

13.02.99.R0.01 Administration of Discipline

Approved September 1, 1990

Revised November 6, 1992

Revised August 16, 2010



Procedure Statement

When a student or group of students stands in violation of the University Code of Conduct or State or Federal civil or criminal law, they may be subject to university disciplinary action.

Reason for Procedure

This procedure outlines the process involved should student conduct require disciplinary action and the subsequent actions of the Dean of Campus Life and Student Development.

Procedures and Responsibilities

1. GENERAL

- 1.1 Violations of law and of the Standards of Student Conduct may be reported to the Dean of Campus Life and Student Development (the Dean) for consideration or referral. This does not preclude direct referral of such matters to appropriate disciplinary or judicial agencies by faculty, staff, and students.
- 1.2 The Dean shall insure that the best interests of any offending students are served by making use of appropriate university counseling, professional services, and judicial agencies.
- 1.3 In those cases of student conduct involving psychological or mental disturbance or other unusual circumstances, such as direct threat to property or well-being of others in the university community, the Dean may take action other than the initiation of disciplinary or judicial proceedings.

2. DETERMINATION OF DISCIPLINARY ACTION

- 2.1 Where information establishes to the satisfaction of the Dean and the university that an offense has occurred, the following procedures shall be initiated. The Dean of Campus Life and Student Development shall either:

- 2.1.1 Take appropriate disciplinary action on behalf of the university;
- 2.1.2 Make a referral to the University Discipline Committee or other appropriate disciplinary or judicial agency; or
- 2.1.3 Suspend the student immediately before a disciplinary hearing is held in cases of clear and present danger of the welfare of the university community or other unusual circumstances. The student may then request a disciplinary hearing to appeal the action taken by the Dean.

3. NOTIFICATION AND HEARING

- 3.1 The student shall be advised in writing of the charges by the Dean, or the appropriate agency.
- 3.2 The student will be made aware of the online version of the Student Guidebook and given the link <http://www.tamu-commerce.edu/studentlife/guidebook.htm> which outlines the disciplinary and appeals process.
- 3.3 The student will be afforded an opportunity to state informally or present information in support of his/her case including mitigating circumstances.
- 3.4 Advance notice of the time, place, and date of the hearing shall be provided to the student.
- 3.5 The student has the right to hear evidence and ask questions of witnesses either directly or through the hearing officer.
- 3.6 All hearings shall be closed to the public unless otherwise requested by the student.
- 3.7 The Dean or appropriate agency may seek professional assistance and advice, consult with the student's parents or guardians, or take other measures to ensure fair disposition of the case.
- 3.8 The student shall be informed in writing of the action taken by the Dean or appropriate agency.
- 3.9 Should the student not appear for a disciplinary hearing, appropriate action may be taken by the university.

4. APPEAL OF DISCIPLINARY ACTION

- 4.1 Disciplinary action taken by a designee of the Dean may, if applicable, be appealed to the Dean of Campus Life and Student Development.
- 4.2 Action taken by the Dean of Campus Life and Student Development may, if applicable, be appealed to the Vice President of Student Access and Success.

4.3 Action taken by the University Discipline Committee may be appealed to the Dean of Campus Life and Student Development.

4.4 In all appeals, University Procedure [13.02.99.R0.04 Appeal Procedures](#) shall be followed or the appeal will not be considered.

5. GROUP OFFENSES

5.1 Group offenses will follow the same procedures as individual student offenses, except where it pertains to organizational status only as set forth in University Procedure [13.02.99.R0.08 Group Offenses](#).

6. FELONIES ON CAMPUS

6.1 Criminal charges may be filed by the University Police Department with the appropriate court of jurisdiction.

6.2 The Dean may take immediate disciplinary action and/or may refer the case to the University Discipline Committee.

6.3 If the university does not take disciplinary action and the individual is later convicted in criminal court, disciplinary action may be enforced.

7. FELONIES OFF CAMPUS

7.1 The university, at its discretion, may take immediate disciplinary action in response to a felony charge which occurs off-campus.

Related Statutes, Policies, or Requirements

System Policy [13.02 Student Rights and Obligations](#)

University Procedure [13.02.99.R0.04 Appeal Procedures](#)

University Procedure [13.02.99.R0.05 Disciplinary Records](#)

University Procedure [13.02.99.R0.06 Standards of Student Conduct](#)

University Procedure [13.02.99.R0.07 Disciplinary Actions](#)

University Procedure [13.02.99.R0.08 Group Offenses](#)

[Student Guidebook](#)

Contact Office

Dean, Campus Life and Student Development
903-886-5153