



Handbook Of Operating Procedures

DISCIPLINARY CODE

A. Purpose

This policy is intended to provide students fair notice of conduct which is considered unacceptable at The University of Texas at Brownsville and Texas Southmost College (UTB/TSC) and which may be the basis for suspension, expulsion, or other disciplinary action. The conduct listed is not intended to be a complete list of conduct punishable by disciplinary action.

B. Prohibited Acts or Practices

Any student who engages in conduct that violates the Regents' *Rules and Regulations*, the University of Texas System or institutional rules and regulations, specific instructions issued by an administrative official of the institution or the U. T. System acting in the course of his or her authorized duties, or federal, State, or local laws is subject to discipline whether such conduct takes place on or off campus or whether civil or criminal penalties are also imposed for such conduct.

All students, whether regularly enrolled, full-time or part-time, or non university students participating in University-sponsored programs, are required to adhere to the Disciplinary Code. The following practices are considered unacceptable conduct subject to disciplinary action:

1. any conduct that constitutes a violation of a federal, state, or local law or regulation regardless of whether the conduct results in the imposition of a penalty prescribed by the federal, state, or local law;
2. the violation of any provision of the Regents' *Rules and Regulations* of The University of Texas System, the University of Texas *System* or institutional rules and regulations;
3. theft or damage to University property or property of a member of the University community or the property of a visitor to the University;
4. conduct which endangers the health, welfare, or safety of any person; or verbal or written threats to the health, welfare, or safety of any person;
5. sexual harassment, sexual misconduct as defined by University policy, or sexual abuse, including rape and acquaintance-rape;



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6. possession or use of any type of explosive, firearm, imitation firearm, ammunition, hazardous chemical, or weapon as defined by state or federal law, in or on a University facility or property except as may be authorized by federal, state, or local law;
7. obstruction of the free flow of traffic, either pedestrian or vehicular, on University-owned or University-controlled property;
8. violation of rules governing resident life in University-owned or University-controlled property;
9. engaging in conduct, either alone or in concert with others, that obstructs, disrupts, or interferes with any instructional, educational, research, administrative, or public service activity or program, or any athletic event or public performance or other activity authorized to be conducted in or on a University facility. Obstruction or disruption includes, but is not limited to, any act that interrupts, modifies, or damages, utility service or equipment, communication service or equipment, or computer equipment, software, or networks;
10. failure to comply with any order or instruction of an official of the University or the University of Texas System acting in the course of his or her duties, including failing to identify himself or herself and provide identification documentation to a University official when requested to do so;
11. unauthorized use of property, equipment, resources, supplies, buildings, or facilities owned or controlled by the University or owned by the University of Texas System including the unauthorized entry into such property or facilities;
12. furnishing false information to or withholding material information from a University official acting in the course of his/her duty;
13. forging or altering any parking permit, traffic ticket or parking ticket issued by the University, any ticket for admission to a program or event sponsored by the University, any means of identification issued by the University, any instrument obligating the University to pay any sum of money, any key that may be used for entering any University facility;
14. engaging in conduct that is inappropriate for members of an academic institution. Such conduct includes but is not limited to pranks, gambling, immoral conduct, dishonesty, harassing phone calls or e-mail, and berating or otherwise abusive behavior;



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15. unauthorized use of fire extinguishers, fire alarms or other safety equipment in or on University-owned or University-controlled property, or knowingly initiating, communicating or circulating a report of a fire or other emergency that is false or baseless and that would ordinarily cause action by an official or volunteer agency organized to deal with emergencies;
16. falsifying or altering of grades or other academic records such as applications for admission, grade reports, test papers, registration materials, financial aid applications, or other forms used for the conduct of official University business;
17. unauthorized use or possession of any intoxicating beverage in a university facility or campus grounds or while participating in a University sponsored trip including, but not limited to, minor in possession, public intoxication, allowing minors access, or any violation of the alcohol and other drugs (AOD) policy;
18. illegal use, possession, manufacture, sale, or distribution of any drug, narcotic or other substance that is a controlled under federal or state law or regulation, except as may be allowed by the provision of such law or regulation. Violation of this section will result in suspension from the University for a specified period of time and/or suspension of rights and privileges;
19. conduct that includes any action or situation intentionally created to persistently annoy or produce unnecessary and undue mental or emotional discomfort, embarrassment, ridicule, or interference with scholarship or personal lives;
20. using or participating with others in the use of any permit, means of identification, key, or means of access, including electronic swipe cards or card keys, issued by the University or the University of Texas System to a person other than the entitled;
21. intentional, knowing, or reckless act, occurring on or off campus of an educational institution, by one person alone or acting with others, directed against a student, that endangers the mental or physical health or safety of a student for the purpose of pledging, being initiated to, affiliating with, holding office in, or maintaining membership in any University student organization, group, or team whose members are or include students at an educational institution. The term hazing includes, but is not limited to any type of physical brutality, physical activity, activity involving consumption of food, liquid, drugs, or alcohol, activity that intimidates or threatens the student, or any activity that induces, causes, or requires the student to perform a duty or task which involves a violation of Section 51.936 of the Texas Education Code;



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22. engaging in speech, either orally or in writing, or publicly distributing, posting, or carrying any petition, handbill, piece of literature, sign, or poster on campus that is obscene or libelous, or that is directed to inciting or producing imminent lawless action and is likely to incite or produce such action;
23. scholastic dishonesty, including but not limited to, cheating, plagiarism, and collusion on an examination or an assignment being offered for credit. Each student is accountable for work submitted for credit, including group projects;
 - a. Cheating on an examination or an assignment includes:
 - 1) copying the work of another, allowing someone to copy, engaging in written, oral or any other means of communication with another, or giving aid to or seeking aid from another when not permitted by the instructor;
 - 2) using material during an examination or when completing an assignment that is not authorized by the person giving the examination or making the work assignment, including, but not limited to, electronic or digital devices such as calculators, cell phones, camera phones, scanner pens, palms, or flash drives, etc.;
 - 3) taking or attempting to take an examination for another, or allowing another to take or attempt to take an examination for a student;
 - 4) using, obtaining, or attempting to obtain by any means, the whole or any part of an examination or work assignment that is not provided for your use by your instructor;
 5. falsifying research data, laboratory reports, and/or other academic work offered for credit;
 6. any act designed to give unfair advantage to a student or the attempt to commit such an act.
 - b. Plagiarism means the unacknowledged incorporation of the work of another in work that is offered for credit;
 - c. Collusion means the unauthorized collaboration with another person in preparing academic assignments offered for credit or collaboration with another person to commit a violation of any provision of the rules on scholastic dishonesty.



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24. using any University fountain or other artificial body of water, that is not designed and maintained for recreation or therapeutic purposes, in an unauthorized manner. This includes: entering, walking, lying, playing, remaining, or being in the water of any fountain or other artificial body of water located in or on a University facility unless such person has been granted permission by the University President;
 - a. dumping, throwing, placing or causing any material, object, trash, waste, or debris to be placed in the water of any campus fountain or other artificial body of water located in or on a University facility;
 - b. damaging, defacing, or removing any portion of any fountain, monument, or memorial located on the University campus or any of the University of Texas System campuses. Any student who violates this regulation shall upon adjudication thereof be, in addition to subject to discipline, punishable by law, including a fine not to exceed \$200.
25. attempting to commit any violation of this code or to assist another person or persons in doing or attempting to do so;
26. a student who receives a period of suspension as a disciplinary penalty is subject to further disciplinary action for prohibited conduct that takes place during the period of suspension.

C. Review

This policy shall be reviewed annually by December 31st by the Dean of Students.