

# Code of Student Conduct

For questions regarding the Code of Student Conduct, contact [Student Conduct and Community Standards](#) in the [Dean of Students Office](#):

LBJ Student Center 5-9.1

512-245-2124

[student-justice@txstate.edu](mailto:student-justice@txstate.edu)

[Expand](#) or [Collapse](#) all.

## I. General Provisions

### 1.01 Applicability

This Code of Student Conduct, hereafter also referred to as this code, is applicable to any student currently enrolled; enrolled in the previous semester/session and eligible to enroll in the next consecutive semester/session; or newly or readmitted and eligible to enroll in the next semester/session. A student who withdraws from school is subject to disciplinary action for any conduct that occurred while the student met the aforementioned criteria. Students involved in misconduct that would subject them to disciplinary action while not enrolled may be required to appear before the Dean of Students or designee before being readmitted to the university.

This code is adopted pursuant to authority granted by The Texas State University System (TSUS) Board of Regents.

This code is printed annually in the Student Handbook. When this code is updated between printed editions, the most updated version, generally the online version, shall prevail.

### 1.02 Definitions

- A. "Disciplinary action" means proceedings under section III of this code.
- B. "Hazing" means those activities defined in sections 37.151-37.157 of the Texas Education Code (See Student Handbook Hazing Policy).

- C. "Hearing Officer" means a person appointed by the Dean of Students to conduct hearings under section III, subsection 3.05, of this code.
- D. "Notice" means correspondence:
1. sent by mail, addressed to the addressee at the local address and/or permanent address, as shown on university records; or
  2. personally delivered to the addressee; or
  3. sent electronically from a Texas State email account to the student's Texas State email account
- E. "Preponderance of the evidence" means the greater weight of credible evidence. It means the strongest evidence, however slight the difference might be.
- F. "Published university policy" means a written rule or policy from: (1) the Board of Regents, Texas State University System; (2) a university policy and procedure statement (UPPS); (3) a university division (for example, a PPS from Academic Affairs); or (4) a faculty, staff or student handbook.
- G. "University" means Texas State University, including the San Marcos and Round Rock campuses.
- H. "University official" means a person in an official university capacity, including regents, officers, faculty and administrative staff.
- I. "University property" means property owned, controlled, used or occupied by the university, including property physically removed from Texas State campuses.

### **1.03 Awareness of Policies**

Each student is expected to be fully acquainted with all published university policies, copies of which are available to each student for review in the Alkek Library's Secured Collections (3rd floor) or online at [policies.txstate.edu](https://policies.txstate.edu). The university will hold each student responsible for compliance with these published policies. A violation occurring off campus while participating in a university-sponsored program may be treated as if the violation occurred on campus. Students also are expected to comply with all federal, state and local laws. Any student who violates any provision of those laws is subject to disciplinary action, notwithstanding any action taken by civil authorities. This principle extends to conduct off campus that is likely to have an adverse effect on the university or the educational process.

## II. Responsibilities of Students

### **2.01 Conduct Required**

Students shall conduct themselves in a manner consistent with the university's mission as an educational institution. Students who conduct themselves in a manner that violates this Code of Student Conduct may be subject to disciplinary penalties.

### **2.02 Conduct Prohibited**

Specific examples of conduct that are violations of this Code of Student Conduct include, but are not limited to, involvement or attempted involvement in the following:

- A. committing an act that would constitute a criminal offense under state, federal or municipal law
- B. violating any published university policy, including its policy against excessive parking violations
- C. failing to comply with a directive from a university official, including a summons to the office of an administrative officer at a designated time
- D. furnishing false information to the university or giving false testimony or evidence at a disciplinary or other administrative proceeding
- E. issuing a check to the university without sufficient funds or otherwise failing to meet financial obligations to the university
- F. endangering the health or safety of other persons, including, for example, throwing an object, without authorization, in or from university facilities
- G. misusing fire extinguishers or other safety equipment on university owned or controlled property
- H. interfering or disrupting university teaching, research or other activity, including administrative, disciplinary or public service activities (see Student Handbook Disruptive Activities Policy)
- I. endangering the physical or mental health or safety of any person or intentionally or recklessly causing injury to any person
- J. possession of or use of university keys without authorization

- K. engaging in or submitting to hazing (including hazing associated with an initiation by an organization using dangerous, harmful or degrading acts; see Student Handbook Hazing Policy)
- L. possessing, using or distributing alcoholic/intoxicating beverages in a manner that violates TSUS or university policies or that would constitute an offense under appropriate federal, state or municipal law (see Student Handbook Alcoholic Beverages Policy)
- M. gambling on university property
- N. possessing, using, selling or distributing any illegal drug or controlled substance and/or drug paraphernalia. (The sanctions for this violation range from mandatory counseling to expulsion. A second infraction shall result in expulsion.)
- O. possessing or using a firearm, ammunition, illegal knives (knives with blades longer than five and one-half inches, hand instruments designed to cut or stab another by being thrown, stilettos, poniards, Bowie knives, swords, and/or spears), weapon or replica thereof on university property (except as permitted by Texas Government Code Section 411.2031 – 411.2032, Texas Penal Code Section 46.035, Texas State University and the Texas State University System Rules and Regulations). For more information on “campus carry” regulations, see UPPS 01.04.45 Concealed Carry of Handguns by License Holders on University Premises
- P. possessing, igniting or detonating an explosive device, firework or flammable object on university owned or controlled property that could damage a person or property
- Q. stealing, destroying, damaging or misusing the property of the university or that of another person
- R. forging, altering, misrepresenting, or misusing university documents, forms, records, student identification cards or admission documents
- S. violating a published university policy governing residence life or breaching a Housing and Residential Life contract
- T. advocating, either orally or in writing, the conscious and deliberate violation of any federal, state or local law (“Advocating” means addressing an individual or group for imminent action and steeling it to such action as opposed to abstractly

espousing the moral propriety of such action.)

- U. entering university buildings or facilities or using university equipment or resources without authorization
- V. failing to maintain a current official mailing address in the Registrar's Office or giving a false or fictitious address to a university official
- W. initiating, communicating or circulating a false report of a present, past or future bombing, fire, offense or other emergency that would cause action by an agency organized to deal with emergencies; placing a person in fear of imminent serious bodily injury; or preventing or interrupting the occupation of a building, room, vehicle or other mode of conveyance
- X. **harassing or threatening** (by any means) to take unlawful action against any person, causing or intending to cause annoyance or alarm (see Student Handbook Discrimination, Harassment, Sexual Misconduct, and Denial of Civil Rights Policy)
- Y. engaging in academic dishonesty as described in UPPS 07.10.01 (Honor Code) and in this handbook
- Z. engaging in disorderly conduct on property owned or controlled by the university, or at a university function, that interferes with the university's programs or activities
- AA. using authority granted by state law, system rule or university policy to deprive a person of his or her civil rights
- AB. engaging in or making life-threatening gestures that endanger others or disrupt the learning environment
- AC. violating any published university policy relating to computer resources, electronic network facilities or the internet
- AD. attempting to commit any of these prohibited acts
- AE. engaging in sexual misconduct as described in the Texas State University Sexual Misconduct Policy, including engaging in, but not limited to:
  - 1. dating violence
  - 2. family (domestic) violence
  - 3. retaliation

3. retaliation

4. sexual assault

5. sexual exploitation

6. sexual harassment

7. sexual intimidation

8. sexual violence

9. stalking

AF. retaliation by threat or action against any person or university entity involved in the reporting or review of an alleged violation by any individual or allied third-party (see Texas Penal Code Section 36.06)

### III. Administration of Student Conduct and Community Standards

### IV. Appeals