PVAMU students have rights that are to be respected. The following student rights and responsibilities are intended to reflect the philosophical base upon which all University student rules are built. This philosophy acknowledges the existence of both rights and responsibilities, which are inherent to an individual not only as a student at Prairie View A&M University but also as a citizen of this country.
Student Rights

ARTICLE I. Each student has the right to participate in a free exchange of ideas, and no University rule or regulation, or administrative policy should abridge the rights of freedom of speech, expression, petition and peaceful assembly as set forth in the United States Constitution.

ARTICLE II. Each student shall be treated on an equal basis, free from illegal discrimination, including harassment, in all areas and activities of the University regardless of race, color, religion, sex, age, national origin, veteran status, sexual orientation or disabilities.

ARTICLE III. A student has the right to personal privacy except as otherwise provided by law, and this will be observed by students and University authorities alike.

ARTICLE IV. Each student shall be free from disciplinary actions by University officials for violations of civil and criminal law away from campus, except when such a violation is determined to also be a violation of the provision regarding conduct in the Code of Student Conduct or University regulations.

ARTICLE V. Each student subject to disciplinary action arising from substantive violations of University student rules shall be assured a fundamentally fair process. At all student conduct conferences, an accused student shall be assumed not responsible until proven responsible, and in initial conduct hearings, the burden of proof shall rest with those bringing the charges.

Student Responsibilities

ARTICLE I. A student accepts the responsibility to respect the rights and property of others, including other students, guests, faculty and administrators.

ARTICLE II. A student has the responsibility to be fully acquainted with the published student guidelines, rules and the current Code of Student Conduct and to comply with the regulations and the laws of Prairie View A&M University, the Texas A&M University System, the state and the nation.

ARTICLE III. A student has the responsibility to recognize that student actions reflect upon the individual involved and upon the entire University community.

ARTICLE IV. A student has the responsibility to recognize the University's obligation to provide a safe environment for living and learning.

ARTICLE V. Students using or working in campus facilities during the course of their studies, activities or employment are responsible for becoming familiar with and following all safety procedures.
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 Vice President for Student Affairs and Institutional Advancement 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 reports to the Vice President for Student Affairs and Institutional Advancement 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 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, 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

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, 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 of 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 Aids 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

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

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

3. **Appeal:** to request a review of a disciplinary decision.

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

6. **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.

7. **Consent:** For the purpose of this process, 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.

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

9. **Disciplinary Hold:** A hold placed on a student’s record preventing any enrollment activity. To clear this hold, students must contact the Office of Student Conduct. Students may be required to submit evidence supporting their ability to function properly in a university environment.

10. **FERPA:** The Family Educational Rights and Privacy Act of 1974 is a federal regulation that guarantees students or their parents 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.

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

12. **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.

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

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

15. **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.
   a. Examples include but are not limited to: a beer pong and empty alcoholic containers;
   b. marijuana pipes, bongs or blow tubes;
   c. scales used in measuring quantities of an illegal drug; or plastics bags used to package prescription or manufactured pills or other illegal drugs.

16. **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.

17. **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.

18. **Referral:** an official written or verbal request made by a University official to report to the Office of Student Conduct or other University offices.
19. **Sanctions:** any penalty that is determined to be an appropriate and just response to violations of the Code of Student Conduct.

20. **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.

21. **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.

22. **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.

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

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

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

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

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

28. **Weapon:** any object or substance designed to inflict a wound, cause injury, or incapacitate, including, but not limited to, all firearms, pellet guns, knives, razors, paint ball guns, clubs, brass knuckles and explosives.

**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 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 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 occurs when a person uses physical violence, coercion, threats, intimidation, isolation, stalking, or other forms of emotional, sexual or economic abuse to control another partner in an intimate relationship. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone. Domestic violence can be a single act or a pattern of behavior in relationships between partners: currently or formerly married, currently or formerly dating, currently or formerly living together or having a child in common. Domestic violence may be known by other terms, including intimate partner violence or relationship abuse.

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 is 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 explosives, pistols, revolvers, rifles, shotguns, BB or pellet guns, slingshots, 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 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 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: unwelcome sexual advances, requests for sexual favors or other verbal, visual or physical conduct of a sexual nature, submission to which is made a condition of a person’s exercise or enjoyment of any right, privilege, power or immunity, either explicitly or implicitly. Sexual harassment may range from unthinking, intentional and sometimes unintended verbal denigration of a person on the basis of gender to actual physical assault. Some examples that may constitute sexual harassment are: offensive sexual flirtations, advances or pressure for sexual activity, unwanted touching, pinching or unnecessary brushes; unwanted exposure to sexual graffiti, photographs or suggestive objects; sexual innuendoes or statements made at inappropriate times or disguised as humor or obscene gestures; disparaging remarks about one’s gender or any offensive or abusive physical contact.

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. Stalking: nonconsensual communication, including face-to-face, telephone calls, voice messages, electronic mail, written letters/notes, unwanted gifts, etc.

4. Retaliation: harassment of a complainant or other person alleging misconduct, including, but not limited to, intimidation and threats.

P. 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 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 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 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 are not permitted on campus in any university building, including but not limited to, administrative buildings, classroom buildings, on-campus housing (University College or University Village Apartments), 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 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 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 is any act of a sexual nature perpetrated against an individual without consent or when an individual is unable to freely give consent regardless of personal relationship.

Consent: For the purpose of this process, 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.

1. Sexual Violence: Sexual Assault, Battery, Coercion and Rape: Is the oral, anal or vaginal penetration by sexual organ of another or oral, anal or vaginal penetration by any means knowingly or intentionally against the victim’s will or without his/her consent. An individual who is mentally incapacitated, unconscious or unaware that the sexual assault is occurring (due to the administration of alcohol, drugs or any other substance) is unable to give consent. The type of force employed during this act may involve physical force, coercion, intentional impairment of an individual’s ability to appraise the situation through the knowledge and intentional administration of alcohol, drugs or any substance or threat or harm to the victim.

2. Sexual Abuse: attempting or making sexual contact, including, but not limited to, inappropriate touching or fondling against the person’s will, or in circumstances where the person is physically, mentally or legally unable to give consent.
Y. 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.

Z. 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.

AA. Violation of Any Federal, State or Local Law

BB. 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 is 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.

CC. Violation of Residential Hall Policies published in the Residential Lease Agreement is prohibited.

DD. 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.

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

**The Student Conduct 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 of 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 of Student Conduct. A student’s failure to appear will not prevent the conference from occurring or from sanctions being imposed. 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 of 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 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 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 of Student Conduct.

2. Right to waive the three (3) business-day notice of charges.

3. Right to reasonable access to the case file, which shall be maintained in the Office of 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 of 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 five (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. **Temporary Suspension**

When there is evidence that the continued presence of a student at PVAMU poses a substantial and immediate threat to him/herself or to others, or to the stability and continuance of normal University functions, the Associate Vice President for Student Affairs or authorized representative may impose such temporary sanctions as necessary, including exclusion from campus property. The temporary sanctions shall become effective immediately without prior notice. Upon taking such action, the Associate Vice President for Student Affairs shall immediately notify the Student Conduct Panel of the sanction.

Please note: During the suspension period, records will remain flagged and transcripts will be held until a student(s) has complied with University imposed sanctions and until the suspension period is over.

**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.

**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 is available on the Office of Student Conduct’s website. Additionally, printed copies are available from the Office of Student Affairs and the Office of Student Conduct. The completed form must be submitted by the student to the Office of Student Conduct located in Evans Hall, RM 307 within five (5) business days of the decision. 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.

**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 to make the most informed decision regarding the appeal after reading the appeal paperwork.

Standard of Proof: Preponderance of the Information

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

Appeal Decisions

All appeal decisions made by the Associate Vice President for Student Affairs 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 may assign one of the following actions:

- Uphold the original decision
- Modify the original sanction based on the severity of the sanction*
- Remand the case back to the Office of 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 may choose to refer the case back to the Office of Student Conduct for a new conduct conference.

*The Associate Vice President for Student Affairs may not increase the sanction that was assigned in the original 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

Proceedings for gender-based or sexual misconduct shall provide a prompt, fair, and impartial investigation and resolution; be conducted by officials who receive annual training on the issues related to sexual assault, dating violence, domestic violence, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. The accuser and the accused are entitled to the same opportunities to have others present during a conduct proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice. Both the accuser and accused shall be simultaneously informed, in writing, of the outcome of any conduct proceeding; the University's procedures to appeal the results of a conduct proceeding; any changes to the results that occurs prior to the time that such results become final; and when such results become final.
PROCEDURES ADDRESSING GENDER-BASED OR SEXUAL MISCONDUCT

The following rights apply to an accused student when a Student Conduct Conference might result in expulsion, dismissal or suspension. 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. 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 of Student Conduct.
2. Right to waive the three (3) business-day notice of charges.
3. Right to reasonable access to the case file, which shall be maintained in the Office of 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 have a representative present during a student conduct conference, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of his/her choice. The advisor may not represent the accused student or question any participants involved in the student conduct conference. Additionally, the student should select an advisor, at his/her expense, whose schedule allows attendance during the student conduct conference or any scheduled meetings. Student conduct conferences will not be delayed to scheduling conflicts of an advisor.
6. An opportunity to review all information in her/his Office of Student Conduct file prior to a conference, including information to be used in her/his 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 be simultaneously informed, in writing, of the outcome of the proceeding within five (5) business days of the student conduct conference.
9. Right to appeal the decision through the appropriate University channels within five (5) business days of receiving the notice. The appeal must be written.
10. Right to be simultaneously informed, in writing, of any change to the results that occurs prior to the time that such results become final and when such results become final.
11. 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.

The following rights apply to the complainant of sexual misconduct in a student conduct conference:
1. Right not to be in attendance at the student conduct conference.
2. Right to submit an impact statement that details the alleged consequences suffered by the complainants.
3. Right to have a representative present during a student conduct conference, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of his/her choice. The advisor may not represent the complainant or question any participants involved in the student conduct conference. Additionally, the student should select an advisor, at his/her expense, whose schedule allows attendance during the student conduct conference or any scheduled meetings. Student conduct conferences will not be delayed to scheduling conflicts of an advisor.
4. Right to request immediate on-campus relocation (based on available space), transfer of classes or other steps to prevent unnecessary or unwanted contact or proximity to the accused, when such contact is likely to place the alleged victim in danger of bodily injury or cause the alleged victim severe emotional distress.

5. Right to be simultaneously informed, in writing, of the outcome of the proceeding; the University’s procedures to appeal the results of the student conduct conference; of any change to the results that occurs prior to the time that such results become final and when such results become final. The proceedings and outcome of all student conduct proceedings are considered confidential information in accordance with the Family Educational Rights and Privacy Act of 1974. Such information should not otherwise be disclosed.

6. Right to not have her/his past behavioral history discussed during the student conduct conference. Questions of relevancy shall be determined by the Student Conduct Administrator.

7. 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.

SANCTIONS

In cases of sexual misconduct, the following sanctions may be imposed after the accused student is found responsible for violating PVAMU Code of Student Conduct. 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.

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. **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.

3. **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.

4. **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. **Temporary Suspension** When there is evidence that the continued presence of a student at PVAMU poses a substantial and immediate threat to him/herself or to others, or to the stability and continuance of normal University functions, the Associate Vice President for Student Affairs or authorized representative may impose such temporary sanctions as necessary, including exclusion from campus property. The temporary sanctions shall become effective immediately without prior notice. Upon taking such action, the Associate Vice President for Student Affairs shall immediately notify the Student Conduct Panel of the sanction.

Please note: During the suspension period, records will remain flagged and transcripts will be held until a student(s) has complied with University imposed sanctions and until the suspension period is over.

**APPEALS**

In cases of sexual misconduct, the accused student, as well as, the complainant may appeal the rendered decision in the case. 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.

**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 is available on the Office of Student Conduct’s website. Additionally, printed copies are available from the Office of Student Affairs and the Office of Student Conduct. The completed form must be submitted by the student to the Office of Student Conduct located in
Evans Hall, RM 307 within five (5) business days of the decision. 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.

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 to make the most informed decision regarding the appeal after reading the appeal paperwork.

Standard of Proof: Sexual Assault, Domestic Violence, Dating Violence and Stalking

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 a preponderance of the evidence. Preponderance of the evidence is defined as the greater weight and degree of credible evidence presented in the conduct conference.

Appeal Decisions

All appeal decisions made by the Associate Vice President for Student Affairs 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 may assign one of the following actions:

• Uphold the original decision
• Modify the original sanction based on the severity of the sanction*
• Remand the case back to the Office of 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 may choose to refer the case back to the Office of Student Conduct for a new conduct conference.

*The Associate Vice President for Student Affairs may not increase the sanction that was assigned in the original conduct conference.

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

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.

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.

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.

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 and Institutional Advancement 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 to five Student Conduct Panel members shall be assigned to hear each case.

STUDENT CONDUCT HOLDS
The Office of Student Conduct may place a Student Conduct hold on the records and registration of any student who fails to respond to a student notice. Any pending student conduct matters must be resolved prior to a student’s graduation. No student will be allowed to graduate, receive grades or have transcripts released until pending student conduct files and records matter(s) are resolved.

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 enrolled. Student conduct records may be retained for as long as administratively valuable or 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 of 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 Prairie View A&M University 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.

B. Attire Listed below are examples of attire considered inappropriate:

- Sheer garments
- Midriff blouses
- Sagging pants
- Shirts displaying profanity/indecencies messages
- Hair rollers or bedroom slippers
- Display of underwear
- Doo-rags, hats or caps
- Form-fitting shorts or boxing shorts

C. 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.

D. 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.

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

F. 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 vehicles are required to display a valid PVAMU parking permit when parked on the University Campus and permits are the property of PVAMU issued to a specific individual and are not transferable. Permits must be purchased and on display in your vehicle by the 5th class day of any semester. Citations issued to a permit are the owner’s responsibility. Because parking on campus is limited, registrants may have only one vehicle on campus and occupy only one space at a time from 7 a.m. to 7 p.m., Monday through Friday.

B. Speed limit is 20 MPH on campus for motor vehicles.

C. Any area not specifically designated for parking is considered a NO PARKING ZONE and vehicles will be cited.

D. Motorcycles may park only in specially designated areas.

E. Double parked or obstructing drives, walkways, doors, or other vehicles is prohibited.

F. Parking in a fire lane or within 15 feet of a fire hydrant is prohibited.

G. Vehicles parked in authorized lots must be parked within the parking stripes.

H. No parking on curbs, lawns, landscaped areas, or walkways; these areas are prohibited.

I. Penalties for violations include ticketing and fines, towing, revocation of parking privileges, disciplinary action, or criminal prosecution.

J. Because parking on campus is limited, all students living on campus must remain parked in their assigned residential area from 7 a.m. to 7 p.m., Monday through Friday.

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.