees the adjudication of all cases of student misconduct as addressed by the Student Code of Conduct. In addition, the University reserves the right to exercise jurisdiction for events or actions occurring off-campus in those instances in which the University’s community interest and/or the pursuit of its objectives is affected. Other entities may have additional jurisdiction over areas including the following:

1. **Academic Misconduct**: Academic misconduct is a violation of the Student Code of Conduct and is resolved through the Procedures for Academic Misconduct Cases (see University Rules & Procedures Section 13.02.99.C3.01).
2. **Financial Disputes**: Disputes over financial concerns or complaints of University rules and regulations regarding the payment of bills and loans are resolved through the office or department where the dispute originated.
3. **Parking Violations**: Violations of the University parking policy as outlined in the Motor Vehicle and Parking Regulations Handbook are handled by the Parking Division of the University Police Department.
4. **Contractual Obligations**: Violations of non-disciplinary contractual obligations between students and the University and/or its affiliates are handled by the appropriate University office.
5. **Camden Miramar Lease Contract**: Lease violations may be resolved by Camden Miramar personnel. Lease violations that are simultaneously violations of the Student Code of Conduct will be addressed by the Office of Judicial Affairs in communication/conjunction with Camden Miramar personnel, where appropriate.
6. **Sexual Misconduct Violations**: Alleged violations identified in the Student Code of Conduct as sexual misconduct and other alleged violations when gender based may be processed under the Student Sexual Misconduct Process in communication/conjunction with the Title IX coordinator, when appropriate.

**Article II. Definitions**

For the purpose of this document, the following definitions will be utilized:

1. **Alleged Violator** is an individual who is charged with committing a violation of the Student Code of Conduct.
2. **Appellate Board** is any person or persons authorized by the Associate Dean of Students to consider an appeal of the outcome from a hearing body.

3. **Charge** is an allegation of a potential violation of the *Student Code of Conduct*. Charges are issued after a Student Conduct Officer has determined sufficient information exists to hold a hearing to determine whether or not a student has violated the *Student Code of Conduct*.

4. **Conduct Hearing** is a proceeding before a hearing body in which the reporting party, the alleged victim and/or the alleged violator may have the opportunity to present information relevant to the incident under review.

5. **Faculty Member** is any person employed by the University to provide academic instruction, educational supervision and/or engage in scholarly activities.

6. **Incident Report** is a written or electronic report indicating that an individual or group may have committed a violation.

7. **Investigation** is a process used to ascertain details and circumstances associated with an incident. Investigations may result in charges, mediation or dismissal.

8. **Failure to Comply Hold** is a restriction placed on a student’s account which may prevent a student from registering, obtaining enrollment, withdrawing and/or receiving an official transcript.

9. **Good Disciplinary Standing** is when a student is not currently on disciplinary probation, suspension or expulsion resulting from academic and/or behavioral misconduct.

10. **Hearing Body** is any person or persons authorized to determine whether a student has violated the *Student Code of Conduct* and to impose sanctions. Hearing Bodies may include, but are not limited to, the Student Conduct Board, the Student Conduct Officer, and any other person or persons as deemed appropriate by the Associate Dean of Students. The Student Conduct Board is a select group of students, staff and/or faculty appointed and specifically trained to administer conduct hearings.

11. The term **May** is used in the permissive sense.

12. **Member of the University Community** is any person who is a student, faculty member, resident, University official, guest of the University, person employed by the University or employed on University grounds or off-campus sites. A person’s status in a particular situation shall be determined by the Vice President for Student Engagement and Success or designee.

13. **Notice/notification** is verbal communication, electronic mail, letter delivered in person or to on-campus property or correspondence sent by mail, addressed to the addressee at the location shown in University records.
14. **Notice of Charges** is a written or electronic statement identifying the alleged violator, the specific violations(s) of the *Student Code of Conduct* that has/have allegedly occurred, and a short summary of information leading to the charges.

15. **On-Campus** - Any grounds or building under University control, when relevant to the lawful mission, processes and functions of the University.

16. **Premises** are a building or a portion of a building. The term does not include any public or private driveways, streets, sidewalks, walkways, parking lots, parking garages, or other parking area.

17. **Preponderance of Information** is a standard of proof that indicates that the information provided leads the hearing body to the conclusion that “more likely than not” a violation did or did not occur.

18. **Presenter** is a University official who was appointed to investigate and/or present the case to the hearing body on behalf of the University.

19. **Reporting Party** is any person who submits information indicating that a student may have violated the *Student Code of Conduct*. Information brought forth by the individual may result in an investigation.

20. **Rule/Regulation** is the written policy of the University as found in, but not limited to, the *Student Code of Conduct*, Camden Miramar Lease Contract, Graduate/Undergraduate Catalogs, University Rules and Procedures and Texas A&M University System Policies/Procedures.

21. **Sanction** is an outcome imposed for the violation of the *Student Code of Conduct*. Generally, sanctions are typically educational in nature and intended to modify the student’s behavior as well as build an awareness of personal responsibility and community standards.

22. The term **Shall** is used in the imperative sense.

23. **Student** is an individual who has accepted his/her offer of admission, and/or who is taking courses from the University, either full-time or part-time. Individuals who withdraw after allegedly violating the *Student Code of Conduct* are still considered to be students until the conduct matter is resolved. Individuals who are not officially enrolled for a particular term, but who have a continuing relationship with the University are considered students. In addition, persons who are living in University residence halls and apartments, although not enrolled in this institution, may also be considered students.

24. **Student Conduct Officer** is a University official authorized to initiate charge letters, articulate charges in hearings, present information to support charges, to conduct hearings, and to impose sanctions upon any student(s) found to have violated the *Student Code of Conduct*. 
25. **Student Organization** is a group comprised of any number of persons who have complied with the formal requirements for University recognition, registration, or is departmentally supported.

26. **University** means Texas A&M University-Corpus Christi.

27. **University Official** is any person employed or authorized by the University to perform assigned administrative or professional responsibilities.

28. **University Function** is any activity on or off-campus that is initiated, aided, authorized, or supervised by the University.

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**Article III. Violations of the Student Code of Conduct**

The following acts or omissions to act are violations of the **Student Code of Conduct**. These sections are not inclusive, and students are subject to additional rules and regulations of Texas A&M University-Corpus Christi. Students who attempt to abuse any portion of the **Student Code of Conduct** may be charged under the code accordingly.

**Student Conduct in Relation to Federal, State and Local Law**

The Office of Judicial Affairs may issue charges against a student charged with a violation of a law which is also a violation of the **Student Code of Conduct** (for example, if both violations result from the same factual situation) without regard to the pendency of civil litigation in court or criminal arrest and prosecution. Proceedings under this **Student Code of Conduct** may be carried out prior to, simultaneously with or following civil or criminal proceedings off-campus.

When a student is charged by federal, state or local authorities with a violation of law, the University will not request or agree to special consideration for that individual because of his or her status as a student. However, if the alleged offense is also the subject of a proceeding before a hearing body under the **Student Code of Conduct** the University may advise off-campus authorities of the existence of the **Student Code of Conduct** and of how such matters will be handled internally within the University community. The University will cooperate fully with law enforcement and other agencies in the enforcement of criminal law on campus and in the condition imposed by criminal courts. Individual students, staff and faculty members, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.
Prohibited Conduct

The following actions, or the aiding, abetting, inciting of, or attempt to commit these actions, constitute violations of the Student Code of Conduct. Any student found to have committed or to have attempted to commit the following prohibited conduct is subject to the disciplinary sanction(s) outlined in Article VIII of the Student Code of Conduct.

Specific violations of the Student Code of Conduct include, but are not limited to:

1. **Academic Misconduct**: engaging in an act that violates the standards of the academic integrity policy as described in the Student Code of Conduct and Procedure for Academic Misconduct Cases. Any behavior specifically prohibited by a faculty member in the course syllabus or class discussion may be considered as academic misconduct. Additionally, possessing, using, buying, stealing, transporting, selling or soliciting in whole or in part items including, but not limited to the contents of an unadministered test, test key, homework solutions or possession at any time of current or previous test materials without the instructor’s permission will be considered academic misconduct.

   a. **Cheating**: intentionally using or attempting to use unauthorized materials, information, notes, study aids or other devices or materials in any academic exercise.

   Examples:
   
   - Copying from another student’s paper or receiving unauthorized assistance during a quiz, test or examination.
   - Using books, notes or other devices (e.g. calculators, cell phones, or computers) when these are not authorized.
   - The acquisition, without permission, of tests or other academic material belonging to a member of the University faculty or staff.
   - Unauthorized collaboration on exams.
   - Selling, giving or exchanging completed exams to a student who has not yet taken the test.

   b. **Plagiarism**: intentionally and knowingly presenting the work of another as one’s own with the exception of information that is generally accepted as common knowledge.

   Examples:
• Using another’s work from print, web or other sources without acknowledging the source.
• Quoting from a source without citation.
• Using facts, figures, graphs, charts or information without acknowledgement of the source.
• Using a past assignment the student has completed as a portion of a new assignments, without providing citation. Please note that without instructor permission this is also considered a multiple submission violation.

c. **Multiple Submissions**: submission of substantial portions of the same work (including oral reports) for credit more than once without authorization from the instructors for which the student submits the work.

*Examples:*
- Submitting the same paper for credit in two courses without instructor permission.
- Making minor revisions in a credited paper or report (including oral presentations) and submitting it again as if it were new work.


d. **Collusion**: Intentionally or knowingly helping or attempting to help another to commit an act of academic dishonest. This includes, but is not limited to, the unauthorized collaboration with another individual in progressing forward on academic assignments.

*Examples:*
- Knowingly allowing another to copy from one’s paper during an examination or test.
- Distributing test questions or substantive information about the material to be tested before a scheduled exercise.
- Deliberately furnishing false information in regards to an academic integrity investigation.
- Working with another student on a take home test or homework assignments without permission from the instructor.
• Discussing the contents of a completed exam or other assignments with a student who will take the exam or complete the assignment in the future.

e. **Fabrication, Falsification, or Misrepresentation:** intentional altering or investing of any information or citation that is used in assessing academic work.

   *Examples:*
   • Inventing, counterfeiting or omitting data and/or results such that the research is not accurately represented in the research record.
   • Falsely citing the source of information.
   • Altering the record of or reporting false information about the practicum or clinical experiences.
   • Altering grade reports or other academic records.

2. **Endangerment:**
   a. Committing or threatening to commit any act of violence or bodily harm.
   b. Action(s) that endanger the health, safety, or well-being of one’s self or others.

3. **Brawling:** Willfully participating in, or contributing to, an incident of physical harm.

4. **Harassment:** Conduct, including, but not limited to, physical, verbal, graphic, written, or electronic behavior that is sufficiently severe, pervasive or persistent so as to unreasonably interfere with, deny or limit someone’s ability – physically or mentally – to participate in or benefit from the University’s educational programs, services and/or activities. This includes, but is not limited to, behavior that is aggressive in nature and intended to hurt and/or control another individual (see University Rules and Procedures 34.01.99.C1).

5. **Stalking:** Behavior in which an individual willingly, maliciously and repeatedly engages in a knowing course of conduct directed at a specific person and/or group which reasonably and seriously alarms, torments, or terrorizes the person(s). This conduct makes the victim fear:
   a. Bodily injury or death of self.
   b. Bodily injury or death of another individual.
c. That an offense will be committed against their property.

6. **Use of Force:** Using violence, the threat of violence, intimidation, implied threats, coercion or blackmail to obtain a desired outcome or behavior from another individual and/or group.

7. **Retaliation:** Any behavior and/or adverse action taken against a person and/or group because of participation in a complaint or investigation.

8. **Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

9. **Domestic Violence:** The willful intimidation, physical assault, battery, sexual assault, and/or other abusive behavior perpetrated by a person with whom: the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or by a person similarly situated to a spouse of the victim.

10. **Sexual Misconduct:** Behavior and/or action that includes but is not limited to:
    a. **Sexual Harassment:** Unwelcome, gender-based verbal or physical conduct that is sufficiently severe, persistent or pervasive that it has the effect of unreasonably interfering with, denying or limiting someone’s ability – physically or mentally – to participate in or benefit from the University’s education program, services and/or activities.
    b. **Non-Consensual Sexual Contact:** Any intentional sexual touching, however slight, with any object, by a man or a woman upon a man or a woman that is without consent and/or by force.
    c. **Non-Consensual Sexual Intercourse:** Any sexual intercourse, however slight, with any object, by a man or woman upon a man or woman that is without consent and/or by force.
    d. **Sexual Exploitation:** Taking non-consensual or abusive sexual advantage of another individual for advantage or benefit, or to benefit or advantage anyone other than the one being exploited and that behavior does not otherwise constitute one of the other sexual misconduct offenses. Behaviors which may be included in this category include, but are not limited to: invasion of sexual privacy, prostituting another individual, non-consensual video or audio-taping of sexual activity, going beyond the boundaries of consent, engaging in voyeurism, knowingly transmitting an
STI or HIV to another person, exposing one’s genitals in non-consensual circumstances; inducing another to expose their genitals, sexually-based stalking and/or bullying.

**Note:** For the purpose of this policy, consent must be freely and actively given through mutually understood terms of actions. A person is deemed incapable of giving consent when the person is a minor, is coerced, physically helpless, under the influence of alcohol or drugs to the point of being unable to make a rational decision, unconscious or asleep. A person always retains the right to revoke consent any time during a sexual act. An individual who is mentally incapacitated, unconscious, or unaware that the sexual assault is occurring is considered unable to give consent. Additionally, the process for which alleged violations of this nature are addressed may vary from other alleged violations. Please see the document: Student Sexual Misconduct Process which can be found online at judicialaffairs.tamucc.edu for more information.

11. **Hazing:** Any intentional, knowing, or reckless act, occurring on or off the campus of an educational institution, by one person alone or acting with other, directed against a student, that endangers the mental or physical health or safety of a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in an organization. The term includes, but is not limited to:

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

   b. Any type of physical activity, such as sleep deprivation, exposure to the elements, and confinement in a small space, calisthenics, or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.

   c. Any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.

   d. Any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, shame, or humiliation, that adversely affects the mental health or dignity of the student or discourages the student from entering or remaining registered in an educational institution, or that may reasonably be expected to cause a
student to leave the organization or the institutions rather than submit to acts described in this subdivision.

e. Any activity that induces, causes, or requires the student to perform a duty or task that involves a violation of the Texas Education Code Sec. 37.152 and 37.153.

   • The intent of the act or the consent or cooperation of the hazing recipient will not constitute a defense. The University or the hazing recipient may charge an individual and/or the officers of a recognized organization with responsibility for the hazing act(s) both on or off-campus. Hazing is also a violation of Texas state law. See the Texas Education Code, sections 37.151 and 51.936 at www.stophazing.org/laws/tx_law.htm. A person may be found guilty of criminal conduct for hazing, encouraging hazing, permitting hazing, or having knowledge of the planning of hazing incidents and failing to report in writing his/her knowledge to the Student Conduct Officer.

   Note: Texas law provides any person reporting a specific hazing incident to the Student Conduct Officer or other appropriate institutional official is immune from civil and criminal liability unless the report is in bad faith or malicious.

12. Weapons and Explosives: Intentionally, knowingly, or recklessly possessing a firearm, illegal knife or prohibited weapon (with or without a concealed handgun permit) on the physical premises of the University, to include any buildings or passenger transportation vehicles under the direct control of the University. Prohibited weapons include, but are not limited to, unauthorized firearms and fireworks, pellet guns, bb guns, air-soft guns, tasers, stun guns, slingshots, martial arts devices, illegal knives and clubs.

13. Fire and Safety:
   a. Improper use or possession of hazardous substances.
   b. Knowingly, recklessly, or negligently setting or attempting to set a fire on University property.
   c. Creating a fire hazard or endangering the safety of persons or property.
   d. False reporting of a fire.
   e. Failing to report a fire.
   f. Interfering with the response of University or city officials to emergency calls.
g. Misuse or removal of, damage to or tampering with fire prevention or other emergency equipment and/or signage.

h. Use or possession of any electrical appliance which is not authorized.

i. Possession of candles, extension cords, strip plugs without surge protectors, halogen lamps and other potential fire hazards.

j. Refusing to comply with fire alarm and fire drill procedures.

14. Drugs:
   a. Any of the following: possession, purchase, use, manufacture, sale, distribution, being in the proximity or being under the influence of any illegal and/or synthetic drug(s).
   b. Improper or illegal use, possession, distribution, sale, transfer, or manufacture of controlled substances; to include, but not limited to, prescription drugs.
   c. Possession or being in the proximity of any paraphernalia associated with the use and/or possession of any illegal drug(s).

   Note: The presence of any prohibited item in a location which is under your control, such as an apartment, residence hall space or vehicle is also defined as possession.

15. Alcohol:
   a. Any of the following: possession, purchase, use, consumption, manufacture, sale, distribution, being in the proximity or being under the influence of alcohol and/or empty alcohol containers by anyone under 21 years of age.
   b. Providing alcoholic beverages to an individual who is under the age of 21.
   c. The possession, use, consumption, manufacture, sale, or distribution of alcohol in violation of any applicable law and/or University policy or procedure.
   d. Unauthorized possession, use, consumption, manufacture, sale, or distribution of alcohol in any building, facility, or property under University control.
   e. Any use or possession of alcohol and/or empty alcohol containers in a common area of on-campus housing if the student, roommate, or any guests are under 21 years of age.
   f. Intoxicated behavior that causes a public or private disturbance. Indicators of this may include slurred speech, loud and/or inappropriate behavior, loss of coordination, and/or glassy or bloodshot eyes.
g. Unauthorized possession of keg(s) in any building, facility or property under University control.

**Note:** The presence of any prohibited item in a location which is under your control, such as an apartment, residence hall space or vehicle is also defined as possession.

**Note:** For information regarding the 911 Lifeline Law please see Article VI.

16. **Throwing Objects:** throwing objects out of windows, roofs, stairwells, balconies, etc. of any building on University property where there is a reasonable threat of injury involved.

17. **Property:**
   a. **Unauthorized Removal, Possession or Use:** Unauthorized use, possession or removal of property from a designated area under the control of the University and/or its community members, guests or vendors.
   b. **Unauthorized Entry:** Unauthorized entry to property under University control. Additionally, no student shall remain in a University building beyond its normal operating hours unless duly authorized by a University official.
   c. **Damage, Destruction or Defacement of Property:** Damage, destruction, or defacement of property, including unauthorized painting or staining, that is under the control of the University, residences and/or any of its community members, guests or vendors.
   d. **Unauthorized Duplication and/or Use:** Unauthorized possession, duplication of or use of key, student ID cards, parking permits, etc.
   e. **Unauthorized Posting of Announcements:** Posting of announcements which do not abide by established University guidelines.
   f. **Unauthorized Business:** Unauthorized use of University property, facilities (including on campus housing), and resources to conduct business.

**Note:** The maintenance and preservation of the resources of the University, including its grounds, academic buildings, residences, dining facilities, and other structures are obligations of all members of the Texas A&M University-Corpus Christi community.
18. Technology Misuse:
   a. Unauthorized access, use, misuse and/or abuse of computer equipment, technology, programs or data.
   b. Any attempted or successful transport, access or copy of programs, records and/or data belonging to the University or another user without permission.
   c. Any attempted or successful breach of the security of another user’s account or to deprive another user of access to the University’s computing resources.
   d. Using the University’s computer resources for personal or financial gain.
   e. Any attempted or successful destruction or modification of programs, records and/or data belonging to the University or to another user.
   f. Copy, installation and/or use of any software or data files in violation of applicable copyrights or license agreements including, but not limited to, downloading and/or distribution of music, movies, or any media via the Internet on any University computer.
   g. Use of University computer facility and/or technology that results in a violation of the Student Code of Conduct.

19. Information and Identification:
   a. Personal Misrepresentation: Representing oneself and/or another in person, verbally, in writing or through means of electronic communication, with intent to obtain a benefit, to injure, or defraud.
   b. Unauthorized Representation: Alleging to represent the University or any of its organizations without specific prior consent of the respective officials and with intent to obtain a benefit or to injure or defraud.
   c. Inaccuracy of Records and Information: Falsifying, tampering, altering, forging, or misusing any University record or official document or knowingly supplying false or misleading information to University officials.
   d. Registration Tampering: Tampering or attempts to tamper with the registration or records of another student or one’s own including, but not limited to, dropping and/or adding courses.
   e. Election Tampering: Tampering with the election or referendum process of any University entity or recognized student organization.
   f. Dishonesty in Judicial and Administrative Matters: Dishonesty before hearing bodies, University boards or committees, or University officials;
or knowingly misrepresenting the nature of events or the identification of persons coming before designated individuals or bodies.

g. False reports: Falsely reporting a crime, a conduct violation, and/or safety threat.

20. Failure to Comply:
   a. Failure to follow the reasonable instructions given by any properly identified University official including residence life personnel and other partners of the University.
   b. Failure to present personal photo identification to a University official upon request.

21. Breach of Peace:
   a. Disruptive Behavior: Any action that impacts, interferes or obstructs operations, processes and/or functions of the University or any of its members. This may include, but not limited to, disruption of learning, study, sleep or work.
   b. Obstruction or Disruption of University Activities: Obstructing or disrupting classes, research, administration, disciplinary proceedings, or authorized activities under the control of the University or inciting others to do the same.
   c. Classroom Disruptions: Classroom behavior that interferes with the instructor’s ability to conduct the class and/or the ability of other students to benefit from the instructional program.

22. Accessory Responsibility:
   a. Accessory to a Violation: Aiding or abetting another individual in the commission of an offense as defined by the Student Code of Conduct. A person may be charged under this section even though the alleged perpetrator of the original offense may be found “not in violation.”
   b. Guest Responsibility: Failure to ensure that a student’s guest(s) know and behave consistently with this Code while on campus.

Note: Students are also responsible for the activities that occur in their rooms and the shared living space in their on-campus housing. Students are expected to properly secure their living area(s) at all time. All assigned occupants of a room or suite may be subject to the same sanctions under this Code as the actual violators.
23. **Traffic Obstruction:** Obstruction of the free flow of pedestrian or vehicular traffic on University premises or at University sponsored or supervised activities.

24. **Abuse of Student Conduct Proceedings:**
   a. Falsification, distortion and/or misrepresentation of information before a Hearing Body.
   b. Disruption or interference with the orderly conduct of any student conduct proceeding.
   c. Attempting to discourage or influence an individual’s proper participation in, or use of, reporting options and/or disciplinary proceedings.
   d. Attempting to influence the impartiality of a member of a Hearing Body.
   e. Harassment and/or intimidation of a member of a Hearing Body.
   f. Failure to comply with the sanction(s) imposed under the *Student Code of Conduct*.
   g. Breaching the FERPA rights of any person involved in a conduct proceeding.

25. **On-Campus Housing Violations:**
   a. **Restricted Behavior:** Behavior that is prohibited in the Camden Lease Contract. Additionally, gambling inside of an on-campus residence is also prohibited.
   b. **Restricted Possession:** Possession of an item that is prohibited in the Camden Lease Contract.
   c. **Violation of Agreement:** Failure to adhere to the Camden Lease Contract which includes but is not limited to violating the substance-free housing addendum.

26. **Other violations:**
   a. Violation of published University rules not otherwise addressed in the *Student Code of Conduct*.
   b. Arrest or citation for violation of federal, state or local law, occurring on or off campus.
**Article IV. Judicial Authority**

The Student Conduct Officer shall determine the composition of the Hearing Bodies and Appellate Boards, in accordance with Article XIII and will determine which Hearing Body and Appellate Board shall be authorized to hear each case. The Student Conduct Officer shall develop polices for the administration of the conduct program and procedural rules for the conduct of hearings which are consistent with the provisions of the *Student Code of Conduct*. Decisions made by a Hearing Body and/or Student Conduct Officer shall be final, pending the normal appeal process. A Hearing Body may be designated as mediator of disputes within the student community in cases which do not involve a violation of the *Student Code of Conduct*. All parties must agree to mediation and to be bound by the decision with no right of appeal.

**Article V. Parental Notification for Alcohol and Drug Violations**

The Office of Judicial Affairs may notify parents/legal guardians of students, under the age of 21, who have been found in violation of the *Student Code of Conduct* if their violation(s) has (have) involved alcohol or illegal substances.

**Article VI. 911 Lifeline Law**

In 2011 the Texas Legislature passed a law providing a partial amnesty program for individuals who are under the age of 21 and call 911 because someone might have alcohol poisoning. Texas A&M University-Corpus Christi holds student safety as the number one priority. In order to ensure that students are able to call for help when needed, the Office of Judicial Affairs may not issue charges under the *Student Code of Conduct* for alcohol possession or consumption by a minor in certain circumstances. This amnesty may be applied when a student is the first person to contact emergency personnel (911 or 825-4444 on campus), remains on the scene until medical personnel arrives and fully cooperates with EMS and law enforcement. Charges may still be filed if other code allegations and/or violations of law occurred. For more information on the 911 Lifeline Law and the signs of alcohol poisoning, please visit our website at [www.judicialaffairs.tamucc.edu](http://www.judicialaffairs.tamucc.edu).
Article VII. Student Conduct Proceedings

These proceeding guidelines will be followed for the majority of alleged violations within the Student Code of Conduct. In the circumstance, however, that the incident may have included prohibited behavior that was based on gender, then the Student Sexual Misconduct Process may be utilized in place of the proceedings described in this section. The Student Sexual Misconduct Process can be found online at judicialaffairs.tamucc.edu

1. Process:
   a. Alleged incident occurs -> Report is submitted to Judicial Affairs -> Charges may be issued -> Informal resolution meeting -> Notification of finding and if applicable sanctions are assigned -> Student accepts or denies informal resolution -> Formal hearing if needed -> Notification of finding and if applicable sanctions are assigned -> Student may choose to appeal formal outcome -> Notification of appeal finding and if applicable sanctions

2. Charges:
   a. Any member of the University community may file an incident report in writing (hard copy or electronic format) against any student for alleged misconduct and submit to the Student Conduct Officer. Incident reports should be submitted within ninety (90) days after the incident takes place. However, in the event that an incident becomes known after the ninety (90) day period it must still be reported within ninety (90) days of receiving knowledge and one year of the date of incident, except in the instance of cases which may be adjudicated under the Student Sexual Misconduct Process.

   b. The Student Conduct officer may conduct an investigation to determine if the incident report has merit and/or if it can be resolved administratively by mutual consent of the parties involved in a manner acceptable to the Student Conduct Officer. Such resolution shall be final with no subsequent proceedings. If the incident report cannot be resolved by mutual consent, the Student Conduct Officer may later serve in the same matter as the Hearing Body or member thereof.

   c. If the incident report is substantiated, written charges shall be presented to the accused student (hard copy or electronic). A time shall be set for an informal resolution meeting, not less than one but not more than fifteen business days after the notification has been provided. Maximum time limits for scheduling of meetings may be extended at the discretion of the Student Conduct Officer.
3. **Informal Resolution**: Prior to a formal disciplinary hearing, the accused student will have the opportunity to meet with a Student Conduct Officer in an informal resolution meeting to review a summary of the student’s rights. The Student Conduct Officer may use this meeting to conduct further investigation of the incident. In addition, during this meeting the Student Conduct Officer will request that the student respond to the alleged charges and the student may be able to participate in the informal resolution process at that time. Informal resolution may not be available for all cases. If the option of an informal resolution is available the Student Conduct Officer will serve as the hearing body and will discuss the events of the alleged incident with the student to make a determination regarding the outcome of the case. The student will be sent an outcome letter within five business days. The student is able to then accept the outcome of the informal resolution process, or complete the necessary paperwork attached to the letter to deny the outcome and request a formal hearing. If a formal hearing is scheduled, this will occur not less than three, but not more than fifteen business days after the notification has been sent to the student. Students may request to waive the three day waiting period for formal hearing, when available, at the discretion of the Student Conduct Officer. Maximum time limits for scheduling of hearing may be extended at the discretion of the Student Conduct Officer.

4. **Formal Hearing Guidelines**: Every student in the Texas A&M University-Corpus Christi community shall have the right to a hearing. Except in the event of interim suspension (see Article X), sanctions shall not be imposed upon any student without a hearing. Hearings shall be conducted by a Hearing Body according to the following guidelines:

   a. Hearings are conducted in a closed setting and admission of any person to the hearing shall be at the discretion of the Student Conduct Officer.

   b. In hearings involving more than one accused student, all students may participate in one hearing together. In special circumstances, the Student Conduct Officer may schedule the hearings concerning each student separately.

   c. The accused student(s) is responsible for presenting his or her own case. However, accused students, reporting parties, witnesses and victims all
have the right to be assisted by an advisor of their choice, at their own expense. The advisor:

i. May be an attorney, friend, parent, faculty member, etc.
ii. Is restricted to an advisory role and is not permitted to participate directly in any hearing. Advisors may speak ONLY to the student they are assisting.
iii. Is required to maintain privacy regarding information provided at the conduct proceedings.

d. The victim, the accused student and the Hearing Body shall have the privilege of requesting witnesses and have the right to communicate questions to one another via the Chair of the Hearing Body. It is the responsibility of the individual requesting the witness(es) to notify the individual(s) of the hearing date, location and time.

e. Relevant documentary information may be accepted as evidence for consideration by a Hearing Body at the discretion of the Student Conduct Officer.

f. All procedural questions are subject to the final decision of the Student Conduct Officer.

g. When a possible sanction of a case includes suspension or expulsion, a notice will be sent (certified letter and/or email) to the hearing board members, accused and victim(s) notifying them of when they are able to review information that will be presented at the hearing. The hearing package will include the original incident report and will be available at least three business days prior to the hearing. Additional relevant information, not known and/or not available at the time the hearing package was prepared, may be presented at the hearing. In cases that are unlikely to result in suspension or expulsion, the student may request a packet to review. This request should be made to the Student Conduct Officer no less than five business days prior to the scheduled hearing.

h. After the hearing, the Hearing Body shall determine (by majority vote if the Hearing Body consists of more than one person) whether the student has violated the Student Code of Conduct. The accused student will usually be sent notification outlining the outcome of the hearing within 5 business days.

i. The Hearing Body’s determination shall be made on the basis of “preponderance of information”. A determination as to “in violation” or “not in violation” of the alleged offense will be based upon the
information presented at the hearing, and if the alleged violator is found “in violation”, appropriate sanctions will be levied.

j. A complete and confidential record (i.e., recordings, notes) may be kept of all hearings.
   i. There may be a single verbatim record of all hearings before a Hearing Body.
   ii. The Student Conduct Officer shall decide which hearings will be recorded.

1. All recordings shall be the property of Texas A&M University-Corpus Christi.
2. If an appeal is not submitted to the Office of Student Engagement and Success, all recordings may be erased fifteen (15) calendar days after a decision by the Hearing Body. If an appeal is submitted, the recordings may be kept five business days after a decision has been rendered by the Appellate Board. (For appeals process see Article XI)
3. When the sanction issued is suspension or expulsion from the University, the recordings of the hearings may be kept until the end of the following semester.

k. If a student fails to appear, information regarding the charges shall be presented, considered and a decision may be rendered in the student’s absence.

Article VIII. Sanctions

Sanction(s) may be imposed upon a student after being found in violation of the Student Code of Conduct. The following considerations will be made in determining appropriate sanctions:

- The nature of the violation
- The student’s role in the incident
- The impact on the University community
- Past misconduct
- The student’s current disciplinary status
- Previous decisions in similar cases
The sanctions listed below are not exhaustive, but merely serve as guidelines and may be levied in any combination. Sanctions will typically be imposed in an active and educational manner. Failure to comply with sanctions given may result in more severe sanctions and a registration hold may be placed on the student’s account. The hold will remain on the student’s account until sanction(s) are completed. (NOTE: Registration holds prevent students from registering for or dropping classes). Students found in violation of the Student Code of Conduct may still be held accountable for financial obligations including, but not limited to: tuition, fees, housing, etc.

1. **Education**: Involvement in educational activities designed to increase self-awareness such as self-directed research, online courses, referrals to campus resources and any other assignments deemed appropriate.

2. **Disciplinary Warning**: A letter of reprimand stating the student violated the Student Code of Conduct and indicating that any future violation of the Student Code of Conduct will subject the student to further judicial proceedings, in which the original violation will be considered when determining the sanctions to be imposed.

3. **Community Service**: Service determined by the Student Conduct Officer, and given to a student to fulfill the requirements of an available work assignment.

4. **Restitution**: Payment for damage to the University’s property. The dollar amount is determined by the cost of materials to repair the item damaged, including any labor needed to replace or restore the item.

5. **Restricted Access**: Restricting or banning from entering certain designated areas and use of specific equipment as defined by the Student Conduct Officer for a specified period of time. Restricting or banning may include, but is not limited to, access to a University facility and services, academic related programs and/or opportunities, internships, access to on campus housing, participation in University-sponsored activities, or contact with a specified University community member(s).

6. **Disciplinary Probation**: A written reprimand that defines a student as “not in good disciplinary standing” for a specific period of time as a result of academic and/or behavioral misconduct. If a student violates any other rules and regulations within the jurisdiction of the judicial system while under University
Disciplinary Probation, that student will be subject to further student conduct proceedings and possibly more severe sanctions than would normally be imposed for the new offense alone.

7. **Housing Eviction**: Permanent separation of the student from University on-campus residence facilities. A student who is removed from on campus housing as the result of this sanction may be required to pay the full room charge and any other fees that are owed as stipulated in the lease agreement.

8. **Suspension**: Temporary loss of the privilege of being enrolled as a student at Texas A&M University-Corpus Christi, for a definite period of time. Once the student is eligible to return, conditions for readmission may apply. Suspended students may not reside in on-campus housing and will be considered “not in good disciplinary standing”. Suspension will commence immediately unless otherwise noted by the Hearing Body.

9. **Expulsion from the University**: Permanent loss of the privilege of being enrolled as a student at Texas A&M University-Corpus Christi. The student will be considered “not in good disciplinary standing”. Expulsion will commence immediately unless otherwise noted by the Hearing Body.

10. **Deferred Sanction**: The temporary or permanent delay of a sanction for a definite or indefinite period. If further violation(s) of the *Student Code of Conduct* occur the deferred sanction may be imposed immediately. In determining whether to impose the deferred sanction, the student’s judicial record, as well as the nature and circumstances of the subsequent offense, will be considered.

11. **Banned from Campus**: Prohibition from entering the grounds and/or facilities owned and maintained by the University, including on-campus housing facilities. Individuals who violate this sanction may be issued a criminal trespass warning, arrested and/or have additional charges filed against them under the *Student Code of Conduct*.

12. **Interim Suspension**: Refer to Article X for definition and procedural guidelines.
Article IX. Student Organizations

Allegations of misconduct regarding student organizations will be addressed through the University Center and Student Activities Office. More information regarding this process can be found in the Student Organization Conduct Process online at www.ucsa.tamucc.edu. For questions regarding this process, please contact the Assistant Director of Student Activities. Upon finding that a student organization has violated any regulation listed in the Student Organization Handbook, Greek Handbook, Sport Club Handbook and/or Scheduling and Reservations Handbook, the appropriate University official or Hearing Body may apply one or more disciplinary measures within the restrictions provided in the Student Organization Conduct Process. The severity of the sanction shall be consistent with the nature of the offense and in consideration of past violations.

Individuals within a student organization may be found in violation of the Student Code of Conduct and subject to the appropriate sanctions which may include criminal charges. Other than University suspension or expulsion, organization disciplinary sanctions shall not be made part of the student’s record, but shall become part of the student organization’s record.

Student organizations may face additional disciplinary actions from their national organizations if applicable.

Article X. Authority and Procedures Related to Exigent Circumstances and Public Safety on Campus

The University may utilize either one of the following procedures to insure the safety of members of the campus community and University property. The discretion as to which procedure to utilize rests solely with the University.

1. **Interim Suspensions**: In certain circumstances, the Chief Student Conduct Officer, or designee, may impose a University and/or residence hall suspension prior to the hearing.
   a. Interim suspension may be imposed only:
      i. To ensure the safety and well-being of members of the University community or preservation of University property, and/or
ii. To ensure the student’s own physical or emotional safety and well-being, and/or

iii. If the student poses an ongoing threat of disruption of, or interference with, the normal operations of the University.

b. During the interim suspension, a student shall be denied access to the residence halls and/or the campus (including classes) and/or all other University activities or privileges for which the student might otherwise be eligible, as the Student Conduct Officer may determine to be appropriate.

c. The University may impose an interim suspension without notice or hearing, as long as the notice and hearing follow as soon as practicable (but not less than three business days). The interim suspension does not replace the regular process, which shall proceed on the normal schedule, up to and through a hearing, if required. After imposing an interim suspension, the student should be notified in writing (hard copy or electronic) of this action and the reasons for the suspension. The notice should include the time, date, and place of a subsequent hearing at which the student may show cause why his or her continued presence on the campus does not constitute a threat (and at which they may contest whether a campus rule was violated.) An interim suspension shall not last longer than 10 class days.

2. Maintaining Campus Order During Periods of Disruption: The Texas Education Code (TEC §§ 51.231-.244) permits the president of a state University to suspend a student for up to 14 days during periods of disruption whenever the president believes there is reasonable cause to demonstrate the student has willfully disrupted the orderly operation of the campus and the student’s presence on the campus will constitute a substantial and material threat to the orderly operation of the campus. The statute defines a period of disruption as “any period in which it reasonably appears that there is a threat of destruction to institutional property, injury to human life on the campus or facility, or a threat of willful disruption of the orderly operation of the campus of facility”. If the president of the University invokes this power, they will follow the statutory process requirements.
Article XI. Appeals

1. A request for appeal must be made within five business days of the dated, written notification (hard copy or electronic) of the decision rendered during the student conduct proceeding. Any decision that does not receive a request for appeal within the designated timeline will be considered final and binding upon all involved.

2. Request for appeals must be in writing, addressed and delivered to the Office of Student Engagement and Success. Students must follow the appeal procedures including completion of necessary forms found online at www.judicialaffairs.tamucc.edu.

3. Except as required to explain the basis of new information, an appeal shall be limited to a review of the verbatim record of the hearing and supporting documents for one or more of the following purposes:
   a. **Guidelines**: To determine whether the hearing was conducted in conformity with prescribed guidelines. Deviations from designated guidelines will not be a basis for sustaining an appeal unless significant prejudice to the alleged violator or victim was the result.
   b. **New Information**: To consider new information sufficient to alter a decision, not brought out in the original hearing because such information could not have been known to the alleged violator and/or victim at the time of the original hearing.

4. Once a request for appeal is received, the student and other relevant parties will be notified. Any request for appeal will be sent to the Appellate Board along with all relevant materials regarding the case.

5. If an appeal is upheld by the Appellate Board, the matter shall be returned to the original Hearing Body for re-opening of the hearing to allow reconsideration of the original determination. Upon rehearing, the outcome of the case may be overturned and/or if applicable, the same, a lesser, or a greater sanction may be assigned. If an appeal is not upheld, the matter shall be considered final and binding upon all involved.

Article XII. Disciplinary Records

Disciplinary records are maintained by the Division of Student Engagement and Success in the following manner:
1. Records included in the federally required Campus Safety Report may be purged seven (7) years after the student’s last enrollment date.
2. Other records may be purged five (5) years following the student’s last enrollment date.

**NOTE:** *Records resulting in suspension or expulsion may be maintained permanently.*

These retention periods will be adjusted as needed based on the Texas A&M University System, federal and/or state mandated requirements.

**Transcript Notation:** When a sanction of suspension or expulsion is levied as a result of a violation of the *Student Code of Conduct*, a notation will be made on the student’s academic transcript. The notation will differentiate between cognitive (academic) and non-cognitive (behavioral) violations that lead to the assigned sanction.

Access to disciplinary records is provided in accordance with the Family Educational Rights and Privacy Act (FERPA) of 1974, as amended and the *Confidentiality of Student Records* policy. A student may request verification of disciplinary records by providing written authorization to release the records through completion of the proper paperwork at the Public Information Office. Students are able to file an addendum to their record to further explain, clarify or refute information obtained within the record. Expunged records may be retained by the University for two additional years solely to comply with federal law.

**Article XIII. Hearing Bodies**

1. **Chief Student Conduct Officer:** The University Chief Student Conduct Officer or designee(s) shall have total responsibility for the administration, implementation, and efficient coordination of the *Student Code of Conduct* and will determine, on an individual basis, which appointee or group will hear the case.

2. **The Student Conduct Board (SCB) Composition:** A hearing body composed of currently enrolled students of Texas A&M University-Corpus Christi. A minimum of three individuals is needed in each case to meet quorum.
   a. **Chair:** From the SCB a chair is appointed by the Chief Student Conduct Officer or designee to preside over the hearing and ensure that the prescribed procedures are followed.
   b. **Scope of Authority:** The SCB will be utilized, at the discretion of the Chief Student Conduct Officer or designee, in hearing *Student Code of Conduct*...
cases. The SCB provides a decision to the Student Conduct Officer who then notifies the accused student and if applicable, the victim.

3. Student Hearing and Appellate Board Panel (SHABP): A hearing body composed of currently enrolled students, faculty and/or staff of Texas A&M University-Corpus Christi. A minimum of three individuals is needed in each case to meet quorum.
   a. Chair: From the SHABP a chair is appointed by the Chief Student Conduct Officer or designee to preside over the hearing and ensure that the prescribed procedures are followed.
   b. Scope of Authority: The SHABP will be utilized, at the discretion of the Chief Student Conduct Officer or designee, in hearing Student Code of Conduct cases, Student Sexual Misconduct Process cases and appeals. The SHABP provides a decision to the Student Conduct Officer who then notifies the accused student and if applicable, the victim.

4. The Chief Student Conduct Officer or designee has the authority to appoint other bodies to hear cases when deemed appropriate.

Article XIV. Interpretation & Revision

1. Any questions of interpretation regarding the Student Code of Conduct shall be referred to the Office of Judicial Affairs for final determination.

2. The Student Code of Conduct shall be reviewed annually under the direction of the Associate Dean of Students. In keeping with normal University policy approval processes, the Student Code of Conduct and Student Handbook may, at the sole discretion of the University, be amended at any time.