

ment, who observes a person violating this policy, is authorized to issue a citation. Fees are determined by the number of citations incurred each semester.

1st Citation	\$ 5.00
2nd Citation	\$15.00
3rd/Subsequent Citations	\$25.00

Section 3. Violators' Obligation and Appeal Procedure:

A. Citations for violations may be paid at the Cashier's Office or the University Police Office or by mail to the University Police Office.

B. Citations are subject to appeal and appeals must be filed within three (3) class days after the issuance of the citation. All appeals must be on the official appeal form secured from the University Police Office. The Dean of Students' Office will set the date, time, and place for appeals.

C. All citations appealed shall be adjudicated through the university's Parking Appeals Committee. The Parking Appeals Committee shall be comprised of a pool of students, faculty and administrative staff appointed by the president. Any two or three members of the pool will constitute an appropriate hearing committee. The Parking Appeals Committee shall hear all appeals filed by faculty, staff, and students.

D. Students who fail to resolve citations are subject to disciplinary action.

E. Any person receiving three or more unresolved citations shall be considered to be in flagrant violation of this policy and their bicycle, roller-skates/in-line skates, or skateboard may be impounded and held at the University Police Department pending final action by the Dean of Students.

CODE OF STUDENT CONDUCT AND DISCIPLINE

5. STUDENT CONDUCT AND DISCIPLINE.

5.1 Acquaintance with Policies, Rules, and Regulations. Each student is expected to be fully acquainted and comply with all published policies, rules, and regulations of the component, copies of which shall be available to each student for review online and/or at various locations on each campus. Students are also expected to comply with all federal and state laws.

5.2 Student Misconduct. Each student is expected to act in a manner consistent with the component's functions as an educational institution, including off campus conduct that is likely to have an adverse effect on the component or on the educational process. No person or group of persons acting in concert may willfully violate the following rules. Specific examples of misconduct for which students may be subject to disciplinary action include, but are not limited to, the following:

- (1) Commission of an act that would constitute an offense under appropriate federal, state, or municipal law.
- (2) Violation of any Regents' rule, regulation, or order or component policy, rule, or regulation, including any rule or regulation governing residential living in component-owned facilities or breach of a residential living contract.
- (3) Failure to comply with the direction of a component official acting in the performance of his or her duties; or, failure to heed an official summons to the office of a component official within the designated time.
- (4) Giving false testimony or other evidence at a campus dis-

ciplinary or other administrative proceeding.

(5) Failure to meet financial obligations to the component.

(6) Unauthorized use or possession of ammunition, firearms, illegal knives (knives with blades longer than five and one-half inches, hand instruments designed to cut or stab another by being thrown, stiletos, poniards, Bowie knives, swords, and/or spears), or other illegal weapons on component property.

(7) Conduct that significantly endangers the health or safety of other persons, including members of the component community or visitors on the campus, including, by way of example, unauthorized throwing of any objects in or from component facilities.

(8) Stealing, destroying, defacing, damaging, or misusing component property (including misuse of fire or life-safety equipment or property) or property belonging to another.

(9) Engaging in hazing or voluntarily submitting to hazing, including an initiation by an organization that involves any dangerous, harmful, or degrading act to a student. Violation of this policy renders the student(s) involved and the organization subject to discipline.

(10) Possessing and/or using, without authorization according to the component policy, intoxicating beverages in a classroom building, laboratory, auditorium, library building, faculty or administrative office, residence hall or apartment, intercollegiate and intramural athletic facility, or any other public campus area, or being intoxicated in any public area of the campus.

(11) Gambling in any form on component property.

(12) Illegal possession, use, sale, or distribution of any quantity, whether usable or not, of any drug, narcotic, or controlled substance.

(13) Advocating or recommending, either orally or in writing, the conscious and deliberate violation of any federal, state, or local law. Advocacy means addressing an individual or group for imminent action and steering it to such action as opposed to the abstract espousal of the moral propriety of a course of action.

(14) Forgery, alteration, or misuse of component documents, forms, records, or identification cards; or issuance of a check to the component or its contractors without sufficient funds.

(15) All students must carry and when requested by a University Official furnish their Bearkat One ID card. Any falsification, misrepresentation or other misuse of the Bearkat OneCard is prohibited.

(16) Unauthorized possession, ignition, or detonation, on component property, of any explosive device, fireworks, liquid, or object that is flammable or capable of causing damage by fire or explosion to persons or property.

(17) Unauthorized entry into or use of component buildings, facilities, equipment, or resources, or possession or use of component keys for unauthorized purposes.

(18) Failure to maintain a current official mailing address in the Registrar's office and/or giving a false or fictitious address to a component office or official.

(19) Making false alarms or reports where the person knowingly initiates, communicates, or circu-

lates a report of a present, past, or future bombing, fire, offense, or other emergency that is known as false or baseless and that would ordinarily cause action by an official or volunteer agency organized to deal with emergencies; place a person in fear of imminent serious bodily injury; or prevent or interrupt the occupation of a building, room, aircraft, automobile, or other mode of conveyance.

(20) Harassment where the individual intentionally threatens, in person, by telephone, electronically, in writing, or by other means, to take unlawful action against any person and by this action intentionally, knowingly, or recklessly annoys or alarms the recipient or intends to annoy or alarm the recipient.

(21) Academic dishonesty (see subparagraph 5.3).

(22) Campus disruptive activities (see subparagraph 5.4) or disorderly conduct on component-owned or controlled property or at a component-sponsored or supervised function that inhibit or interfere with the educational responsibility of the component community or the component's social-educational activities shall include but not be limited to: using abusive, indecent, profane or vulgar language; making offensive gestures or displays that tend to incite a breach of the peace; perpetrating fights, assaults, acts of sexual violence, abuse, or threats; or evincing some obviously offensive manner or committing an act that causes a person to feel threatened. Such prohibition includes disorderly classroom conduct that obstructs, interferes with, inhibits and/or disrupts teaching and/or related classroom activities.

(23) Using authority granted by state law, System rule, or component policy to deprive any person of his or her civil rights.

(24) Violation of component policy relating to electronic network facilities such as local area networks and the Internet.

(25) Any attempt to commit these prohibited acts.

5.3 Academic Honesty. The component expects all students to engage in all academic pursuits in a manner that is above reproach and to maintain complete honesty and integrity in the academic experiences both in and out of the classroom. The component may initiate disciplinary proceedings against a student accused of any form of academic dishonesty, including but not limited to, cheating on an examination or other academic work, plagiarism, collusion, and the abuse of resource materials.

5.31 "Cheating" includes, but is not limited to:

(1) Copying from another student's test paper, a laboratory report, other report, or computer files, data listings, and/or programs.

(2) Using, during a test, materials not authorized by the person giving the test.

(3) Collaborating, without authorization, with another person during an examination or in preparing academic work.

(4) Knowingly, and without authorization, using, buying, selling, stealing, transporting, soliciting, copying, or possessing, in whole or in part, the contents of an unadministered test.

(5) Substituting for another student; permitting any other person; or otherwise assisting any other person to

substitute for oneself or for another student in the taking of an examination or test or the preparation of academic work to be submitted for academic credit.

(6) Bribing another person to obtain an unadministered test or information about an unadministered test.

(7) Purchasing, or otherwise acquiring and submitting as one's own work any research paper or other writing assignment prepared by an individual or firm. This section does not apply to the typing of the rough and/or final versions of an assignment by a professional typist.

5.32 "Plagiarism" means the appropriation and the unacknowledged incorporation of another's work or idea into one's own work offered for credit.

5.33 "Collusion" means the unauthorized collaboration with another person in preparing work offered for credit.

5.34 "Abuse of resource materials" means the mutilation, destruction, concealment, theft or alteration of materials provided to assist students in the mastery of course materials.

5.35 Academic work means the preparation of an essay, dissertation, thesis, report, problem, assignment, or other project that the student submits as a course requirement or for a grade.

5.36 Disciplinary Procedures for Academic Dishonesty:

(1) Academic Process. All academic dishonesty cases may be first considered and reviewed by the faculty member. If the faculty member believes that an academic

penalty is necessary, he/she may assign a penalty but must notify the student of his/her right to appeal to the department chair, the dean and, eventually, to the vice president for academic affairs (whose decision shall be final) before imposition of the penalty. At each step in the process, the student shall be entitled to written notice of the offense and/or of the administrative decision, an opportunity to respond, and an impartial disposition as to the merits of his/her case. After completion of the academic process, the academic officer making final disposition of the case may refer the matter to the chief student affairs officer for any additional discipline that may be appropriate.

(2) Disciplinary Process. In the case of flagrant or repeated violations, the chief student affairs officer may take such additional disciplinary action. No disciplinary action shall become effective against the student until the student has received procedural due process under Subsection 5.6 and following except as provided under Subsection 5 (15).

(3) Honor Code. If a component has adopted an Honor Code which includes an Honor Council that makes decisions on appeals of penalty grades issued by a faculty member and disciplinary action on cases of flagrant or repeated violations, the hearings which consider disciplinary action must afford

the students procedural due process under Subsection 5.6. Appeals of academic decisions rendered by an Honor Council shall be heard by the Vice President for Academic Affairs and appeals of disciplinary decisions rendered by an Honor Council shall be heard by the Chief Student Affairs Officer. In the event of conflicts, these Rules and Regulations shall govern.

5.4 Campus Disruptive Activities. Pursuant to Education Code, Subsection 51.935 (Disruptive Activities), the components shall adhere to the following rules and regulations:

5.41 No person or group of persons acting in concert may intentionally engage in disruptive activity or disrupt a lawful assembly on a component campus. Disruptive activity means:

- (1) Obstructing or restraining the passage of persons to the campus or an area of the campus or to an exit, entrance, or hallway of any building without the authorization of the administration of the component;
- (2) Seizing control of an area of a campus or any building or portion of a building for the purpose of interfering with any administrative, educational, research, or other authorized activity; or
- (3) Disrupting and/or preventing or attempting to prevent by force or violence or the threat of force or violence any lawful assembly authorized by the component administration. A lawful assembly is disrupted when a person in attendance is rendered incapable of participat-

ing in the assembly due to the use of force or violence or a reasonable fear of force or violence.

5.42 Any person who is convicted the third time of violating this statute shall not thereafter be eligible to attend any school, college, or university receiving funds from the state of Texas for a period of two years from such third conviction.

5.43 Nothing herein shall be construed to infringe upon any right of free speech or expression guaranteed by the Constitution of the United States or the state of Texas.

5.5 Suspended, Expelled, and Dismissed Student Restriction. No student who has been suspended, expelled, or dismissed for disciplinary reasons from a component of the System shall, during the applicable period of discipline, be eligible to enroll at any other System component. The registrar of a component is authorized to make an appropriate notation on the student's transcript to accomplish this objective and to remove the notation when the student's disciplinary record had been cleared.

5.6 Procedure for Administration of Discipline. The chief student affairs officer shall have primary authority and responsibility for the administration of student discipline at the component and for investigating allegations that a student has violated System and/or component rules and regulations, or specific orders and instructions issued by an administrative official of the component.

5.61 The chief student affairs officer or his/her appointee, hereto referred to as officer, will investigate the alleged violations. During the investigation, if the student is available, the officer will give the student an opportunity to explain the incident. If the officer concludes that the student has violat-

ed a System or component policy, the officer will determine (but not assess) an appropriate disciplinary penalty.

(1) The officer will discuss his or her findings and his or her determination of an appropriate penalty with the student if the student is available and will give the student an opportunity either to accept or reject the officer's decision.

(2) If the student accepts the officer's decision, the student will so indicate in writing and waive his or her right to a hearing. The officer may then assess the disciplinary penalty.

(3) If the student does not accept the officer's decision or does not waive his or her right to a hearing, a disciplinary hearing will be scheduled in accordance with Subsections 5.7 and 5.10.

5.62 If the student does not execute a written waiver of the hearing process, then the officer shall prepare a written statement of charges and of the evidence supporting such charges, including a list of witnesses and a brief summary of the testimony to be given by each, and shall send a notification of such charges and statement to the accused student by certified mail, return receipt requested, addressed to the address appearing in the Registrar's records, or shall hand deliver said document with the student signing a receipt.

Sam Houston State University — Formal Mediation

In matters involving interpersonal disputes, the Hearing Officer may suggest that the matter be submitted to mediation.

If the involved parties (the accused[s] and complainant[s]) agree the matter will be submitted to mediation before the mediator acceptable to all parties.

The goal of the mediation is the execution of a "Contract of Resolution" which will specify the terms of the parties' settlement of their dispute. The Contract of Resolution will be placed in each involved student's disciplinary file. Any violation of the terms of the Contract of Resolution shall be grounds for formal disciplinary action.

If the involved parties are unable to agree upon a resolution, the matter will proceed to formal disciplinary proceedings. The Mediator shall at all times retain discretion to terminate the mediation and proceed to formal disciplinary proceedings where he/she determines that the mediation process is not making adequate progress toward an appropriate resolution. All Contracts of Resolution must be approved by the Chief Judicial Officer. Whenever mediation is unsuccessful and the matter proceeds to formal disciplinary hearings.

5.7 Student Disciplinary Hearings. In those cases in which the accused student disputes the facts upon which the charges are based, such charges shall be heard and determined by a fair and impartial person or committee, hereinafter called the hearing officer or hearing committee, selected in accordance with procedures adopted by the component. Except in those cases where immediate interim disciplinary action has been taken under authority of Subsection 5.(14), the accused student shall be given at least five (5) class days written notice by the chief student affairs officer, or a designated appointee, of the date, time, and place for such hearings and the name or names of the hearing officer or hearing committee. Hearings held under Subsection 5.(14) will be held under the same procedures set forth below, but will be held as soon as practicable within twelve (12) class days after the disciplinary action has