

student code of conduct

The General Order on Judicial Standards of Procedure and Substance in Review of Student Discipline in Tax Supported Institutions of Higher Education supports higher standards of behavior for students.

Attendance at a university is not compulsory. The voluntary attendance of a student at a university is a voluntary entrance into the academic community. By such voluntary entrance, the student voluntarily assumes obligations of performance and behavior reasonably imposed by the university. These obligations are generally much higher than those imposed on all citizens by the civil and criminal law. A university may discipline students to secure compliance with these higher obligations as a teaching method or to sever the student from the academic community.

The General Order further emphasizes the ability of universities to establish standards of superior ethical and moral behavior that occur either on or off campus.



ADMINISTRATION OF STUDENT CONDUCT

A. STUDENT DISCIPLINE

The Associate Vice President for Student Affairs/Dean of Students reports to the President of the University and is the senior administrator responsible for the management and enforcement of the Code of Student Conduct. The Associate Vice President for Student Affairs/Dean of Students reports to the Vice President for Student Affairs and may take immediate interim disciplinary action when he/she believes a student poses a continuing danger to persons or property or presents a threat of disrupting the University environment. Either official may take immediate interim disciplinary action when he/she believes the aforementioned danger exists.

If the Associate Vice President/Dean of Students should take such action, a student conduct conference will be scheduled as soon thereafter as possible. Authority is delegated to the senior student conduct administrator, who reports to the Associate Vice President of Student Affairs/Dean of Students, to investigate, consistent with rules and regulations, violations of the Code of Student Conduct and after thorough review, render decisions that are consistent with approved disciplinary actions. The senior student conduct administrator shall determine the composition of the Student Conduct Panel and determine who is authorized to hear each case.

B. CONDUCT STANDARDS

The provisions in these guidelines do not constitute a contract, express or implied, between any applicant, student, faculty or staff member of Prairie View A&M University. These guidelines are for informational purposes only. The University reserves the right to change or alter any statement herein without prior notice. These guidelines should not be interpreted to allow a student that begins his or her education under these guidelines to continue his/her entire academic career under the provisions contained in these guidelines.

Rules and regulations of the University are set forth in writing to give students general notice of prohibited conduct. They should be read broadly and are not designed to define prohibited conduct in exhaustive terms. Regulations may also be found in other University publications, such as the catalog, residential lease agreements, and posted dining hall policies. When changes are necessary, they will be written and approved, and the updated documents will be posted on the Student Affairs website.

Violation of any municipal ordinance, law of the state of Texas, or law of the United States may result in disciplinary action. Any disciplinary action imposed by the University may precede and may be in addition to any penalty that is imposed by any off-campus authority.

C. DUE PROCESS

Procedures and rights in student conduct proceedings are conducted with fairness to all, but do not include the same protections of due process afforded by the courts. Due process, within these procedures, assures:

1. Written notification will be sent to the student's official University-issued email address;
2. A conference before an objective decision-maker;
3. A finding that the PVAMU Code of Student Conduct was violated will not be made without information showing that it is more likely than not that a violation occurred; and
4. Sanctions will be proportionate to the severity of the violation.

D. AWARENESS OF POLICIES

Every student, including those who are participating in any program that is University sponsored, on or off campus, must abide by the rules and regulations governing student conduct. The rules and regulations listed here are available on the Office of Student Affairs webpage or by contacting the Office for Student Conduct.

E. JURISDICTION OF THE CODE OF STUDENT CONDUCT

The PVAMU Code of Student Conduct shall apply to conduct that occurs on University premises, at PVAMU-sponsored activities, and to off-campus conduct that adversely affects the University community or the pursuit of its objectives. Each student shall be responsible for his/her conduct from the time of application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment. The Code of Student Conduct shall apply to a student's conduct even if the student withdraws from school while a disciplinary matter is pending. A student conduct administrator shall determine whether the Code of Student Conduct shall be applied to conduct occurring off campus, on a case-by-case basis.

F. NOTIFICATION OF OUTCOMES

The outcome of an administrative conference or a student conduct conference is part of the educational record of the accused student and is protected from release under federal law, FERPA. However, Prairie View A&M University observes the following legal exceptions:

1. Complainants in non-consensual sexual contact/penetration incidents have an absolute right to be informed of the outcome and sanctions of the student conduct conference and any subsequent appeals, in writing, without condition or limitation.
2. Complainants in sexual exploitation/sexual harassment complaints have a right to be informed of information regarding sanctions that personally identifies and is directly pertinent to them, such as the imposition of a restriction on physical contact between the complainant and the accused student. Otherwise, information on the outcome and sanction cannot be shared.
3. Prairie View A&M may release publicly the name, nature of the violation and the sanction for any student who is found in violation of a PVAMU policy that is a non-forcible sex offense or a "crime of violence," including: arson, burglary, robbery, criminal homicide, sex offenses, assault, destruction/damage/vandalism of property, and kidnapping/abduction. PVAMU may release this information to the complainant in any of these offenses regardless of the outcome, but complainants are cautioned that FERPA does not permit them to re-release this information to others.
4. The University may, in its discretion, send notice or copies of disciplinary documents to the parents or legal guardians of students involved in disciplinary matters. The University may also contact parents or legal guardians of students involved in alcohol or drug violations, if the student is under 21 at the time of the violation.

G. AUXILIARY AIDES AND SERVICES

Student with disabilities, as defined by the Americans with Disabilities Act, requiring special accommodations should notify the Office of Student Conduct and the Office of Disability Services and Diagnostic Testing in writing at least three (3) calendar days prior to scheduled student conduct conference.

H. DEFINITION OF TERMS APPLIED TO THE CODE OF STUDENT CONDUCT

Accused Student: any student accused of allegedly violating this Code of Student Conduct.

Alleged: according to allegation, or to assert without proof.

Appeal: to request a review of a disciplinary decision.

Business Day: the official operating hours of the University, usually from 8 a.m. to 5 p.m., Monday through Friday.

Campus, University or Institution: Prairie View A&M University has a main campus located in Prairie View, Texas, and two other locations, the Northwest Houston Center and the College of Nursing.

Complainant: any person who submits a charge alleging that a student violated this Code of Student Conduct. When a student believes that she/he has been a victim of another student's misconduct, the student who believes she/he is a victim will have the same rights under this Code of Student Conduct as are provided to the complainant, even if another member of the community submitted the charge itself.

Consent: Clear, voluntary, and ongoing agreement to engage in a specific sexual act. Persons need not verbalize their consent to engage in a sexual act for there to be permission. Permission to engage in a sexual act may be indicated through physical actions rather than words. A person who was asleep or mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason, or whose agreement was made under duress or by threat, coercion, or force, cannot give consent. Consent may be revoked by any party at any time.

Disciplinary Actions: the proceedings that are used to determine if the Code of Student Conduct has been violated.

Disciplinary Hold: A hold placed on a student's record preventing any enrollment activity.

FERPA: The Family Educational Rights and Privacy Act of 1974 is a federal regulation that guarantees students or their parent's access to all educational records that pertain to them and protects the privacy of these records. Upon reaching the age of 18 or enrolling in an institute of higher education, the student is the primary owner of the record. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. Students have the right to inspect and review their own educational records as well as to request that the school

correct records they believe to be inaccurate or misleading. Students may waive their rights under FERPA through a signed document and can rescind the waiver of those rights at any time. This form is available by contacting the Office of the Registrar.

Good Standing: refers to a student who is not currently under a penalty - conduct probation, suspension or expulsion - as a result of violating the Code of Student Conduct.

Group: a number of persons who are associated with one another and operate as an organization but who have not complied with University requirements for registration as a recognized student organization.

Notification: the Office of Student Conduct will communicate all official correspondences through the student's University-issued student email address.

Organization: a number of persons who have complied with University requirements for registration as a recognized student organization.

Paraphernalia: any object that contains the residue of alcohol or an illegal drug or any object that is used in the consumption or distribution of an illegal drug.

Examples include but are not limited to: a beer pong and empty alcoholic containers;

- a. Marijuana pipes, bongs, or blow tubes;
- b. Scales used in measuring quantities of an illegal drug; or plastics bags used to package prescription or manufactured pills or other illegal drugs.

Preponderance of the information (evidence):

what is more likely than not to be true, based on the totality of the available information. The preponderance of the information is the standard of evidence used for all determinations made for misconduct.

Published Policies: all University rules and regulations, policies and procedures produced as a result of approval of The Texas A&M University Board of Regents or the President of the University.

Records: all evidence produced as a written statement, a document, or a report, or produced as a result of a tape or digital recording or computer entry.

Referral: an official written or verbal request made by a University official to report to the Office of Student Conduct or other University offices.

Sanctions: any penalty that is determined to be an appropriate and just response to violations of the Code of Student Conduct.

Sexual assault: an offense that meets the definition of rape, fondling, incest or statutory rape as used in the FBI's Uniform Crime Reporting system. A sex offense is any sexual act directed against another person, without the consent of the victim, including instances in which the victim is incapable of giving consent. These offenses are defined as:

Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.

Sexual assault is a form of sexual harassment or sex-based misconduct.

Sexual exploitation: a situation in which an individual(s) takes non-consensual or abusive sexual advantage of another for his or her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited. For example, sexual exploitation could include such actions as secretly videotaping sexual activity, voyeurism, sexually-based stalking, invasion of sexual privacy, exposing one's genitals or causing another to expose one's genitals, and knowingly exposing another person to a sexually transmitted infection or disease. Sexual exploitation is a form of sex-based misconduct.

Student: any person admitted to the University, pursuing undergraduate, graduate, or professional studies, whether full time or part time and who is either currently enrolled, was enrolled the previous semester or who is registered for a future semester. This could include students who have been placed on suspension or academic probation, or who have been dismissed from the University.

Student Conduct Panel: a group authorized to determine whether a student has violated the Code of Student Conduct and to apply sanctions that may be imposed when a violation has been committed.

Temporary Sanctions: any interim penalty that is determined to be an appropriate and just response to violations of the Code of Student Conduct. Temporary sanctions are effective immediately without prior notice.

University: Prairie View A&M University, PVAMU, PV, or Prairie View.

University Official: any administrator, faculty member, staff, including community assistants, learning community coordinators, graduate assistants, or other authorized individuals employed by the University.

University Premises: buildings or grounds owned, leased, operated, controlled, or supervised by the University.

University Property: possessions that are within the control, possession, use, or ownership of the University.

University-Sponsored Activity: any activity on or off campus that is initiated, aided, authorized, or supervised by the University.

Weapon: any object or substance designed to inflict a wound, cause injury, or incapacitate, including, but not limited to, all firearms, explosives, pistols, revolvers, rifle, shot gun, slingshots, BB or pellet guns, taser, stun gun, pepper spray/mace, knives, razors, paint ball guns, clubs, brass knuckles, martial arts devices, and any missile projecting weapon.

PROHIBITED CONDUCT

The following are examples of prohibited conduct. This list is not designed to be all-inclusive or exhaustive. Any student found to have committed or to have attempted to commit the following misconduct is subject to the disciplinary sanctions outlined in this document.

A. ABUSE OF STUDENT CONDUCT PROCESS INCLUDING INVESTIGATIONS, CONFERENCES, AND APPEALS

Prohibited behavior includes, but is not limited to:

1. Failure to obey the notice from a Student Conduct Panel, Student Conduct Administrator, and/or University official to appear for a meeting or conference as part of an official University disciplinary process.
2. Falsification, distortion, or misrepresentation of information.
3. Disruption or interference with the orderly conduct of an investigation, conference, or an appeal process.
4. Intentionally initiating or causing to be initiated any false report.
5. Attempting to discourage an individual's proper participation in, or use of, a student conduct process.
6. Attempting to influence the impartiality of a member of a Student Conduct Panel prior to, and/or during the course of, the Student Conduct Panel proceeding.
7. Verbal or physical intimidation, and/or retaliation of any party to the Student Conduct proceeding prior to, during, and/or afterwards.
8. Committing a violation of University rules while serving a conduct probation or failing to meet deadlines imposed in accordance with University rules.
9. Influencing or attempting to influence another person to commit an abuse of the Student Conduct Code system.

B. ACTS OF DISHONESTY

INCLUDE BUT ARE NOT LIMITED TO:

1. **Cheating, Plagiarism or Other Forms of Academic Dishonesty**
2. **Furnishing False Information to any University Official, Faculty Member or Office**
3. **Forgery, Alteration or Misuse of any University Document, Record, Material, File or Instrument of identification, including falsification of University records:** Includes signing of another student's name,

using another student's identification card (Panther Card), credit card, or other personal documents, affixing the signature of a University official to any document circumventing the procedural process of the University or to gain an unfair advantage.

4. **Misuse of Student Identification Card and Meal Card: University-issued identification may be required to enter the dining hall or other designated facilities and events. This identification must be used by the person to whom it is issued, it is non-transferable and must be used for the purpose it was issued. Students are not allowed to use another student's identification card (Panther Card) for any reason.** If your card is lost or stolen, report it to the Prairie View A&M University Department of Public Safety and the Office of Auxiliary Services immediately. Students are required to present their identification card (Panther Card) when it is requested by any University Official.
5. **False Reporting:** includes, but is not limited to, intentionally making a false warning of fire, explosion, bomb threat or other emergency when no emergency is present.
6. **Lying, deceiving or furnishing false or misleading information for the purpose of causing another person or University official to act or refrain from acting:** This includes giving a false address or failure to maintain a current mailing address.
7. **Deliberately or purposefully providing false or misleading verbal or written information about another person that results in damage to the person's reputation.**

C. ALCOHOL

Alcohol use, possession, manufacturing, or distribution of alcoholic beverages (except as expressly authorized by University regulations), is prohibited on Prairie View A&M University premises and University sponsored events. In addition, use, possession, or distribution of alcohol beverages while driving or riding in or on a vehicle on University premises is prohibited. Alcoholic beverages may not, in any circumstance, be used by, possessed by, or distributed to any person under twenty-one (21) years of age. Individuals may not be in a state of public intoxication or drunkenness. Individuals may not operate a motor vehicle or another form of transportation while intoxicated or while under the influence of alcohol.

D. BREACHING CAMPUS SAFETY OR SECURITY INCLUDES BUT IS NOT LIMITED TO:

1. Unauthorized access to University facilities or unauthorized possession of, use of or duplication of master keys or access cards to University offices or residential facilities; and unauthorized occupancy of or entry into locked or off-limit University buildings. This includes burglary and trespassing. No propping open exterior residence facility doors is allowed.
2. Tampering with fire alarms, extinguishers and emergency safety systems. This includes tampering with any emergency system, pulling alarms, using extinguishers and covering smoke detectors, all of which are prohibited.
3. Obstruction of the free flow of pedestrian or vehicular traffic on University premises or at University-sponsored or supervised functions.

E. COMPLICITY

Attempting, aiding, abetting, conspiring, hiring or being an accessory to any act prohibited by this code shall be considered to the same extent as completed violations.

F. DESTROYING, DAMAGING OR LITTERING ON UNIVERSITY, STATE OR PERSONAL PROPERTY IS PROHIBITED.

G. DISORDERLY CONDUCT, INCITING RIOTS, AND DISTURBANCES

Includes but is not limited to conduct (physical, verbal, graphic, written, digital or electronic) that is sufficiently severe, persistent or pervasive so as to threaten an individual or limit the ability of an individual to work, study or participate in activities of the University. All students are required to exhibit good behavior and the highest moral standards are expected at all times to ensure an atmosphere of proper decorum and respect for the University community and its inhabitants.

H. DISRUPTIVE ACTIVITY

Disruptive Activity that interferes with teaching, research, administration, disciplinary proceedings, other University missions, processes or functions including public-service functions, or other University activities is prohibited. Disruptive activities may include but are not limited to:

1. Any act that deliberately interferes with the academic freedom or the freedom of speech of any member or guest of the University community.
2. Classroom behavior that seriously interferes with either (a) the instructor's ability to conduct the class or (b) the ability of other students to profit from the instructional program. (see Civility in the Classroom)
3. Leading or inciting others to disrupt scheduled or normal activities on University premises.
4. Conduct that is disorderly, lewd or indecent.

I. DOMESTIC VIOLENCE

Domestic Violence: a felony or misdemeanor crime of violence committed by:

- a. A current or former spouse or intimate partner of the victim;
- b. A person with whom the victim shares a child in common;
- c. A person who is cohabiting with, or has cohabited with, the victim as a spouse or intimate partner;
- d. A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
- e. Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred. [34 U.S.C. 12291(a)(8)]

Domestic violence is also explicitly prohibited under TAMUS 08.01.01. Aiding another in the commission of domestic violence is also prohibited under this regulation. Domestic violence is a form of sexual harassment or sex-based misconduct.

J. DRUGS

The act of using, possessing, being under the influence of, manufacturing, or distributing illegal drugs or illegally obtained/possessed controlled substances is prohibited. Except as expressly permitted by law, use, possession, manufacturing, or distribution or being a party thereto of marijuana, heroin, narcotics, or other controlled and/or prescribed substances and/or drug paraphernalia and/or dangerous drug is also prohibited. Individuals may not operate a motor vehicle or another form of transportation while under the influence of drugs or while intoxicated.

K. ENDANGERMENT

ANY FORM OF PHYSICAL ABUSE

This includes but is not limited to the following:

1. Fighting and/or physical violence toward another person or group.
2. Action(s) that endanger the health, safety, or welfare of self or others.
3. Interference with the freedom of another person or group to move about in a lawful manner.
4. Threatening or intimidating behavior. If at any time students feel threatened or intimidated, they should report the incident to the proper authorities.

L. EXPLOSIVES, FIRE ARMS OR WEAPONS

Possession, storage or display on campus, or at activities sponsored by the University is prohibited, including brass knuckles, explosives, pistols, revolvers, rifles, shotguns, BB or pellet guns, slingshots, all firearms, taser, stun gun, pepper spray/mace, razors, martial arts devices, knives, clubs, or any missile projecting weapon. Facsimiles, dancing canes, pepper spray and any other self-defense chemical sprays may not be used in a manner that is injurious or dangerous to others. If you are aware of someone in possession of a prohibited item and have not reported it to the proper authorities, you are also in violation of the Code of Student Conduct.

M. FAILURE TO COMPLY

1. Failure to respond or properly identify oneself pursuant to a request by properly identified officials of the University while in the performance of their duties.
2. Failure to report to the office of a University official for a conference, meeting, or appointment scheduled by the official.
3. Failure to appear as a witness in a disciplinary case when properly notified.
4. Failure to comply with any disciplinary condition imposed on a person by any student conduct hearing body or administrator.
5. Failure to comply with oral or written instruction from duly authorized University officials acting within the scope of their job duties or law enforcement officers acting in performance of their duties.

N. GAMBLING

Gambling of any kind is strictly forbidden on campus, at University-sponsored activities or in any vehicle retained by the University to transport students to and from a University-related event.

O. HARASSMENT

Harassment is conduct (physical, verbal, graphic, written, digital, or electronic) that is sufficiently severe, pervasive, or persistent so as to threaten an individual or limit the ability of an individual to work, study, or participate in the activities of the University. Harassment of employees or students violates an individual's rights and is inconsistent with the University's policies of equal employment and academic opportunity without regard to age, sex, sexual orientation, alienage, or citizenship, religion, race, color, national or ethnic origin, disability, veteran or marital status.

1. **Sexual Harassment:** a form of sex discrimination. Unwelcome conduct on the basis of sex (of a sexual nature or otherwise): (1) by an employee of the member who conditions the provision of an aid, benefit, or service of the member on an individual's participation in that unwelcome sexual conduct; (2) determined by a reasonable person to be so severe and pervasive and objectively offensive that it effectively denies a person equal access to the mother's education program or activity; or (3) sexual assault or dating violence, domestic violence, or stalking based on sex.

Sexual Harassment is also explicitly prohibited under TAMUS 08.01.01. Aiding another in the commission of sexual harassment is also prohibited under this regulation. Sexual harassment is a form of gender-based or sex-based misconduct.

2. **Racial and Ethnic Harassment:** any repeated conduct that is directed at a person or group of persons because of race, color, ethnicity, or national origin. Even if the actions are not directed at specific persons, a hostile environment can be created when the conduct is severe, persistent or pervasive as to substantially interfere with the person's education, work, or activities on campus.
3. **Retaliation:** harassment of a complainant or other person alleging misconduct, including, but not limited to, intimidation and threats.

P. HAZING

Hazing is defined as prohibited acts committed for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization; or as part of any activity of a recognized student organization or student group.

Prohibited behavior includes any act that endangers the mental or physical health or safety of a student, or that destroys or removes public or private property; performing personal chores or errands, discomfort that may demean, disgrace or degrade a person regardless of location, intent or consent of participation, and assisting, directing, or in any way causing others to participate in degrading behavior and behavior that causes ridicule, humiliation, or embarrassment; engaging in conduct that tends to bring the reputation of the organization, group or University into disrepute for the purpose of initiation or admission into, affiliation with, or confirming any for affiliation or continued membership in a student organization regardless of an individual's consent to participate in the activity.

Previously relied upon "traditions," (including any other group or organization activity, practice or tradition) intent of such acts, or coercion by current or former members of such groups or former students will not suffice as a justifiable reason for participation in such acts. It is not a defense that the person (or group) against whom the hazing was directed consented to, or acquiesced to, the behavior in question. The actions of either active or associate members (pledges) of an organization may be considered hazing.

Examples of such behavior include but are not limited to:

- Misuse of authority by virtue of one's class rank or leadership position
- Striking another student by hand or with any instrument
- Any form of physical bondage of a student
- Taking of a student to an outlying area and dropping him/her off
- Forcing a student into a violation of the law or a University rule, such as indecent exposure, trespassing, violation of visitation, etc.
- Having firsthand knowledge of the planning of such activities or firsthand knowledge that an incident of this type has occurred and failing to report it to appropriate University officials is also a violation under this section. The hazing rule is not intended to prohibit the following conduct:

- a. Customary public athletic events, contests, or competitions that are sponsored by the University or the organized and supervised practices associated with such events; or
- b. Any activity or conduct that furthers the goals of a legitimate educational curriculum, a legitimate extracurricular program or a legitimate military training program as defined and approved by the University.

Hazing is also a violation of Texas state law. See the Texas Education Code, sections 37.151 and 51.936 and Appendix A.

Q. HINDERING, OBSTRUCTING, OR INTERFERING

Hindering, obstructing, or interfering with the implementation of the Code of Student Conduct is prohibited.

R. INSUBORDINATION

Includes failure to comply with oral or written instruction from duly authorized University officials acting within the scope of their job duties or law enforcement officers acting in performance of their duties. Students are expected to respect persons in authority. To disagree or hold a different point of view is normal, but the rule of mutual respect should prevail. Gross disrespect to persons in authority will not be tolerated.

S. LOITERING

Loitering on University-owned or controlled property, including buildings and parking lots, is prohibited. Loitering on University premises is defined as lingering idly or aimlessly in any area of the campus without official authority. Hanging around in clusters or wandering aimlessly about campus (especially around residence facilities and parking lots) in such a manner as to block the egress to and from buildings, disrupt the flow of traffic or create or cause unusually loud and disturbing noises, between the hours of 11 p.m. and 6 a.m. in violation of the Code of Student Conduct. The University Police Department will respond to loitering complaints and request that the offending behavior desist. Persons refusing to cooperate or are repeatedly loitering will be cited for violation of the loitering policy and reported to the Office of Student Conduct. Offenders will be subject to disciplinary action.

T. PETS/ANIMALS

Pets are not permitted on campus in any university building, including but not limited to, administrative buildings, classroom buildings, on-campus housing, dining facilities or University food service areas at any time. "Pets" are considered animals, domestic or wild, in the company of a student, faculty member, guest or visitor to the University, and does not apply to service animals. The only exceptions are service animals.

U. MISUSE OF COMPUTING RESOURCES

Misuse of computing resources through failure to comply with laws, copyrights, license agreements, and contracts governing network, phone, software, and hardware use is prohibited. Abuse of the University computer use policy includes but is not limited to:

1. Any use deemed commercial or for profit.
2. Any use that likely, intentionally or negligently causes unauthorized network disruption, system failure, or data corruption, including failure to protect your password or use of your account.
3. Any use related to achieving, enabling, or hiding unauthorized access to network resources, PVAMU-owned software or other information belonging to PVAMU, either within or outside the PVAMU network.
4. Any use related to sending/receiving electronic mail that includes, but is not limited to, the following: solicitation or commercial use, forging any portion of an electronic mail message, spamming (bulk unsolicited email), sending unwanted messages to unwilling recipients, or invasion of privacy. Additionally, willful and repeated harm inflicted through the use of computers, cellphones, and other electronic or digital devices is prohibited. It can be referred to as "cyber bullying," "electronic bullying," "e-bullying," "sms bullying," "mobile bullying," "online bullying," "digital bullying," or "Internet bullying."
5. Use of another individual's identification; network, email or other university-based account; or related passwords, including charging any long distance telephone calls or messages to any telephone on University premises or University-related premises without proper authorization.
6. Unauthorized transfer or entry into a file, to read, use, or change the contents; or for any other reason.
7. Use of computing facilities or network resources to send obscene, harassing, threatening messages or computer viruses or worms.

8. Any use that violates Prairie View A&M University policies, procedures, and contractual agreements.
9. Any use that violates local, state, or federal laws.
10. Illegal downloading, file sharing, and digital piracy is prohibited. All of these activities are a violation of the Code of Student Conduct and students will be held accountable. These unethical acts are considered theft as well as a violation of our network policies. Students involved could lose network privileges, face disciplinary sanctions, and may be held criminally liable.

V. OFF-CAMPUS MISCONDUCT

When a student is alleged to have violated this Code of Student Conduct by an offense committed away from University premises, the University reserves the right to investigate and adjudicate. The University may take action in situations occurring off University premises involving: student misconduct demonstrating flagrant disregard for any person or persons; or when a student's behavior is judged to threaten the health, safety, or property of any individual or group; or any other activity that adversely affects the University community or the pursuit of its Code of Student Conduct objectives. This action may be taken for either affiliated or non-affiliated activities.

W. SELLING AND SOLICITING

Selling and soliciting by an individual, group, or organization acting as a vendor, sales agent or in any manner and sets up a business enterprise on University premises without the permission of the Assistant Vice President of Auxiliary Enterprises is prohibited. To safeguard privacy and prevent exploitation, no room-to-room solicitation is permitted in residential facilities.

X. SEXUAL MISCONDUCT

Sexual Misconduct - unwelcome conduct on the basis of sex that is server, persistent, or pervasive enough to create a work, educational, or campus living environment that a reasonable person would consider intimidating, abusive, or offensive. Sex-based misconduct explicitly prohibited under this regulation. Aiding another in the commission of sex-based misconduct is also prohibited under this regulation. Sex-based includes, but is not limited to, sexual assault, sexual exploitation, dating violence, domestic violence and stalking based on sex.

Sexual-based Misconduct is also prohibited under TAMUS 08.01.01.

Y. STALKING

Stalking – engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- (1) Fear for the person's safety or the safety of others; or
- (2) Suffer substantial emotional distress

Stalking is also explicitly prohibited under the TAMUS 08.01.01 regulation. Aiding another in the commission of stalking is also prohibited and may result in that student being charged separately. Stalking based on sex is a form of sexual harassment or sex-based misconduct.

Z. THEFT

Theft or unauthorized removal or stealing of public or private property or unauthorized use or acquisition of services on or off University premises or at University-sponsored activities is prohibited. This includes knowingly possessing stolen property.

AA. UNAUTHORIZED USE OF UNIVERSITY NAME OR LIKENESS

Unauthorized use of university name or likeness by students is prohibited. Permission must be obtained, in writing, from the Office of Public Relations to use any of the University branding images. Use without permission constitutes misrepresentation of the University and may equate to fraud.

BB. VIOLATION OF ANY FEDERAL, STATE OR LOCAL LAW

CC. VIOLATION OF PUBLISHED UNIVERSITY RULES

Violation of any University policy, rule, or regulation published in hard copy or available electronically on the University website. Such rules include, but are not limited to, lease agreements, parking rules and regulations, rules relating to the use of student identification cards, entry and use of University facilities, and dining hall conduct.

DD. VIOLATION OF RESIDENTIAL HALL POLICIES PUBLISHED IN THE RESIDENTIAL LEASE AGREEMENT IS PROHIBITED.

EE. VISITORS OR GUESTS

Visitors or guests of students must adhere to the Code of Student Conduct and University policies. In instances where guests violate rules or policies, the student host may be held responsible.

1. Whether a visitor is a student, non-student or non-identified guest, the student host may be held responsible for violations of the Code of Student Conduct and University policies.
2. Responsibility under these rules may occur even if the host is not a participant in the activity or has left the visitor(s) alone.

For updated information addressing the PVAMU Prohibited Conduct, please check the website, www.PVAMU.edu/studentconduct.

VIOLATIONS OF LAW AND UNIVERSITY DISCIPLINE

The focus of inquiry in student conduct proceedings shall be the determination of whether a violation of University rules occurred. Student conduct proceedings shall be informal in nature and need not comply with the formal processes associated with the criminal and civil courts, nor shall deviations from prescribed process necessarily invalidate a decision or proceeding unless significant prejudice to the student or University may result.

Standards outlined by the University for students may be higher than those standards set for the general population.

As each person is subject to multiple layers of expectations through the Federal, State, County, and local governments, students are further expected to maintain a higher standard of behavior as members of the University community.

Students failing to adhere to those standards may be subject to a University conduct process in addition to civil or criminal litigation should the behavior also be a potential violation of the law. The attempted analogy of student discipline to criminal proceedings against adults and juveniles is not sound.

Students may be charged with conduct that potentially violates both the criminal law and this Student Conduct Code (that is, if both possible violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution. Proceedings under this Student Conduct Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus at the discretion of Associate Vice President of Student Affairs or his/her designee.

Determinations made or sanctions imposed under this Student Conduct Code shall not be subject to change because criminal charges were dismissed, reduced, or resolved in favor of or against the criminal law defendant.

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. If the alleged offense is also being processed under the Student Conduct Code, the University may advise off-campus authorities of the existence of the Student Conduct Code and of how matters are typically handled within the University community. The University will attempt to cooperate with law enforcement and other agencies in the enforcement of criminal law on campus.

code of student conduct *procedures*

Prairie View A&M University views the student conduct system as an educational standard designed to facilitate each student's personal growth and understanding of the acceptable behavior of PVAMU students. The Office for Student Conduct will accept written notification of potential violations of the Code of Student Conduct by any member of the University community.

Any charge should be submitted in writing as soon as possible after the alleged violation takes place, preferably within five (5) business days. The University may choose not to issue charges for other policy violations, which may include alcohol and/or drug possession or use, when the individual is providing information regarding an incident of alleged sexual misconduct, either as a victim or witness.

HOW TO REPORT AN INCIDENT

If you wish to report an incident that involves a student and potentially violates the Code of Student Conduct, please use our online Student Conduct Report Form to submit your concern. To learn about the process, please visit the PVAMU Student Handbook or contact the Office for Student Conduct at 936-261-3524 located in Anderson Hall 3rd floor or by email studentconduct@pvamu.edu.

Once an incident is reported, the Office for Student Conduct will investigate to determine if a violation of the Code of Student Conduct has occurred. Depending on the preliminary investigation, a may be handled in the following ways:

- **THE STUDENT CONDUCT PANEL CONFERENCE**

The Student Conduct Panel will hear cases involving primary violations of the Code of Student Conduct. The Student Conduct Conference is not analogous to a criminal trial. The focus of inquiry in disciplinary proceedings shall be deciding whether the student violated the Code of Student Conduct. Formal rules of evidence shall not be applicable, nor shall deviations from prescribed procedures necessarily invalidate

a decision or proceeding unless significant prejudice to the student results.

- **ADMINISTRATIVE CONFERENCE**

The student meets with a Student Conduct Officer to discuss the violations, the student's involvement in the incident or lack thereof, and any other information relevant to the charges. Based on the information presented and discussed in the conference, the Student Conduct Officer will determine whether a violation has occurred and issue sanctions accordingly.

- **NO ACTION**

Complaints that fall outside the University's jurisdiction do not violate the Code of Student Conduct, or that are not supported by sufficient information, may result in no action being taken by the Office for Student Conduct.

If a student conduct conference is scheduled, student(s) facing disciplinary proceedings must report for scheduled conference. The student's University-issued email address is the official mode of notification used by the Office for Student Conduct. A student's failure to appear will not prevent the conference from occurring or from sanctions being imposed. The Office for Student Conduct presumes that the student is receiving all communications sent to the official university email address and/or other means of communication (text message) provided to the Office. If an accused student with notice, does not appear at a student conduct conference, the information in support of charges shall be presented, considered, and a decision may be made. The Office for Student Conduct may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the complainant, accused student, and/or other witnesses during the conference. There is no entitlement to these accommodations and they shall be determined by the Student Conduct Administrator. The Student Conduct Administrator may also make reasonable accommodations to provide access for students with disabilities.

Student Conduct Conferences are not criminal or judicial proceedings. Information for a finding is based on a standard that an act was "more likely than not" to have occurred. The supporting information does not have to be in the form of physical

CODE OF STUDENT CONDUCT

evidence nor does the alleged violation have to be witnessed. Circumstantial information can be sufficient in some instances to determine that an act was more likely than not to have occurred. Although the terms and procedures may be similar to criminal law or the criminal court system, they are specific to Prairie View A&M University and limited to the meaning and use given to them by the University. An act not criminally prosecuted may still violate University policy.

In all student conduct conferences, the accused shall be presumed not responsible until it is proven that a violation of the University's Code of Student Conduct occurred. The burden of proof shall rest with those bringing the charges, and said burden of proof shall be by a preponderance of the evidence. Preponderance of the evidence is defined as the greater weight and degree of credible evidence admitted in the conference.

The Student Conduct Administrator is authorized to exercise active control over the proceedings to elicit relevant information, avoid needless consumption of time, prevent the harassment or intimidation of the accused and witnesses, and render a decision concerning the disciplinary action to be taken. The accused student and his/her advisor, if any, shall be allowed to attend the entire portion of the student conduct conference at which information is received (excluding deliberations) provided the accused student and his/her advisor appear at the designated time and do not inhibit the proceeding. Admission of any other person to the student conduct conference shall be at the discretion of the Student Conduct Administrator. Additionally, the University may choose not to issue charges for other policy violations, which may include alcohol and/or drug possession or use, when the individual is providing information regarding an incident of alleged sexual misconduct either as a victim or witness.

A student may not be expelled, dismissed, or suspended prior to a Student Conduct Conference except when the Associate Vice President of Student Affairs believes that the presence of a student on campus poses a continuing danger to persons or property or presents a threat of disruption to the academic process. If the student is a repeat offender and a threat to the orderly operation of campus activities, a sanction may be temporarily imposed. A conference will be scheduled within five (5) business days if possible.

The following rights apply to an accused student when a Student Conduct Panel Conference might result in expulsion, dismissal, or suspension. Accused students subjected to less severe sanctions may, at the discretion of the student conduct administrator, be afforded, but not guaranteed the following rights:

1. Right to be informed in writing of all violations at least five (5) business days before the conference may proceed. The student's University-issued email address is the official mode of notification used by the Office for Student Conduct.
2. Right to waive the five (5) business-day notice of charges.
3. Right to reasonable access to the case file, which shall be maintained in the Office for Student Conduct.
4. Right to know that there will be no finding of responsibility solely because a student remains silent during disciplinary proceedings.
5. Right to the consultation of a personal advisor. An advisor may appear at a student conduct proceeding with the student to provide advice, but may not represent the accused student or question any student conduct conference participants. The advisor may not be an attorney unless the accused student is the subject of a pending subsequent criminal matter arising out of the same circumstances; in such cases, the accused student may be allowed to have an attorney serve as his/her advisor, at his/her own expense, to behave in the same manner as any other advisor. The student should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the student conduct conference. Student conduct conferences will not be delayed to scheduling conflicts of an advisor. There is no restriction on who a student may consult or seek advice from, the restriction pertains to the conduct conference only.
6. An opportunity to review all information in her/his Office for Student Conduct file prior to a conference, including information to be used in his/her student conduct matter. The University also has the right to review any information the student intends to use at least three (3) business days before the student conduct conference. A conference will be scheduled within five (5) business days when possible.
7. Right to present witnesses, but they may not remain in the student conduct conference after providing testimony. Character witness information shall be accepted in written form only.
8. Right to a written statement of the outcome of the proceeding within five (5) business days of the conference's completion.
9. There shall be a single verbatim record, such as a tape or digital recording, of all student conduct conferences before a Student Conduct Panel. Deliberations shall not be recorded. The record shall be the property of the University.
10. Right to appeal the decision through the appropriate University channels within 5 business days of receiving the notice. The appeal must be written.

SANCTIONS

All disciplinary sanctions imposed upon students are cumulative in nature and will be recorded in the student's disciplinary record.

A. PRIMARY SANCTIONS

A student who has been issued a primary sanction is deemed "not in good standing" with the University, and has the following restrictions:

- Ineligible to hold any elected or appointed office recognized by the University.
 - Ineligible to represent the University community in any activity or program.
 - Review of eligibility to receive financial aid administered by the University.
 - Notice of the disciplinary status in the student's file.
 - Subsequent violations of the Code of Student Conduct during the probationary period constitutes a violation of the probation and may subject the student to major disciplinary action and recording of the results in the student's file.
1. **Expulsion:** separation of the student from the University whereby the student is not eligible for readmission.
 2. **Dismissal:** separation of the student from the University for an indefinite period of time. Readmission to the University may be possible.
 3. **Suspension:** separation of the student from the University for a definite period of time. The student is not guaranteed readmission at the end of this period of time but is guaranteed a review of the case and a decision regarding eligibility for readmission.
 4. **Deferred Suspension:** the sanction of suspension may be placed in deferred status. If the student is found in violation of any University regulation during the time of deferred suspension, the suspension is immediate without further review. Additional disciplinary action appropriate to the new violation may also be taken.
 5. **Conduct Probation:** an official warning that the student's conduct is in violation of Prairie View A&M University's Code of Student Conduct or the Penal Code of the State of Texas but is not sufficiently serious to warrant expulsion, dismissal or suspension.
 6. **Suspension or Loss of Lab Privileges:** prohibited use of lab privileges for a specific period of time or loss of access to a designated lab or all labs.

7. **Restitution:** compensation for loss, damage or injury. This may be in the form of monetary or material replacement.

B. SECONDARY SANCTIONS

1. **Psychological Assessment:** the University can mandate the student undergo a psychological assessment to determine whether the student is eligible to remain a student, and in cases of separation from the institution, return as a student. The cost of the assessment may be the student's responsibility.
2. **Letter of Reprimand:** a letter of record about the University's displeasure with the student's involvement in any incident that reflects unfavorably on the student or the University.
3. **Loss of Dining Privileges:** revocation of campus dining privileges as a result of disciplinary violation.
4. **Mediation:** the actual mediation in which all parties involved in a dispute seek to reach a resolution with the aid of neutral mediators. Agreements reached are based on the interests of all parties so that everyone reaches a satisfactory compromise or settlement of the dispute.
5. **Verbal Warning:** a verbal admonishment may be given to a student for actions unbecoming to the University community.
6. **University or Community Service:** this may be assigned to students who are required to work in a specified area of community service for a specific time frame as a means of satisfying requirements of a disciplinary decision.
7. **Educational Requirements:** provisions to complete specific educational requirements related to the violation committed. These initiatives could include ethics, alcohol, drug education programs or conflict resolution that are designed to promote responsible decision making regarding alcohol and other drugs through education, assessment and referral. Those found in violation are subject to mandatory fees associated with these programs.
8. **Restrictions:** the withdrawal of specified privileges for a definite period of time as a result of negative behavior but without further penalties contained in the imposition of conduct probations.
9. **Loss of Campus Parking Privileges:** revocation of campus vehicle registration and forfeiture of a permit as a result of disciplinary violation.
10. **Loss of Campus Housing Privilege:** removal from University housing for disciplinary reasons. Once a student has been assessed a disciplinary sanction by the Office of Student Conduct, it may not be increased by any higher University authority.

C. INTERIM ACTION

The university may take interim actions as necessary to protect the community from a threat to the health or safety of the community as a whole, to any particular member of the community, or in cases where there may be a reasonable belief of a substantial disruption to the normal operations of the university. The interim actions shall become effective immediately without prior notice. In all cases, the student subject to the interim action will be given an opportunity to discuss the interim action(s) with the Associate Vice President for Student Affairs/Dean of Students (or designee) on the necessity of the restriction within five (5) university business days of the issuing of the restrictions, except those involving civil rights.

These actions may include but are not limited to:

1. Interim Suspension. A student suspended on an interim basis is subject to all of the same restrictions as if they had been suspended as a final sanction.
2. Interim Restriction. A student with interim restrictions may be denied access to campus premises (including classes), specific individuals, and/or all other university activities or privileges for which the student might otherwise be eligible.

These restrictions may include but are not limited to restricted access to facilities, housing and/or events; no-contact orders with specific individuals; transcript holds, etc.; or any other restrictions deemed necessary by the Associate Vice President for Student Affairs/Dean of Students to achieve the goals stated above.

APPEALS

Each grievance shall be accorded only one opportunity to be adjudicated unless the Appeal Administrator remands for further review. A primary sanction separating a student from the University may appeal the student conduct conference outcome based on the following:

- A. Violations of a charged student's rights or other failure to follow the outlined student conduct procedures that substantially affected the outcome of the initial conference. Appeals based on this reason will be limited solely to a review of the record of the conference.
- B. Ability to present new information that was not available at the time of the hearing and could not have been presented. In addition, the student must show that the new information could have substantially affected the outcome. The nature of the information must be described in full detail in the appeal letter.

- C. The severity of the sanction(s) is disproportionate to the nature of the offense. A student who receives a sanction of conduct probation or below may appeal the student conduct conference outcome based on the following:
 - a. Ability to present new information that was not available at the time of the hearing and could not have been presented. In addition, the student must show that the new information could have substantially affected the outcome. The nature of the information must be described in full detail in the appeal letter.
 - b. The severity of the sanction(s) is disproportionate to the nature of the offense.

A. FILING AN APPEAL

To initiate an appeal, students must complete the Appeal Form and must submit a written statement detailing the basis for the appeal. The Appeal Form link is included in the outcome correspondence sent to the student via the University-issued email. The appeal form is available on the Office for Student Conduct's website. The completed appeal form must be submitted via the appeal form link provided in the outcome correspondence within (5) business days of the printed date on the letter. Students who do not submit his/her appeal request by the date specified in the decision letter waives his/ her opportunity to appeal.

The student must base the appeal on one or more specific aspect of the original student conduct conference listed above.

B. PREPARING FOR YOUR APPEAL

The University has already issued a decision on whether the student was found responsible for violating a student rule.

The responsibility now shifts to the student to provide, in writing, a basis covering the student's reasons for the appeal as specified above (e.g., new information and/or severity of sanction). In cases where the reason for an appeal is new information that was not available at the time of the original student conduct conference, information should be submitted as to why this information was not available at that time.

It is important to remember that the written statement must be as comprehensive and accurate as possible in order for the Associate Vice President for Student Affairs/Dean of Students to make the most informed decision regarding the appeal after reading the appeal paperwork.

C. STANDARD OF PROOF: PREPONDERANCE OF THE INFORMATION

In a case where there is factual dispute, the Associate Vice President for Student Affairs/Dean of Students can never have absolute proof of what really happened because the Associate Vice President for Student Affairs/Dean of Students is never an eyewitness.

The best the Associate Vice President for Student Affairs/Dean of Students can do is determine what most likely happened based on a preponderance of credible information presented in the hearing. The standard of proof is intended to assure all concerned that the intensity of the Associate Vice President for Student Affairs/Dean of Students belief is uniform in all cases.

The level of proof required at Prairie View A&M University in university disciplinary cases is a preponderance of the information. This simply means that the proof need only show that the facts are more likely to be so than not so.

D. APPEAL DECISIONS

All appeal decisions made by the Associate Vice President for Student Affairs/Dean of Students are final and binding. The student is afforded no other opportunity for further appeal. After review of all the written information provided, the Associate Vice President for Student Affairs/Dean of Students may assign one of the following actions:

- Uphold the original decision
- Modify the original sanction based on the severity of the sanction. The Associate Vice President for Student Affairs/Dean of Students may not increase the sanction that was assigned in the original conduct conference.
- Remand the case back to the Office for Student Conduct. If the appeal is based upon the availability of new information and this new information is sufficient to alter a decision, the Associate Vice President for Student Affairs/Dean of Students may choose to refer the case back to the Office for Student Conduct for a new conduct conference.

Appeal decisions will be made in writing to the student upon conclusion of the appeal process. Every effort will be made to send follow-up correspondence within fifteen University business days.

GENDER-BASED OR SEXUAL MISCONDUCT

To ensure that students understand how to appropriately pursue a grievance at Prairie View A&M, students are encouraged to seek clarification and advice regarding procedures before initiating a grievance. Although a student may seek such advice from any faculty or staff member, the Office of Student Affairs has staff trained to help students through the process. Office of Student Affairs can be reached at (936) 261-3550. Students are encouraged to seek assistance from this office in pursuing any type of grievance.

The decision as to which procedure to utilize for a grievance filed by a student, shall be made solely by the University and shall be based on the fact pattern of each particular case. Each grievance shall be directed to a specific procedure and shall be accorded only one opportunity to be adjudicated unless the appeal body remands for further review.

Prairie View A&M University, in compliance with Title IX of the Higher Education Amendments of 1972 prohibits all forms of discriminatory exclusion to include discrimination on the basis of sex. Title IX prohibits discrimination on the basis of sex in all education programs or activities. The University is committed to fostering a community that promotes prompt reporting of all types of sexual misconduct and timely and fair resolution of sexual misconduct complaints.

PVAMU faculty, staff, students and guests have the right to be free from sexual violence and sexual misconduct. All members of the University community are expected to conduct themselves in a manner that does not infringe on another person's civil rights. PVAMU has a no-tolerance policy for sex discrimination, sexual misconduct and sexual violence.

Individuals who are found to have committed such acts will be subject to disciplinary action up to and including separation from the University.

For information on the complaint, investigation, definitions and appeals process for gender-based and sex-based misconduct, see TAMUS 08.01.01.
(policies.tamus.edu/08-01-01.pdf)

Complaints should be reported to:

MS. ALEXIS BOYD, Harrington Science, Suite 311
(936) 261-2166 | alboyd@PVAMU.edu

MS. DENISE SIMMONS, Anderson Hall, 3rd floor
(936) 261-3524 | studentconduct@PVAMU.edu

A. APPEALS

The student may appeal in writing the determination made by the investigator. For appeals in cases with a student respondent, reference student code. For appeals in cases where the respondent is an employee, reference PVAMU Role 08:01.01.P1.

For information on the complaint, investigation, definitions and appeals process for gender-based and sex-based misconduct, see **TAMUS 08.01.01**. (policies.tamus.edu/08-01-01.pdf)

AMNESTY FOR STUDENT CONDUCT CODE VIOLATIONS

When a student reports, in good faith, being the victim of or a witness to an incident of sexual harassment, sexual assault, dating violence, domestic violence, or stalking, the University will not take disciplinary action against that student for violations of the Student Conduct Code occurring at or near the time of the incident reported. The University may, however, investigate to determine whether a report of an incident of sexual harassment, sexual assault, dating violence, domestic violence, or stalking was made in good faith. The amnesty will not apply to a student who reports the student's own commission or complicity in the commission of sexual harassment, sexual assault, dating violence, domestic violence, or stalking.

DEPARTURE FROM CAMPUS FOLLOWING SUSPENSION OR DISMISSAL AND REQUEST FOR REINSTATEMENT

- A. A student who has been separated from the University for Disciplinary Reasons shall leave the premises within 24 hours of notification, or sooner, if so directed by the Associate Vice President for Student Affairs/Dean of Students.
- B. A student who has been required to withdraw from the University for disciplinary reasons and who desires to be reinstated after completion of the withdrawal period shall present a request in writing to the Associate Vice President for Student Affairs/Dean of Students.
- C. A student who has been suspended or dismissed must reapply for readmission to the university by the deadline for the semester the student intends to return.

AMENDMENT

The Code of Student Conduct shall be amended only by the President. Responsibility for proposing revisions to the Code is delegated to the Code of Student Conduct Committee consisting of students, faculty and administrators chaired by the Associate Vice President of Student Affairs/Dean of Students.

The Code of Student Conduct Committee shall accept and review recommendations from students, faculty and administrators regarding revisions of the Code of Student Conduct. The Committee shall prepare proposed revisions and forward them to the President through the Vice President for Student Affairs for approval.

Nothing included above shall be construed as a limitation upon the President to propose changes without reference to the Committee.

STUDENT CONDUCT PANEL

The President of the University shall annually appoint 12 or more people to serve on the Student Conduct Panel from among the faculty, staff and community of the University. The Student Conduct Panel shall have sole authority to determine the issue of responsibility in the cases referred. Three Student Conduct Panel members shall be assigned to hear each case.

STUDENT CONDUCT HOLDS

The Office for Student Conduct may place a Student Conduct hold on the records and registration of any student who has a pending Student Conduct matter, including any outstanding sanctions or unresolved cases. A student may not be allowed to graduate, receive grades, register for classes or have transcripts released until pending Student Conduct matter(s), including any outstanding sanctions are resolved. The student conduct hold on a student account will not be lifted until all sanctions have been completed.

TRANSCRIPT NOTATION

When a sanction of suspension or expulsion is applied as a result of a violation of the PVAMU Code of Student Conduct, a notation will be documented on the student's academic transcript. The transcript notation will remain effective for the duration of

the active sanction of suspension or expulsion. Additionally, the notation will differentiate between an academic or conduct violation that initiated the applied sanction.

It should be noted that the student's academic transcript will not be released while a pending student conduct matter is under review that may result in suspension or expulsion.

STUDENT CONDUCT FILES AND RECORDS

The file of a student found to have violated University rules shall be retained as a student conduct record for no less than seven years from the date of the student's graduation or from the last day of the last semester the student is permanently if the student was expelled, suspended or blocked from reenrollment and/or in situations that may result in future litigation.

Complaints of sexual harassment or sexual misconduct may result in the development of a file in the survivor's name.

This file shall be retained for no less than seven years from the survivor's graduation date or from the last day of the last semester the student is enrolled. These files may be retained for as long as administratively valuable.

Students may have access to the information in their file by submitting a written request to the Office for Student Conduct. The access will be provided in accordance with federal and state laws regarding the privacy of educational records and University policy.

For updated information addressing the PVAMU Code of Student Conduct general procedures, as well as, the procedures pertaining to sexual assault, domestic violence, dating violence, and stalking, please check the website, www.PVAMU.edu/studentconduct.

DINING SERVICES POLICIES

All students residing on campus must participate in a meal plan. All PVAMU students are expected to comply with specified rules and regulations governing dining facilities on campus. Failure to do so may result in a referral for disciplinary action.

A. FOOD SERVICE RULES

1. All persons are expected to form a line at the dining entrance as they arrive and no one will take a position other than at the end of the line. Food, dishes, silverware or other equipment may not be taken from the cafeteria

without the written permission of the management. Students are prohibited from entering the kitchen and service areas.

2. All food and beverages must be consumed in the dining facility.
3. Dining Services reserves the right to not serve patrons who do not have on appropriate attire.
4. Students are expected to display proper behavior when using the dining facilities. Prohibited behavior includes but is not limited to: sitting on tables, standing on chairs, playing music loudly and disrespecting Dining Hall personnel.
5. Persons who fail to cooperate with Dining Hall personnel or to comply with cafeteria regulations may lose their Dining Hall privileges without reimbursement.
6. A student identification card may not be used by anyone other than the person to whom it is issued. Students who use another person's identification card or students who allow others to use their identification card may be charged with fraud.
7. Proper attire, including shirts and shoes, must be worn in all dining facilities. Students who fail to dress appropriately will be denied access.
8. Only valid identification cards, cash or credit cards will be accepted in the cafeteria. Notes will not be accepted for students who have lost or misplaced their identification card
9. **ATTIRE** Listed below are examples of attire considered inappropriate:
 - Sheer garments
 - Midriff blouses
 - Sagging pants
 - Shirts displaying profanity/indecent messages
 - Hair rollers or bedroom slippers
 - Display of underwear
 - Durags, hats or caps
 - Form-fitting shorts or boxing shorts

B. IDENTIFICATION

Students are required to present a valid student identification card when they enter the dining facilities. Your student ID and your selected meal plan are for your personal use only and are not transferable to anyone else.

Student IDs will be confiscated if presented by anyone other than the responsible student. A replacement fee of \$35 (this fee is subject to change) will be charged for all lost, stolen or damaged cards.

C. FOOD FIGHTS

Throwing food or utensils in the Dining Hall can be dangerous and is disrespectful to other diners. The Office of Auxiliary Enterprises will seek disciplinary action against any student observed throwing food and utensils.

Fines and associated fees will be used to cover any damage incurred. The individual(s) will also be subject to the appropriate disciplinary action as deemed appropriate by the Office of Student Conduct.

D. COURTESY

Students are expected to be courteous to fellow students and dining personnel.

E. SELF-BUSING

All students and guests are required to clear their table and deposit tableware in the proper location before exiting dining facilities. This is a stipulation of your meal plan contract.

To select or change your meal plan, visit www.PVAMU.edu/mealplan.

PARKING REGULATIONS

The following rules and regulations were established by PVAMU as a standard for the parking programs. Faculty, staff, students and visitors are urged to read these regulations. The Parking Management Office may exercise discretion to deal with special circumstances not covered by these regulations.

In developing these regulations, Parking Management is guided by the Texas Motor Vehicle Laws and the Texas Education Code 51.202. The regulations apply to all vehicles on campus and are in effect at all times. The Parking Department, along with University Police Department, has jurisdiction to enforce or impound any vehicle in violation of these regulations. The owner or driver of the vehicle will be required to pay the cost of relocation and storing of the vehicle.

PVAMU Parking Management uses the services provided by the Texas Department of Motor Vehicles to obtain the ownership of vehicles in violation of parking regulations on campus by license plate and VIN. Faculty, staff and students are responsible for any citations that are issued to family members and guests. Should a relative of PVAMU faculty, staff or student receive parking citations, Parking Management Office has the authority to bill the citations to the University's affiliate.

- A. All visitors, students (commuter and residential), staff, faculty, vendors and contractors must have a valid parking permit while parked on the PVAMU campus. Visitors will need to locate a designated Visitor Space and pay via ParkMobile. Vendors and contractors must stop by the Information Center to obtain a vendor/contractor pass.
- B. Any area not specifically designated for parking is considered a NO PARKING ZONE and vehicles will be cited.
- C. Motorcycles may park only in specially designated areas.
- D. Double parked or obstructing drives, walkways, doors, or other vehicles is prohibited.
- E. Parking in a fire lane or within 15 feet of a fire hydrant is prohibited.
- F. Vehicles parked in authorized lots must be parked within the parking stripes.
- G. No parking on curbs, lawns, landscaped areas, or walkways; these areas are prohibited.
- H. Penalties for violations include ticketing and fines, towing, revocation of parking privileges, disciplinary action, or criminal prosecution.
- I. Because parking on campus is limited, vehicles of students living on campus must remain parked in the residential areas from 8 a.m. to 5 p.m., or park in Lot #95 24/7 Monday through Friday.
- J. Updated Uses of MSC Lot 91, effective Spring 2021
Parking spaces marked as Visitor Parking Only are reserved for ParkMobile daily purchases only. Parking spaces marked as Permits/ParkMobile 1 Hour Only will allow any current Prairie View permit to park up to 1 Hour at no additional cost. These spaces also allow ParkMobile users to purchase hourly (up to 3 hours) or daily parking. Parking Enforcement Officers will closely monitor the lot to ensure that it is being used properly. These changes are intended to fairly allow all Students/Faculty/Staff the opportunity to pick up something to eat at the MSC or drop off paperwork at nearby administrative buildings. For questions please call the Parking Management Office at 936-261-1701.
- K. Vehicles of customers with three or more unpaid citations or with a \$100 balance due may be towed and impounded at the owner's expense until the account is paid in full.

APPEAL PROCEDURE

A. APPEAL CITATIONS

The appeals process is intended to provide an objective process to review a citation. There must be substantial and valid evidence that the parking violation was not committed or that it occurred due to circumstances beyond the appellant's control.

An appeal must be completed online **WITHIN 14 CALENDAR DAYS OF THE DATE ON WHICH THE CITATION WAS WRITTEN.**

B. APPEAL PROCESS

Appeals must be submitted 14 calendar days from the day of the citation.

Additional supporting information or documentation can be submitted with your appeal.

Appeals submitted after 14 calendar days will not be accepted for review.

An anonymous Appeals Committee will review all appeals.

The decision of the committee are final, and no further appeals will be granted.

If an appeal is denied, payment can be made through your account online at the Parking Portal or at Treasury Services, W.R. Banks building.

C. AFTER AN APPEAL HAS BEEN SUBMITTED

All citation appeals are reviewed by the Appeals

Committee, the Appeals Committee will:

1. Read the appeal and review the information on the citation
2. Review the Parking Regulations that are relevant to the appeal
3. Review other information, such as area maps, digital photographs, etc.
4. Make a decision on the appeal

What The Appeals Committee Can Decide:

- Reduced: The amount of the fine is lessened (payment must be made the day after the Appeals Committee meeting)
- Approved: The citation is dismissed completely.
- Disapproved: Citation is up held and payment must be made the day after the Appeals Committee Meeting.
- **Appeals Committee Decision is final**

D. ADDITIONAL INFORMATION

Appellants receive email notice of receipt of a completed online appeal. If you do not receive an email acknowledgment, please contact parking@pvamu.edu or 936-261-1701.

Notice of the decision regarding your appeal will be sent by email.

Please allow three to four weeks for a decision regarding your appeal. The number of appeals filed increases near the end of the semester and may result in longer wait times.

If you have further questions regarding your appeal or this process please feel free to contact us:

Parking Management Office

Harrington Science Bldg. Room 117

Monday Thru Friday 8:00 a.m. – 5:00 p.m.

Office 936-261-1701