



TEXAS LUTHERAN UNIVERSITY

*Learn Boldly. Live to Inspire.*

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**2017-2018**

**STUDENT HANDBOOK**



# WELCOME TO THE TLU COMMUNITY

Welcome to Texas Lutheran University! We are glad you are here.

The start of the fall academic term is an exciting time on a college campus. August brings a fresh start, complete with “New Year’s” resolutions: to study harder, use time more wisely, live healthier, take on new challenges and stretch to meet your goals.

Whether you are a new or returning student at TLU, resolve to make the most of the coming year. At TLU our motto is “Learn Boldly. Live to Inspire.” Put these words into action and expect your best. Move outside your comfort zone, and discover and develop your talents. Surprise others—and yourself—with what you accomplish. Know that the faculty and staff of TLU are here to support and encourage you.

Let’s make this the best year ever – for you and for TLU.

Stuart Dorsey  
President

August, 2017

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# STATEMENT ON UNIVERSITY GOVERNANCE

Texas Lutheran University is owned and operated by the Texas Lutheran University Corporation. The corporation consists of representatives from each of the three Evangelical Lutheran Church in America synods in closest proximity to the university: Northern Texas-Northern Louisiana Synod, Texas-Louisiana Gulf Coast Synod and Southwestern Texas Synod. Nine additional members are appointed by the university Board of Regents.

The corporation entrusts the actual governing of the university to the Board of Regents, which is, in actual practice, the final authority in all matters relating to the university.

The president of the university represents the board in the day-by-day operation of the university. It is his/her responsibility to recommend policies to the board, to interpret policies on behalf of the board, and to provide for implementation of the board policies. In these responsibilities, the president is assisted by the various members of the administrative staff, whom he/she appoints. In addition, the faculty and students play an important role in developing various policies.

The faculty meets regularly to transact business. The faculty has delegated some of its responsibilities to committees or councils, most of which have administrative staff and student membership.

The Student Government Association is the primary agency of student involvement in institutional governance.

Decisions of the faculty, the student association, and university committees, councils, or organizations are subject to review by the Board of Regents (or the president, as representing the board) before becoming effective. In unusual circumstances, the president representing the board may make exceptions to established policies and procedures.

This statement is intended to reflect the current situation at TLU and is in harmony with the university's articles of incorporation and the relevant sections in the *Faculty Handbook*.

Administrative staff, faculty, and students who choose to attend or to work at TLU indicate thereby that they accept and support the policies of the university. They should be aware that policies may change during their tenure at Texas Lutheran. Indeed, they or their representatives will normally participate in continual evaluation of policies and in the making of policy changes.

# MISSION STATEMENT

Texas Lutheran University is a community of learning and a community of faith.

As a community of learning, the university stresses the liberating potential of the disciplined pursuit of academic excellence within the context of academic freedom. Its faculty and staff seek to engage each student in a process of self-education as it will assist him or her to develop as an informed and resourceful person in today's rapidly changing world. It provides an academic program based upon the tradition of the liberal arts and designed to serve a diversified community.

As a community of faith, the university celebrates the liberating power of gospel as applied to the whole of human life. The biblical vision of the world as created, judged, redeemed and fulfilled by God in Christ is rich in significance for the work and hopes of persons today. It is the unique privilege and responsibility of the Christian university to explore these implications freely and boldly. Thus it leads the church to face the challenge of new insights and to formulate fresh means of creative service.

As an institution of the church, the university provides an education in the arts and sciences that is given perspective by the Christian faith. This function is carried out through a curriculum leading to undergraduate and select graduate degrees. The university encourages students to participate in service work tied to reflective discussions about its place in their lives.

In working to bring learning and faith into intimate relationship, Texas Lutheran University is discovering afresh that each can strengthen, clarify and enrich each other. Men and women who live and work in these contexts find their own purposes enlarged and deepened. A compassion born of faith and a competence informed by learning shape the mission of the university in this day.

(Adopted by the faculty in 1967; revised in 1979, 1998, 2013)

# NON-DISCRIMINATION STATEMENT

Texas Lutheran University does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities. The following person has been designated to handle inquiries regarding the non-discrimination policies: Dr. Bernadette Buchanan, Title IX Coordinator, 830-372-8060. TLU's Title IX policies are outlined at [www.tlu.edu/titleix](http://www.tlu.edu/titleix). For further information on notice of non-discrimination, visit <http://wdcrobcop01.ed.gov/CFAPPS/OCR/contactus.cfm> for the address and phone number of the office that serves your area, or call 1-800-421-34



# STUDENT OBLIGATIONS

## **Expectations**

This handbook is a compilation of information regarding student life at the university. Students are expected to be familiar with the contents of this handbook. The university assumes that students have read it thoroughly and become acquainted with all the policies and regulations it covers. Whether resident or non-resident, student or guest, the rules listed herein are applicable under the designated circumstances.

All policies, procedures, and information within this handbook are reviewed on an annual basis and are up-to-date as of the time of publication. Changes may have occurred without notice following its publication, however. If so, campus wide notification will be made through university email and a hard copy can be downloaded and printed at the user's convenience.

While this handbook covers most of the university's guidelines and policies, students should be familiar with other publications of the university as well, among them the university catalog, and various brochures. If any item in this handbook seems vague or ambiguous, please bring questions to the Dean of Students in the Alumni Student Center for clarification.

Please note that throughout this handbook residence halls refer to the traditional halls of Clifton, Trinity, Baldus, Hahn, Knutson, Kraushaar, Centennial Hall, and Seguin Hall. Other residential buildings are referred to as apartments.

## **Responsibilities**

By applying for admission, all students assume full responsibility for their conduct and actions while at Texas Lutheran University. Texas Lutheran University assumes a non-custodial relationship with students. Each student is considered an adult and is accordingly susceptible to legal responsibility for his or her acts or omissions. In the event any assertion or claim for damages is made against Texas Lutheran University due to the negligent or intentional act or omission of any student, the university reserves the right to seek contribution from or indemnity by the student as to all such claims, damages, costs, or expenses incurred by the university in connection with such claim.

## TLU HONOR CODE

### *Stay True to TLU*

*Bulldogs demonstrate respect, pride and leadership through integrity and accountability in our academics and community.*



**Academics** – *We are part of a team that is determined and dedicated to our education. For our success, the faculty will challenge our understanding in a competitive learning environment. We will fulfill coursework with our own ideas, give recognition to others when we borrow, and hold our peers to the same.*

**Beliefs** – *TLU has a diverse and meaningful faith based atmosphere that fosters spiritual growth and humility. Our beliefs promote honesty and integrity in all that we do.*

**Community** – *Our school spirit and tight knit community are a result of our friendly, supportive, compassionate and open environment. As long as we strive to be exemplary, TLU's prestigious traditions will provide lifelong opportunity through networking and personal empowerment.*

## **STUDENT CODE OF CONDUCT**

A student who enrolls at Texas Lutheran University voluntarily becomes a part of a community where respect for others is the norm, and rational, mature behavior is expected. The voluntary entrance into the community implies acceptance by the student of university regulations, and the failure to comply with these standards subjects the student to disciplinary action.

Many university regulations are simply a formal statement of those principles of conduct commonly accepted in our society. Others are statements of additional items necessary for the successful functioning of a residential academic community. As a result, some university standards may go beyond those of society in general.

Students lose neither their rights nor their responsibilities of citizenship when they enroll and are therefore expected to exercise mature conduct both on and off campus. They are responsible to civil authorities for any violation of civil law, which includes local, state and federal laws. When civil law has been violated, the university may also take disciplinary action when it is deemed that the university's principles or interests have been compromised as well. If a student commits a felony on the campus, the university reserves the right to take disciplinary action if its own interests are affected. This may be in addition to whatever actions are taken by civil authorities. The university does not attempt to protect the student from the law by substituting its own disciplinary action for that of the State's. Law enforcement officials are notified whenever evidence of a possible violation of civil law has been found.

### **Philosophy Statement**

Texas Lutheran University is committed to creating and maintaining an environment where individual and institutional responsibility combine to promote each student's complete education and development. The academic freedoms to teach and learn are integral to this environment. The university seeks to develop policies and procedures that encourage these freedoms, which depend on appropriate opportunities and conditions in the classroom, on campus, and in the larger community. Students should exercise their freedom with responsibility. The responsibility to secure and respect general conditions conducive to the freedom to learn is shared by all members of the academic community. TLU will strive to develop policies and procedures that provide and safeguard this freedom.

In order for TLU to achieve this goal within an atmosphere where the rights of its members are respected, it is necessary to establish a code of student conduct. These regulations have been developed to reflect the nature of a student community and the situations inherent in it. The code is enforceable both on campus and off campus.

It is the intention of this code to clarify the standards of behavior essential to TLU's educational mission and its community life. While the code is comprehensive and applicable to all students, it is not written with the specificity of a criminal statute, it is not an exhaustive attempt to codify every possible type of problematic behavior, it is not intended to punish students, and it is not a contract between the university and its students. Rather, the conduct code exists to protect the interests of the community and to challenge those whose behavior is not in accordance with our policies. Sanctions are intended to challenge students' moral and ethical decision-making and to help them bring their behavior into accord with our community expectations. When a student is unable to conform their behavior to community expectations, the student conduct process may determine that the student should no longer share in the privilege of participating within that community.

Students should be aware that the student conduct process is quite different from criminal and civil court proceedings. Procedures and rights in student conduct procedures are conducted with fairness to all, but do not include the same protections of due process afforded by the courts. Due process, as defined

## STUDENT CODE OF CONDUCT

within these procedures, assures written notice and a hearing before an objective decision maker. No student will be found in violation of university policy without information showing that it is more likely than not that a policy violation occurred and any sanctions will be proportionate to the severity of the violation and to the cumulative conduct history of the student.

Each student will be treated as an individual within the disciplinary process, with the goal of enhancing his/her growth in various areas, including those of developing responsibility for discipline and behavior. Because of the individual nature of students, their behaviors, and the particular circumstances involved, the university may not in every situation be able to follow this code precisely. The following are seen as the desired outcomes for the student disciplinary process:

- To encourage and teach responsibility for one's own actions.
- To inform and thus redirect problematic behavior.
- To protect the rights of others in the community.

Every student member of the university community is provided benefits in accordance with the expectation that each student has maturity, intelligence, and concern for the rights of others. Only when a person demonstrates a lack of cooperation and considerations does the university, acting through its officials and conduct policies, take some disciplinary action. Behavior, whether attempted or committed, judged to be disruptive to the community atmosphere cannot be tolerated.

Students are asked to assume positions of responsibility in the enforcement of the code of conduct at TLU in order that they might contribute their skills and insights to the resolution of disciplinary cases. Final authority in disciplinary matters, however, is vested in the President of the university and his/her designees. The Vice President and Dean of Student Life & Learning shall have authority from the President of TLU to assign adjudication of cases to the administrative hearing officers, disciplinary hearing panel, appellate hearing panel, or administration.

It is important to note that several other important policies also govern specific aspects of campus life. All students need to be familiar with the following:

- Residence Life policies (see [Student Life on Campus](#) section of this handbook)
- Food Service policies (<https://tlu.sodexomyway.com/dining-plans/index.html>)
- Campus Computing policies ([https://my.tlu.edu/ICS/IT/Campus\\_Computing\\_Policies\\_And\\_Computer\\_Standards.inz](https://my.tlu.edu/ICS/IT/Campus_Computing_Policies_And_Computer_Standards.inz))
- Academic policies ([https://my.tlu.edu/ICS/icsfs/1718\\_Catalog\\_Compiled.pdf?target=0e68ca33-18a7-478c-83dd-38ee4738ddef](https://my.tlu.edu/ICS/icsfs/1718_Catalog_Compiled.pdf?target=0e68ca33-18a7-478c-83dd-38ee4738ddef))

### **Section 1: Definitions**

- **Accused Student** - any student accused of violating the standards of conduct for students (this chapter).
- **Administrative Hearing Officer** - a university official authorized on a case-by-case basis by the Vice President and Dean of Student Life & Learning to impose sanctions upon students found to have violated the student code. The Vice President and Dean of Student Life & Learning may authorize the same administrative hearing officer to impose sanctions in all cases.
- **Appellate Body** - any person or persons authorized by the Vice President and Dean of Student Life & Learning to consider an appeal from a disciplinary body's determination as to whether a student has violated the student code or from the sanctions imposed by the administrative hearing officer.

## STUDENT CODE OF CONDUCT

- **Cheating** - includes, but is not limited to: (1) use of any unauthorized assistance in taking quizzes, test, or examinations; (2) dependence upon the aid of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments; (3) the acquisition, without permission, of tests or other academic material belonging to a member of the university faculty or staff or (4) engaging in any behavior specifically prohibited by a faculty member in the course syllabus or class discussion.
- **Complainant** - any person who submits a charge alleging that a student violated this student code. When a student believes that s/he has been a target of another student's misconduct, the student who believes s/he has been a target will have the same rights under this student code as are provided to the complainant, even if another member of the university community submitted the charge itself.
- **Disciplinary Body** - any person or persons authorized by the Vice President and Dean of Student Life & Learning to determine whether a student has violated the student code of conduct and recommend imposition of sanctions.
- **Due Process** - students are assured written notice and a hearing before an objective decision maker for any alleged violation of the student code of conduct.
- **Faculty Member** - any person hired by the university to conduct classroom or teaching activities or who is otherwise considered by the university to be a member of the faculty.
- **Hearing Panels** – made up of faculty, staff and students. The panel will be trained by the Associate Dean of Students. Criteria for students serving on the hearing panel are:
  1. Be in academic good standing and have completed 15+ hours of TLU academic credit with a cumulative GPA of at least 2.5.
  2. Be in good standing with respect to the conduct process throughout the term in which they serve. Good standing is defined as having no record of misconduct during the semester(s) in which a student wishes to serve on the panel, as well as not currently being on any probation. A serious history of misconduct could disqualify a student for service.
  3. Submit a letter of recommendation from a faculty or administrative staff member from within the TLU community
- The term “**may**” is used in the permissive sense.
- **Member of the University Community** - includes any person who is a student, faculty member, university official or any other person employed by the university. The Vice President and Dean of Student Life & Learning shall determine a person's status in a particular situation.
- **Organization** - any number of persons who have complied with the formal requirements for university recognition.
- **Plagiarism** - includes, but is not limited to, the use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgment. It also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.
- **Policy** - the written regulations of the university as found in, but not limited to, the student code, the TLU Student Handbook, the university web page and computer use policy, and the Texas Lutheran University Catalog.

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- **Preponderance of the Evidence** – term, meaning more likely than not, is the standard of proof that must be met to determine whether the accused student has violated the standards of conduct for students.
- **Responding Student** - any student accused of violating the student code.
- The term “**shall**” is used in the imperative sense.
- **Student** - includes all persons taking courses at the university, both full-time and part-time, and pursuing undergraduate, graduate, or professional studies. Persons who are not officially enrolled for a particular term but who have a continuing relationship with TLU or who have been notified of their acceptance for admission are considered “students” as are persons who are living in the university’s residence halls or apartments although not enrolled in this institution. TLU retains conduct jurisdiction over students who choose to take a leave of absence, withdraw or have graduated for any misconduct that occurred prior to the leave, withdrawal or graduation. This student code does apply at all locations of the university.
- **Substantial University Interest** - is defined to include:
  - Any situation where it appears that the student’s conduct may present a danger or threat to the health or safety of him/herself or others; and/or
  - Any situation that significantly impinges upon the rights, property or achievements of self or others or significantly breaches the peace and/or causes social disorder; and/or any situation that is detrimental to the educational mission and/or interests of the university.
- **University** - means Texas Lutheran University.
- **University Official** - includes any person employed by the university, performing assigned administrative or professional responsibilities.
- **University Premises** - includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the university (including adjacent streets and sidewalks).
- **Vice President and Dean of Student Life & Learning** - that person designated by the university President to be responsible for the overall administration of the student code.

### **Section 2: Standards and Process in Conduct Code Violation Cases**

The purpose of a disciplinary proceeding is to provide an evaluation of a responding student’s responsibility for violating the Student Code of Conduct. Formal courtroom rules need not and will not be applied. Deviations from the outlined procedures may occur on occasion and will not invalidate a decision or proceeding unless, at the sole discretion of the Vice President and Dean of Student Life & Learning (or designee), a significant prejudice to a student or the university may result or has resulted. The university disciplinary hearing system should not become excessively legalistic or adversarial. The hearing bodies may find it necessary frequently and firmly to remind parties and/or advisors that the proceedings are not criminal or civil trials, that criminal or civil standards of due process and rules of evidence are not controlling and that the hearing bodies shall enjoy considerable discretion to interpret, vary, and waive procedural requirements.

The university reserves the right to modify these processes when it determines necessary in particular circumstances.

### **Section 3: Jurisdiction**

The Vice President and Dean of Student Life & Learning is designated by the Texas Lutheran University President to be responsible for the development of policies and the administration of the Student Code of Conduct.

TLU students are provided a copy of the Student Code of Conduct in the form of a link on the TLU website ([www.tlu.edu](http://www.tlu.edu)) and portal ([my.tlu.edu](http://my.tlu.edu)). Hard copies are available upon request from the Dean of Students Office. Students are responsible for having read and abiding by the provisions of the Student Code of Conduct.

The Student Code of Conduct and the student conduct process apply to the conduct of individual students, both undergraduate and graduate, including all university-affiliated student organizations. For the purposes of student conduct, the university considers a student to include all persons taking courses at the university, both full-time and part-time, and pursuing undergraduate, graduate, or professional studies. Persons who are not officially enrolled for a particular term but who have a continuing relationship with TLU or who have been notified of their acceptance for admission are considered “students” as are persons who are living in the university’s residence halls or apartments although not enrolled in this institution. This student code does apply at all locations of the university.

TLU retains conduct jurisdiction over students who choose to take a leave of absence, withdraw or have graduated for any misconduct that occurred prior to the leave, withdrawal or graduation. If sanctioned, a hold may be placed on the student’s ability to re-enroll, obtain official transcripts, and/or graduate. All sanctions must be satisfied prior to re-enrollment eligibility.

The Student Code of Conduct applies to behaviors that take place on the campus, at university-sponsored events and may also apply off campus when the Vice President and Dean of Student Life & Learning (or designee) determines that the off-campus conduct affects a substantial university interest. A substantial university interest is defined to include:

- Any situation where it appears that the student’s conduct may present a danger or threat to the health or safety of him/herself or others; and/or
- Any situation that significantly impinges upon the rights, property or achievements of self or others or significantly breaches the peace and/or causes social disorder; and/or
- Any situation that is detrimental to the educational mission and/or interests of the university.

The Student Code of Conduct may be applied to behavior conducted online, via email or other electronic medium. Students should also be aware that online postings such as blogs, web postings, chats and social networking sites, are in the public sphere and are not private. These postings can subject a student to allegations of conduct violations. TLU does not regularly search for this information, but may take action if and when such information is brought to the attention of university officials.

The Student Code of Conduct applies to guests of community members whose hosts may be held accountable for misconduct of their guests. The code may also be applied to resident non-students, campers and high school dual participants, and continuing education programs by contractual agreements. Visitors to and guests of TLU may be informed of the resolution of violations of the Student Code of Conduct committed against them by members of the university community.

There is no time limit on reporting violations of the Student Code of Conduct; however, the longer someone waits to report an offense, the harder it becomes for university officials to obtain information and witness statements and to make determinations regarding alleged violations. Though anonymous complaints are permitted, doing so may limit the university’s ability to investigate and respond to a complaint. Those who are aware of misconduct are encouraged to report it as quickly as possible to the Dean of Students Office and/or the TLU Police Department.

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A responding student facing an alleged violation of the Student Code of Conduct is not permitted to withdraw from TLU until all allegations are resolved. University email is the primary means of communication with students. Students are responsible for all communication delivered to their university email address.

### **Section 4: Violations of the Law**

Alleged violations of federal, state, and local laws may be investigated and addressed under the Student Code of Conduct. When an offense occurs over which the university has jurisdiction, the university disciplinary process will usually go forward notwithstanding any criminal complaint that may arise from the same incident. Disciplinary action at the university will not be subject to challenge on the grounds that criminal charges involving the same incident have been dismissed or reduced.

The university reserves the right to exercise its authority of interim suspension upon notification that a student is facing criminal investigation and/or complaint. Interim suspensions are imposed until a hearing can be held, typically within two weeks. This hearing may resolve the allegation, or may be held to determine if the interim suspension should be continued. The interim suspension may be continued if a danger to the community is posed and if the university may be delayed or prevented from conducting its own investigation and resolving the allegation by the pendency of the criminal process. In such cases, the university will only delay its hearing until such time as it can conduct an internal investigation or obtain sufficient information independently or from law enforcement upon which to proceed. This delay should be no longer than two weeks from notice of the incident unless a longer delay is requested in writing by the complainant to allow the criminal investigation to proceed before the university process begins.

Students accused of crimes may request to take a leave from the university until the criminal charges are resolved. In such situations, the university procedure for voluntary leaves of absence is subject to the following conditions:

- The responding student must comply with all campus investigative efforts that will not prejudice their defense in the criminal trial; and
- The responding student must comply with all interim sanctions and/or restrictions imposed during the leave of absence; and
- The responding student must agree that, in order to be reinstated to active student status, they must first be subject to, and fully cooperate with, the campus conduct process and must comply with all sanctions that are imposed.

TLU also reserves the right to self-initiate disciplinary proceedings against students who have been formally charged by legal authorities with criminal violations that occurred off campus or who may have otherwise committed an action off campus which may be related to the security or safety of the university community or the integrity of the educational process or otherwise constitute a violation of the Student Code of Conduct.

### **Section 5: Conduct – Rules and Regulations**

TLU considers the behavior described in the following sub-sections as inappropriate for the university community and in opposition to the standards and expectations set forth in this document. These rules apply to all students, whether undergraduate, graduate, or professional. TLU encourages community members to report to university officials all incidents that involve the following actions. Any student found to have committed or to have attempted to commit the following misconduct is subject to the sanctions outlined within the Student Code of Conduct. **(See Appendix for complete text of each policy listed below except those marked with “Sexual Assault-Title IX” which are found in the Sexual Assault-Title IX Policies and Procedures.)**



1. **Abuse of Conduct Process.** Abuse or interference with, or failure to comply in, TLU processes including, but not limited to:
  - a. Falsification, distortion, or misrepresentation of information;
  - b. Failure to provide, destroying or concealing information during an investigation of an alleged policy violation;
  - c. Disruption or interference with the orderly conduct of a disciplinary proceeding;
  - d. Attempting to discourage an individual's proper participation in, or use of, the campus disciplinary system;
  - e. Harassment (verbal or physical) and/or intimidation of a member of a campus disciplinary body prior to, during, and/or following a campus disciplinary proceeding;
  - f. Failure to comply with the sanction(s) imposed by the campus disciplinary system;
  - g. Influencing, or attempting to influence, another person to commit an abuse of the campus disciplinary system.
  
2. **Academic Dishonesty.** Acts of academic dishonesty as outlined in the *Academic Honesty Policy* in Chapter VI: University Information and Policies.
  
3. **Alcohol.** Use, possession, distribution of alcoholic beverages or paraphernalia except as expressly permitted by law and TLU's alcohol policy as outlined in the *Alcohol Policy* found in Chapter VI: University Information and Policies.
  
4. **Animals.** Animals, with the exception of animals that provide assistance (e.g. seeing-eye dogs), and pets as outlined in the Chapter VII: Residence Life, are not permitted in buildings on campus.
  
5. **Arrest.** Failure of any student to accurately report an off-campus arrest by any law enforcement agency for any crime (including non-custodial or field arrests) to the Dean of Students Office within 72 hours of release.
  
6. **Assault.** An unlawful physical attack by one person upon another where neither the offender displays a weapon nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.
  
7. **Bullying and Cyberbullying.** Bullying and cyberbullying are repeated and/or severe aggressive behaviors that are intended to intimidate, harm or control another person physically or emotionally, or that result in such intimidation, harm or control. Bullying and cyberbullying are not protected by freedom of expression.
  
8. **Careless Conduct.** Careless conduct which, by its nature, creates an unnecessary risk of physical harm including but not limited to:
  - a. Riding on the top of any elevator;
  - b. Climbing or rappelling from walls or other physical structures;
  - c. Unauthorized entry into the campus steam tunnels, air handling ducts, plumbing, electrical, or other utilities conduit or systems;
  - d. Unauthorized access to rooftops, closed sections of buildings, or other restricted access areas;
  - e. Failure to obey posted traffic control signs when operating a motor vehicle on campus;
  - f. Class and/or lab behavior which endangers self or others.
  
9. **Collusion.** Action or inaction with another or others to violate the Student Code of Conduct.
  
10. **Computing and Telecommunications.** Misuse or abuse of the university's telephone system or computing systems is prohibited and includes, but is not limited to:
  - a. Unauthorized entry into a file to use, read or change the contents or for any other purpose;
  - b. Unauthorized transfer or copy of any file or software;
  - c. Unauthorized use of another individual's identification and password;

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- d. Use of computing facilities to interfere with the work of another student, faculty member or university official;
  - e. Use of computing facilities to send obscene, abusive, or harassing messages;
  - f. Use of university-owned or supported equipment to access, download, store or distribute pornographic materials;
  - g. Use of computing facilities to interfere with normal operation of the university computing system.
11. **Damage and Destruction.** Intentional, reckless, and/or unauthorized damage to or destruction of TLU property or the personal property of another.
  12. **Dishonesty.** Including cheating, lying, plagiarism, forgery, supplying false information, unauthorized possession of university property, unauthorized possession and/or publication of university lists, records, or information protected through confidentiality agreements and/or laws; misuse of student identification cards; and falsely identifying or failing to identify one's self to or when requested to do so by a member of the university community.
  13. **Disruptive Behavior.** Substantial disruption of TLU operations including obstruction of teaching, research, administration, other TLU activities, and/or other authorized non-university activities which occur on campus.
  14. **Disruptive Classroom Conduct.** Disruptive classroom conduct means engaging in behavior that substantially or repeatedly interrupts either the instructor's ability to teach or student learning. The classroom extends to any setting where a student is engaged in work toward academic credit or satisfaction of program based requirements or related activities.
  15. **Drugs.** Use, possession or distribution of illegal drugs and other controlled substances or drug paraphernalia except as expressly permitted by law and the TLU *Drug Policy*. Abuse, misuse, sale or distribution of prescription or over-the-counter medications.
  16. **Failure to Comply.** Failure to comply with the reasonable directives of TLU officials or law enforcement officers during the performance of their duties and/or failure to identify oneself to these persons when requested to do so.
  17. **False Reports.** Initiating, communicating, or circulating a report of a present, past, or future bombing, fire, offense, or other emergency that a person knows is false or baseless and that would ordinarily:
    1. Cause action by an official or volunteer agency organized to deal with emergencies
    2. Place a person in fear of imminent serious bodily injury
    3. Prevent or interrupt the occupation of a building, room, place of assembly, place to which the public has access, or aircraft, automobile, or other mode of conveyance.
  18. **Falsification.** Knowingly furnishing or possessing false, falsified or forged materials, documents, accounts, records, identification or financial instruments.
  19. **Financial Responsibilities.** Failure to promptly meet financial responsibilities to the institution, including but not limited to, knowingly passing a worthless check, money order or other monetary transaction in payment to the institution or to an official of the institution acting in an official capacity.
  20. **Fire Safety.** Violation of local, state, federal or campus fire policies including, but not limited to:
    - a. Intentionally or recklessly causing a fire which damages TLU or personal property or which causes injury;
    - b. Failure to evacuate a TLU-controlled building during a fire alarm;
    - c. Improper use of TLU fire safety equipment; or
    - d. Tampering with or improperly engaging a fire alarm or fire detection/control equipment while on TLU property. Such action may result in a local fine in addition to university sanctions.

21. **Fireworks & Hazardous Substances** Possession and/or use of fireworks (including sparklers), or explosives of any kind is prohibited on campus. Flammable liquids and solvents (gasoline, kerosene, lighter fluid, propane, etc.) and other hazardous chemicals are prohibited on campus (except by authorized personnel such as Facility Services).
22. **Gambling.** Gambling as prohibited by federal and Texas law, including online gambling. Gambling for money or other things of value on campus or at university-sponsored events is prohibited except as permitted by law. Such prohibited activity includes, but is not limited to: betting on, wagering on, or selling pools on any university athletic event; possessing on one's person or premises (e.g. room, residence, car) any card, book or other device for registering bets; knowingly permitting the use of one's premises or one's phone or other electronic communications device for illegal gambling; knowingly receiving or delivering a letter, package or parcel related to illegal gambling; offering, soliciting, or accepting a bribe to influence the outcome of an athletic event; and involvement in bookmaking or wagering pools with respect to athletic events.
23. **Harassment.** Any unwelcome conduct based on actual or perceived status including: sex, gender, race, color, age, creed, national or ethnic origin, physical or mental disability, veteran status, pregnancy status, religion, sexual orientation or other protected status. The term harassment includes, but is not limited to, slurs, jokes, or unwelcome verbal, written, graphic, electronic or physical conduct. Any conduct a reasonable person would consider unwelcome or that the actor knows is unwelcome should be reported to campus officials, who will act to remedy and resolve reported incidents on behalf of the alleged victim and community.
24. **Hostile Environment.** Sanctions can and will be imposed for the creation of a hostile environment only when (unwelcome) harassment is sufficiently severe, pervasive (or persistent) and objectively offensive that it unreasonably interferes with, limits, or denies the ability to participate in or benefit from the university's educational or employment program or activities. **(Full policy in Sexual Assault-Title IX section)**
25. **Harm to Persons.** Intentionally or recklessly causing physical harm or endangering the health or safety of any person.
26. **Hazing.** Defined as an act that endangers the mental or physical health or safety of a student, or that destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. Participation or cooperation by the person(s) being hazed does not excuse the violation. Failing to intervene to prevent, and/or failing to discourage, and/or failing to report those acts may also violate the policy. (See complete *Hazing Policy* in Chapter VI: University Information and Policies)
27. **Health and Safety.** Creation of health and/or safety hazards (dangerous pranks, hanging out of or climbing from/on/in windows, balconies, roofs, etc.)
28. **Hoverboards.** Hoverboards, self-balancing scooters, and hands-free segways are not permitted on campus or in any TLU building.
29. **Ineligible Pledging or Association.** Pledging or associating with a student organization without having met eligibility requirements established by the university.
30. **Intimate Partner/Relationship Violence.** Violence or abuse by a person in an intimate relationship with another. **(Full policy in Sexual Assault -Title IX section)**
31. **Non-Discrimination.** Any act or failure to act that is based upon an individual or group's actual or perceived status (sex, gender, race, color, age, creed, national or ethnic origin, physical or mental disability, veteran status, pregnancy status, religion, or sexual orientation or other protected status) that is sufficiently severe that it limits or denies the ability to participate in or benefit from the university's educational program or activities.

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32. **Obstruction.** Intentional obstruction which unreasonably interferes with freedom of movement, either pedestrian or vehicular, on campus.
33. **Other Policies.** Violating other published university policies or rules, including all residence hall policies.
34. **Parking & Streets.** Individuals who accrue three or more parking tickets are subject to get their vehicle booted. The boot will not be removed until the student takes care of any outstanding parking violation fines. The university reserves the right to revoke parking privileges and to enforce towing policies for violations of the parking policy. (For questions regarding Students with Disabilities parking, see [Accommodations for Students with Disabilities section](#).)
35. **Personal Behavior.** Disciplinary action is taken for personal conduct which is (a) indecent, lewd, or obscene, (b) dangerous to the physical or mental well-being of ones self or others, (c) destructive to property, (d) malicious, mischievous, or disruptive in nature, (e) lacking in respect for the rights and dignity of others, and/or (f) in violation of civil law.
36. **Public Exposure.** Includes deliberately and publicly exposing one's intimate body parts, public urination, defecation, and public sex acts.
37. **Recognized Student Organization Conduct.** Sororities, fraternities, athletic teams, and recognized student organizations shall comply with the standards of conduct for students and with university policies. When a member or members is found responsibility through the disciplinary process, the organization and/or individual members may be subject to appropriate sanctions.
38. **Residence Life Policies.** Violating published Residence Life policies or rules.
39. **Responsible Bystander.** Complicity with or failure of any student, and/or organized group, to appropriately address known or obvious violations of the Student Code of Conduct or law.
40. **Retaliatory Discrimination or Harassment.** Any intentional, adverse action taken by a responding individual or allied third party, absent legitimate nondiscriminatory purposes, against a participant (or supporter of a participant) in a disciplinary proceeding, civil rights grievance proceeding, or other protected activity under this code. **(Full policy in Sexual Assault -Title IX section)**
41. **Rioting.** Causing, inciting or participating in any disturbance that presents a clear and present danger to self or others, causes physical harm to others, or damages and/or causes destruction of property.
42. **Sales and Solicitation.** Canvassing or solicitation for funds, sales, or subscriptions is prohibited on campus or in university buildings, and outside and for-profit groups are not allowed to sell items or solicit members of the university community unless written permission has been granted by the Dean of Students (or designee). The sale of merchandise, or publications or service on University property, other than by contracted vendors, authorized stores, restaurants, departments or divisions of the university, is likewise prohibited except upon written permission of the Dean of Students (or designee).
43. **Sexual Misconduct.** Includes, but is not limited to, sexual harassment, non-consensual sexual contact, non-consensual sexual intercourse, and/or sexual exploitation. **(Full policy in Sexual Assault -Title IX section)**
44. **Stalking.** Stalking is a course of conduct directed at a specific person that is unwelcome and would cause a reasonable person to feel fear. **(Full policy in Sexual Assault -Title IX section)**

45. **Student Elections.** TLU Student Government Association outlines campaigning guidelines and handles minor violations including appeals within the election of any university-recognized student organization in addition to referendum placed on ballots for student vote.
46. **Theft.** The unlawful taking or maintaining possession, carrying, leading, or riding away of property from the possession or constructive possession of another.
47. **Threatening Behaviors.**
- a. Threat. Written or verbal conduct that causes a reasonable expectation of injury to the health or safety of any person or damage to any property.
  - b. Intimidation. Intimidation defined as implied threats or acts that cause a reasonable fear of harm in another.
48. **Tobacco.** Smoking tobacco or the use of any tobacco products (including but not limited to lighted cigarettes [clove, bidis, kreteks], cigars, cigarillos, pipes, electronic nicotine delivery systems, hookahs, and any smokeless, spit or spit-less, dissolvable, or inhaled tobacco products, including but not limited to dip, chew, snuff or snus) is prohibited in and on all university owned and leased property to include buildings, grounds, athletic fields and facilities, resident and housing areas, green space, sidewalks and walkways. Sale, distribution, marketing, promotion and/or advertisement of tobacco products is prohibited on campus. Smoking and tobacco use will be allowed inside of one's personal vehicle, in parking lots, and rental non-student housing
49. **Trademark.** Unauthorized or inappropriate use of the university name or logo, or the names or likenesses of identifiable organizations or features of Texas Lutheran University. These include, but are not limited to, the names or logos of university athletic teams or organizations; recognized student organizations, residence halls and other campus buildings; and images and descriptions from university publications. Inappropriate use includes, but is not limited to:
- a. Use of university names and images for commercial purposes without permission.
  - b. Use of university names and images not recognized by TLU.
  - c. Use of university names and images in conjunction with activities not in accordance with TLU policies.
50. **Unauthorized Access; Failure to Report Lost TLU Identification, Card, or Key.** Unauthorized access to any university building (i.e. keys, cards, etc.) or unauthorized possession, duplication or use of means of access to any TLU building or failing to timely report a lost TLU ID card, or key.
51. **Unauthorized Entry.** Misuse of access privileges to TLU premises or unauthorized entry to or use of buildings, including trespassing, propping or unauthorized use of alarmed doors for entry into and exit from a university building.
52. **University Resources.** Possessing or making copies of university keys for an unauthorized purpose, unauthorized use of TLU buildings, facilities, equipment or resources is prohibited.
53. **Violation of Law.** Evidence of violation of federal, state or local law on (a) any university premises or at any university-sponsored or supervised activity that occurs off campus; and/or (b) is substantiated through the university's disciplinary process.
54. **Weapons and Firearms.** Possession, or distribution of explosives (including fireworks and ammunition), guns (including firearms, rifles, air, BB, paintball, facsimile weapons, gun replicas and pellet guns), or other weapons or dangerous objects such as arrows, axes, machetes, nun chucks, throwing stars, slingshots, razors, swords, medieval weapons, or knives (except a common pocket knife with a blade less than 3.5 inches in length) are prohibited. Any object which could potentially inflict injury or cause harm when used in a threatening, careless, or aggressive manner and/or shoots a projectile will be considered a weapon.

55. **Wheeled Devices.** Skateboards, roller blades, roller skates, bicycles and similar wheeled devices are not permitted inside TLU buildings, residence halls or on tennis courts. Additionally, skateboards and other wheeled items may not be ridden on railings, curbs, benches, or any such fixtures that may be damaged by these activities, and individuals may be liable for damage to university property caused by these activities.

## **Section 6: Student Conduct Authority**

### **A. Authority**

The Vice President and Dean of Student Life & Learning is vested with the authority over student conduct by the President. The Vice President and Dean of Student Life & Learning appoints an Associate Dean of Students to oversee and manage the student conduct process. The Vice President and Dean of Student Life & Learning and Associate Dean of Students may appoint administrative hearing and appeals officers as deemed necessary to efficiently and effectively supervise the student conduct process. The Associate Dean of Students (or designee) will assume responsibility for the investigation of an allegation of misconduct to determine if the complaint has merit.

### **B. Gatekeeping**

No complaint will be forwarded for a hearing unless there is reasonable cause to believe a policy has been violated. Reasonable cause is defined as some credible information to support each element of the offense, even if that information is merely a credible witness or an alleged victim's statement. A complaint wholly unsupported by any credible information will not be forwarded for a hearing.

### **C. Conflict Resolution Options**

The Associate Dean of Students has discretion to refer a complaint for mediation or other forms of appropriate conflict resolution. All parties must agree to conflict resolution and be bound by the decision with no review/appeal. Any unsuccessful conflict resolution can be forwarded for formal processing and hearing; however, at no time will complaints of sexual misconduct be mediated. The Associate Dean of Students may also suggest that complaints that do not involve a violation of the Student Code of Conduct be referred for mediation or other appropriate conflict resolution.

### **D. Determination of Hearings**

The administrative hearing officer or disciplinary panel determinations are made on the basis of a "preponderance of the evidence," that is, whether it is more likely than not that the accused student violated the standards of conduct for students.

### **E. Administrative Hearing Officers**

Administrative hearing officers (AHO) are chosen from a pool of annually trained administrative staff members selected by the Associate Dean of Students.

### **F. Disciplinary Panels**

The Associate Dean of Students will be responsible for assembling the disciplinary hearing panel according to the following guidelines:

1. The membership of the panel is selected from a pool of at least six students, six faculty, and six administrative staff members appointed and trained annually by the Associate Dean of Students.
2. For each complaint, a panel of four members will be chosen from the available pool, and is usually comprised of one student, one faculty member, one administrative staff member, and one chair (filled by a faculty or administrative staff member). Availability may determine a different composition for the panel, and in complaints involving discrimination, sexual misconduct, or other sensitive issues, the

Associate Dean of Students will usually use three administrative staff members for the panel. The Associate Dean of Students appoints the non-voting chair of the hearing panel, who assures that university procedures are followed throughout the hearing.

### **G. Interpretation and Revision**

The Associate Dean of Students will develop procedural rules for the administration of hearings that are consistent with provisions of the Student Code of Conduct. Material deviation from these rules will, generally, only be made as necessary and will include reasonable advance notice to the parties involved, either by posting online and/or in the form of written communication. The Associate Dean of Students may vary procedures with notice upon determining that changes to law or regulation require policy or procedural alterations not reflected in this code. The Associate Dean of Students may make minor modifications to procedure that do not materially jeopardize the fairness owed to any party. Any question of interpretation of the Student Code of Conduct will be referred to the Vice President and Dean of Student Life & Learning whose interpretation is final. The Student Code of Conduct will be updated annually under the direction of the Associate Dean of Students with a comprehensive revision process being conducted every three years.

## **Section 7: Formal Conduct Procedures**

### **A. University as Convener**

TLU is the convener of every action under this code. Within that action, there are several roles. The responding student is the person who is alleged to have violated the code. The party bringing the complaint, who may be a student, employee, visitor, or guest, may choose to be present and participate in the process as fully as the responding student. There are witnesses who may offer information regarding the allegation. There is an investigator(s) whose role is to present the allegations and share the evidence that the university has obtained regarding the allegations.

### **B. Group Violations**

A student group or organization and its officers and membership may be held collectively and individually responsible when violations of this code by the organization or its member(s):

- take place at organization-sponsored or co-sponsored events, whether sponsorship is formal or tacit;
- have received the consent or encouragement of the organization or of the organization's leaders or officers; or
- were known or should have been known to the membership or its officers.

Hearings for student groups or organizations follow the same general student conduct procedures. In any such action, individual determinations as to responsibility will be made and sanctions may be assigned collectively and individually and will be proportionate to the involvement of each individual and the organization.

### **C. Amnesty Provisions:**

The amnesty policy represents TLU's commitment to informed decision-making and promotion of responsible behaviors when faced with alcohol and/or drug related emergencies.

#### **PERSON IN NEED OF EMERGENCY MEDICAL ATTENTION**

This policy may apply when a student receives emergency assistance that is (a) related to the consumption of alcohol and/or drugs, and (b) sought by a person not serving in an official university capacity, or (c) are victims hesitant to report to university officials because they fear that they themselves will be accused of minor policy violations (such as underage drinking) at the time of the incident.

In order to qualify for amnesty, the student must obtain emergency medical, police, or university staff attention at the time of the incident; must meet with a representative from the Dean of

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Students office within 5 days of the incident; and agree to comply with the conditions set forth by the representative. If these conditions are met, there will be no disciplinary case and the incident will not become part of the student's record.

If the student does not follow these stipulations, she or he does not qualify for amnesty and is subject to the disciplinary process as provided by the Student Code of Conduct.

### OTHER INDIVIDUALS PRESENT

To encourage students to offer help and assistance to others, the amnesty policy may be applied to any student(s) or student organization(s) that help the student in need to receive medical attention. This will allow students who may also have been drinking or taking drugs to care for their friends without worry of facing a potential disciplinary process for themselves. Students and organizations that assist those in need must meet with a representative from the Dean of Students office within 5 days of the incident and may have to meet certain conditions for amnesty, which if met will result in no charges under the Student Code of Conduct. If the student(s) or student organization(s) do not follow these stipulations, they do not qualify for amnesty and are subject to the disciplinary process as provided by the Student Code of Conduct.

It is the expectation that a student or student organization uses the amnesty policy once; it is an opportunity for a student to learn from a mistake and avoid such mistakes in the future. Therefore, after the first incident, the availability of medical amnesty to the student is at the discretion of the Vice President and Dean of Student Life & Learning.

### SAFE HARBOR

TLU believes that students who have a drug and/or alcohol problem deserve help. If any student brings their own use, addiction, or dependency to the attention of university officials outside the threat of drug tests or disciplinary sanctions and seeks assistance, a conduct complaint will not be pursued. A written action plan may be used to track cooperation with the Safe Harbor program by the student. Failure to follow the action plan will nullify the Safe Harbor protection and campus disciplinary processes will be initiated.

## **D. Interim Action**

Under the Student Code of Conduct, the Vice President and Dean of Student Life & Learning (or designee) may impose restrictions and/or separate a student from the community pending the scheduling of a campus hearing on alleged violation(s) of the Student Code of Conduct when a student represents a threat of serious harm to others, is facing allegations of serious criminal activity, to preserve the integrity of an investigation, to preserve university property and/or to prevent disruption of, or interference with, the normal operations of the university. Interim actions can include separation from the institution or restrictions on participation in the community for no more than ten class days pending the scheduling of a campus hearing on alleged violation(s) of the Student Code of Conduct. A student who receives an interim suspension may request a meeting with the Vice President and Dean of Student Life & Learning (or designee) to demonstrate why an interim suspension is not merited. In cases alleging sexual misconduct and other behavior falling within the coverage of Title IX, both parties involved are extended the same opportunity to come and speak with the Vice President and Dean of Student Life & Learning (or designee). Regardless of the outcome of this meeting, the university may still proceed with the scheduling of a campus hearing.

During an interim suspension, a student may be denied access to university housing and/or the university campus/facilities/events. As determined appropriate by the Vice President and Dean of Student Life & Learning (or designee), this restriction may include classes and/or all other university activities or privileges for which the student might otherwise be eligible. At the discretion of the Vice President and Dean of Student Life & Learning (or designee) and with the approval of, and in collaboration with, the Vice President for Academic Affairs (or designee), alternative coursework options may be pursued to ensure as minimal an impact as possible on the responding student.



## **E. Conduct Process Procedures**

### **STEP 1: Notice of Alleged Violation**

Any member of the TLU community, visitor or guest may allege a policy violation(s) by any student for misconduct under this code.

Notice may also be given to the Associate Dean of Students (or designee) and/or to the Title IX Coordinator, when appropriate. Additionally, administrators may act on notice of a potential violation whether a formal allegation is made or not. All allegations can be submitted by an alleged victim or a third party, and should be submitted as soon as possible after the offending event occurs. The university has the right to pursue an allegation or notice of misconduct on its own behalf and to serve as convener of the subsequent campus conduct process.

The Associate Dean of Students (or designee) will assume responsibility for the investigation of the alleged violation as described below.

### **STEP 2: Preliminary Inquiry**

The university conducts a preliminary inquiry into the nature of the incident, complaint or notice, the evidence available, and the parties involved. The Associate Dean of Students (or designee) may decide among the following options:

1. A determination that there is insufficient evidence to pursue the investigation, because the behavior alleged, even if proven, would not violate the Student Code of Conduct, (e.g.: for reasons such as mistaken identity or allegations of behavior that falls outside the code);
2. A more comprehensive investigation, when it is clear more information must be gathered;
3. A formal complaint of violation and/or a preliminary meeting with the responding student.

When a preliminary inquiry meeting is held with the responding student, the possible outcomes include:

- A decision not to pursue the allegation based on a lack of or insufficient evidence. The matter should be closed and records should so indicate;
- A decision on the allegation, also known as an “informal” or “administrative conference” resolution to an uncontested allegation (see immediately below);
- A decision to proceed with additional investigation and/or referral for a “formal” resolution.

If a decision is that further investigation is needed, the Associate Dean of Students (or designee) will investigate the allegations under this code and will take the following steps as appropriate:

1. Initiate any necessary remedial actions on behalf of the alleged victim;
2. Determine the identity and contact information of the party bringing the complaint, whether that person is the complainant, the alleged victim, or a university proxy or representative;
3. Conduct an immediate preliminary investigation to identify an initial list of all policies that may have been violated, to review the history of the parties, the context of the incident(s), any potential patterns and the nature of the complaint;
  - a) If the victim is reluctant to pursue the complaint, determine whether the complaint should still be pursued and whether sufficient independent evidence could support the complaint without the participation of the alleged victim;
  - b) Notify the complaining party of whether the university intends to pursue the complaint regardless of their involvement, and inform the complainant of their rights in the process and option to become involved, if they so choose;
4. If indicated by the preliminary investigation, conduct a comprehensive investigation to determine if there is reasonable cause to believe that the responding student violated university policy, and to determine what specific policy violations should serve as the basis for the complaint;
  - a) If there is insufficient evidence through the investigation to support reasonable cause, the allegations will be closed with no further action;
5. Meet with the party bringing the complaint to finalize their statement, which will be drawn up by the Associate Dean of Students (or designee) as a result of this meeting;

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6. Commence a thorough, reliable and impartial investigation by developing a strategic investigation plan, including a witness list, evidence list, intended timeframe, and order of interviews for all witnesses and the responding student, who may be given notice of the interview prior to or at the time of the interview;
  - a) Prepare the notice of alleged policy violation(s) on the basis of the reasonable cause determination, which may be delivered prior to, during or after the responding student is interviewed, at the discretion of the Associate Dean of Students (or designee);
7. Interview all relevant witnesses and summarize the information they are able to share;
8. Obtain all documentary evidence and information that is available;
9. Obtain all physical evidence that is available;
10. Complete the investigation promptly by analyzing all available evidence without unreasonable deviation from the intended timeline;
11. Make a finding, based on a preponderance of the evidence (whether a policy violation is more likely than not);
12. Present the investigation report and findings to the responding student, except in cases alleging sexual misconduct and other behavior falling within the coverage of Title IX. Then we would share the information with the complainant, who may:
  - a) accept the findings
  - b) accept the findings in part and reject them in part
  - c) or may reject all findings
13. Share the findings and update the party bringing the complaint on the status of the investigation and the outcome.

### **STEP 3: Notice of Hearing**

Once a determination is made that reasonable cause exists for the Associate Dean of Students (or designee) to refer a complaint for a hearing, notice will be given to the responding student, and in cases involving harm to persons, the complainant. Notice will be in writing and may be delivered by one or more of the following methods: in person by the Associate Dean of Students (or designee); mailed to the local or permanent address of the student as indicated in official university records; or emailed to the student's university-issued email account. Once mailed, emailed and/or received in person, such notice will be presumptively delivered. The letter of notice will:

1. Include the alleged violation and notification of where to locate the Student Code of Conduct and university procedures for resolution of the complaint; and
2. Direct the responding student(s) to contact the Associate Dean of Students (or designee) within a specified period of time to respond to the complaint. This time period will generally be no less than two class days from the date of delivery of the summons letter.

A meeting with the Associate Dean of Students (or designee) may be arranged to explain the nature of the complaint and the conduct process. At this meeting, the responding student may indicate, either verbally or in writing, to the Associate Dean of Students (or designee), whether they admit to or deny the allegations of the complaint. The student may have an advisor present.

### **STEP 4: Hearing Options**

If a decision on the allegation is made and the finding is that the responding student is not responsible for violating the code, the process will end.

If the university's finding is that the responding student is in violation, and the responding student accepts this finding within three class days, the university considers this an "uncontested allegation". The administrative hearing officer conducting the initial administrative conference will then determine the sanction(s) for misconduct, which the responding student may accept or reject. If accepted, the process ends.

If the student accepts the finding, but rejects the sanction, the university will conduct a sanction-only hearing, conducted by an appeals panel, which recommends a sanction to the Associate Dean of Students. The sanction is then reviewed and finalized by the Associate Dean of Students and is subject

to appeal (see Appeal Review Procedures) by any party to the misconduct. Once the appeal is decided, the process ends.

If the Administrative Hearing Officer conducting the administrative conference determines that it is more likely than not that the responding student is in violation, and the responding student or complainant rejects that finding in whole or in part, then it is considered a contested allegation.

#### **STEP 5: Hearing Preparations**

The following describes the university's conduct hearing processes. Except in a complaint involving failure to comply with the summons of the Associate Dean of Students (or designee), no student may be found to have violated the Student Code of Conduct solely as a result of the student's failure to appear for a hearing. In all such instances, conduct hearings will proceed as scheduled and the information in support of the complaint will be presented to, and considered by, the Associate Dean of Students (ADOS) (or designee), Administrative Hearing Officer (AHO) or panel presiding over the hearing.

Where the responding student admits to violating the Student Code of Conduct, the ADOS or AHO may invoke administrative hearing procedures to determine and administer appropriate sanctions without a formal hearing. This process is also known as an *administrative conference*. In an administrative conference, complaints will be heard and determinations will be made by the ADOS or AHO.

Where the responding student denies violating the Student Code of Conduct, a formal hearing will be conducted. This process is known as a disciplinary panel hearing. At the discretion of the ADOS (or designee), a request by one or more of the parties to the complaint for an administrative conference may be considered, if both parties involved agree. Students who deny a violation for which a disciplinary panel hearing will be held, will be given a minimum of five class days to prepare, unless all parties wish to proceed more quickly. Preparation for a formal hearing is summarized in the following guidelines:

1. Notice of the time, date and location of the hearing will be in writing and may be delivered by one or more of the following methods: in person by the ADOS (or designee); mailed to the local or permanent address of the student as indicated in official university records; or emailed to the student's university-issued email account. Once mailed, emailed and/or received in person, such notice will be presumptively delivered.
2. If there is an alleged victim of the conduct in question, the alleged victim may serve as the party bringing the complaint or may elect to have the university administration serve as the party bringing the complaint forward. Where there is no alleged victim, the university administration will serve as the party bringing the complaint forward.
3. If a responding student fails to respond to notice from the ADOS (or designee), the ADOS (or designee) may initiate a complaint against the student for failure to comply with the directives of a university official and give notice of this offense. Unless the student responds to this notice within two class days by answering the original notice, an administrative conference may be scheduled and held on the student's behalf. As a result, the student may be administratively withdrawn from attending classes or a disciplinary hold may be placed on their university account, deeming them ineligible to register for courses or university housing until such time as the student responds to the initial complaint.
4. At least three class days before any scheduled formal hearing, the following will occur:
  - a) The responding student will deliver to the ADOS (or designee) a written response to the complaint;
  - b) The responding student will deliver to the ADOS (or designee) a written list of all witnesses for the university to call at the hearing;
  - c) The responding student will deliver to the ADOS (or designee) all physical evidence the student intends to use or needs to have present at the hearing and will indicate who has possession or custody of such evidence, if known, so that the ADOS (or designee) can arrange for its presence;

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- d) The party bringing the complaint will deliver to the ADOS (or designee) a written list of all witnesses for the university to call at the hearing;
  - e) The party bringing the complaint will deliver to the ADOS (or designee) all items of physical evidence needed at the hearing and will indicate who has possession or custody of such evidence, if known, so that the ADOS (or designee) can arrange for its presence;
  - f) The party bringing the complaint and the responding student will notify the ADOS (or designee) of the names of any advisors/advocates who may be accompanying the parties at the hearing.
5. The ADOS (or designee) will ensure that the hearing information and any other available written documentation are shared with the parties at least two class days before any scheduled hearing. In addition, the parties will be given a list of the names of all the panelists. Should any party object to any panelist, that party must raise all objections, in writing, to the ADOS within 24 hours of notice of panelists so other arrangements can be made. Hearing officers will only be unseated if the ADOS (or designee) concludes that their bias precludes an impartial hearing of the complaint. Additionally, any panelist who feels they cannot make an objective determination must recuse themselves from the proceedings.

### **STEP 6: Hearing Panel Procedures**

The ADOS (or designee) will appoint one panelist as the chair for the hearing. The parties have the right to be present at the hearing; however, they do not have the right to be present during deliberations. If a student cannot attend the hearing, it is that student's responsibility to notify the ADOS no less than three class days prior to the scheduled hearing to arrange for another date, time and location. Except in cases of grave or unforeseen circumstances, if the responding student fails to give the requisite minimum three-day notice, or if the responding student fails to appear, the hearing will proceed as scheduled. If the party bringing the complaint fails to appear, the complaint may be dismissed unless the university chooses to pursue the allegation on its own behalf, as determined by the ADOS (or designee), except in cases alleging sexual misconduct and other behavior falling within the coverage of Title IX and/or a crime of violence.

The ADOS (or designee), the chair and the panel will conduct disciplinary panel hearings according to the following guidelines:

1. Hearings will be closed to the public.
2. Admission to the hearing of persons other than the parties involved will be at the discretion of the panel chair and the ADOS (or designee).
3. In hearings involving more than one responding student, the standard procedure will be to hear the complaints jointly; however, the ADOS may permit the hearing pertinent to each responding student to be conducted separately. In joint hearings, separate determinations of responsibility will be made for each responding student. The parties have the right to an advisor/advocate of their own choosing. Typically, advisors are members of the campus community, but the parties may select whomever they wish to serve as their advisor. The purpose of the advisor is to support a student in the disciplinary process. Advisors should be chosen for their ability to understand the circumstances, assist a student with the process of preparing for a hearing, and guide the student through the actual hearing. The advisor may not make a presentation or represent the party bringing the complaint or responding student during the hearing. They may confer quietly with their advisee, exchange notes, clarify procedural questions with the chair and suggest questions to their advisee but are not permitted to speak or participate directly in any hearing. That is, information will be directly communicated to, released to, or accepted from involved students, not advisors. All information concerning any case may be made available to advisors with the written permission of the involved student.

4. The party bringing the complaint, the responding student, the panel, and the ADOS (or designee) will have the privilege of questioning all present witnesses and questioning all present parties (through the chair, at the discretion of the chair). Unduly repetitive witnesses can be limited at the discretion of the panel chair and/or the ADOS (or designee).
5. Pertinent records, exhibits, and written statements may be accepted as information for consideration by the panel and the ADOS (or designee). Formal rules of evidence are not observed. The panel chair and/or the ADOS (or designee) may limit the number of character witnesses presented or may accept written affidavits of character instead. In cases involving sexual misconduct, complainant and respondent's prior sexual activity is not allowed.
6. All procedural questions are subject to the final decision of the ADOS (or designee).
7. After a panel hearing, the panel will deliberate and determine, by majority vote, whether it is more likely than not that the responding student has violated the Student Code of Conduct. The ADOS (or designee) will be present and available as an advisor during all deliberations. Once a finding is determined, if the finding is that of a policy violation, the panel will determine an appropriate sanction(s). The ADOS (or designee) is responsible for informing the panel of applicable precedent and any previous conduct violations or other relevant pattern information about the responding student. The panel chairperson will prepare a written deliberation report and deliver it to the ADOS (or designee), detailing the recommended finding, how each member voted, the information cited by the panel in support of its recommendation, and any information the panel excluded from its consideration and why. This report should conclude with any recommended sanctions. This report should not exceed two pages in length and must be submitted to the ADOS within two class days of the end of deliberations.
8. The ADOS (or designee) will consider the recommendations of the panel, may make appropriate modifications to the panel's report and will then render a decision, and unless otherwise required by law or university policy, inform the responding student and complainant of the final determination within three class days of the hearing. Notification will be made in writing and may be delivered by one or more of the following methods: in person by the ADOS (or designee); mailed to the local or permanent address of the student as indicated in official university records; or emailed to the student's university-issued email account. Once mailed, emailed and/or received in person, such notice will be presumptively delivered. In cases of sexual misconduct and other crimes of violence, notice of the outcome will be delivered to all parties simultaneously, meaning without substantial delay between the notifications to each.
9. There will be a single verbatim record, such as an audio recording, for all panel hearings. Deliberations will not be recorded. The record will be the property of the university and maintained according to the university's record retention policy.
10. The ADOS (or designee) and/or panel chair may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the complainant, responding student, and/or other witness during the hearing by providing separate facilities, by using a visual screen, and/or by permitting participation by telephone, videophone, closed circuit television, video conferencing, videotape, audio tape, written statement, or other means, where and as determined in sole judgment of the ADOS (or designee) to be appropriate.

**Special Hearing Provisions for Sexual Misconduct, Discrimination and Other Complaints of a Sensitive Nature**

All hearings under these categories will be conducted by a four-member administrative panel drawn from the panel pool. For sexual misconduct, discrimination and other complaints of a sensitive nature, whether the alleged victim is serving as the complainant or as a witness, alternative testimony options may be provided, such as placing a privacy screen in the hearing room or allowing the alleged victim to testify from another room via audio or audio/video technology. While these options are intended to help make

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the alleged victim more comfortable, they are not intended to work to the disadvantage of the responding student.

The past sexual history or sexual character of a party will not be admissible by the other parties in hearings unless such information is determined to be highly relevant by the panel chair. All such information sought to be admitted by a party or the university will be presumed irrelevant until a showing of relevance is made, in advance of the hearing, to the chair. Demonstration of pattern, repeated, and/or predatory behavior by the responding student, in the form of previous findings in any legal or campus proceeding, or in the form of previous good faith allegations, will always be relevant to the finding, not just the sanction. The parties will be notified in advance if any such information is deemed relevant and will be introduced in the hearing.

The party bringing any complaint alleging sexual misconduct, other behavior falling within the coverage of Title IX and/or a crime of violence will be notified in writing of the outcome of a hearing, any sanctions assigned, rationale for the decision, and appeal procedures.

### **STEP 7: Conduct Sanctions**

One or more of the following sanctions may be imposed upon any student for any single violation of the Student Code of Conduct:

1. **Behavioral Requirement**

This includes required activities including, but not limited to, seeking academic counseling or substance abuse screening, writing a letter of apology, etc.

2. **Community/University Service Requirements**

For a student or organization to complete a specific supervised university service.

3. **Confiscation of Prohibited Property**

Items whose presence is in violation of university policy will be confiscated and will become the property of the university. Prohibited items may be returned to the owner at the discretion of the Associate Dean of Students and/or the Texas Lutheran University Police Department.

4. **Disciplinary Probation**

The student is put on official notice that, should further violations of university policies occur during a specified probationary period, the student may face suspension or expulsion. Probation may be imposed for at least one semester and not more than one calendar year with the student being returned to good standing at the end of the time period if no further violations occur. During probation the student is not able to represent the university in any honorary capacity, hold an elected office, or participate in intercollegiate athletics. If such positions are held when the probationary period begins, the appropriate faculty/staff advisors, coaches, and any other TLU administrator as needed will be notified. Probationary meetings may also be imposed.

5. **Disciplinary Suspension**

Separation of the student from the university for one semester or up to one calendar year after which the student is eligible to return. Conditions for readmission may be specified. Disciplinary suspension indicates that a student is no longer enrolled at the university, that the student did not withdraw voluntarily, and that the student is not permitted on campus. The student is prohibited from registering or attending any TLU classes for credit or non-credit, from participating in or taking leadership in any campus organization, or from participating in any activities of the university. The appropriate faculty/staff advisors, coaches, and other TLU administrators will be notified. This sanction may be enforced with a trespass action as necessary.

6. **Educational Program**

Requirement to attend, present and/or participate in a program related to the violation. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about

a specific topic or issue related to the violation for which the student or organization was found responsible. Audience for which the educational program is shared may be restricted.

#### 7. **Eligibility Restriction**

The student is deemed “not in good standing” with the university for a specified period of time. Specific limitations or exceptions may be granted by the Associate Dean of Students (or designee) and terms of this conduct sanction may include, but are not limited to, the following:

- a) ineligibility to hold any office in any student organization recognized by the university or hold an elected or appointed office at the university; or
- b) ineligibility to represent the university to anyone outside the university community in any way including: participating in the study abroad program, attending conferences, or representing the university at an official function, event or intercollegiate competition as a player, manager or student coach, etc.

#### 8. **Expulsion**

Permanent separation from the university. The student is banned from university property and the student’s presence at any university-sponsored activity or event is prohibited. This action may be enforced with a trespass action as necessary.

#### 9. **Fines**

Reasonable fines may be imposed. Fines are specified to include:

##### **Alcohol/Drugs**

- 1<sup>st</sup> offense: \$75, Think About it Program for Alcohol or Drugs
- 2<sup>nd</sup> offense: \$150, Individualized Alcohol Education Program
- 3<sup>rd</sup> offense: \$300, possible removal from university housing and/or referral to Disciplinary Hearing Panel

##### **Cleaning**

\$150 half a room, \$300 apartment

##### **Improper Checkout**

\$75

##### **Housing Contract (fee to break during academic year):**

Before June 1, no fee  
June 1 or later, \$500 fee

##### **Keys**

\$30 per core, \$50 administrative fee  
(Note: In Seguin Hall one key opens both the suite door and room doors within the suite. A lost key necessitates the replacement of all cores at the cost of \$30 per core, plus a \$50 administrative fee. Charges will range from \$140-\$200, depending on the number of cores to be replaced.)

##### **Lockouts**

1<sup>st</sup> and 2<sup>nd</sup> occurrences are free  
3<sup>rd</sup> or more occurrence is \$50 per occurrence

##### **Noise**

1<sup>st</sup> offense: written warning  
2<sup>nd</sup> offense: \$50  
3<sup>rd</sup> offense: \$150

##### **Pets**

1<sup>st</sup> offense: 24 hours to remove, pay for flea treatment  
2<sup>nd</sup> offense: \$300 cleaning fee

##### **Removal of University Furniture from lounges/rooms or buildings**

1<sup>st</sup> offense: \$100  
2<sup>nd</sup> offense: \$150  
3<sup>rd</sup> offense: \$300

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### 10. **Loss of Privileges**

The student will be denied specified privileges for a designated period of time.

### 11. **No Contact Order**

This is an administrative order stating that the student have no contact of any kind with a specific individual(s). Such contact includes but is not limited to, any form of contact that is direct or indirect (physical, written, verbal, etc.), on or off campus, or through electronic means in any manner. Failure to abide by this order will result in additional and immediate action.

### 12. **Other Sanctions**

Additional or alternate sanctions may be created and designed as deemed appropriate to the offense with the approval of the Associate Dean of Students (or designee).

### 13. **Restitution**

Compensation for damage caused to the university or any person's property. This could also include situations such as failure to return a reserved space to proper condition – labor costs and expenses. This is not a fine but, rather, a repayment for labor costs and/or the value of property destroyed, damaged, consumed, or stolen.

### 14. **Restriction of Visitation Privileges**

May be imposed on a resident or non-resident student. The parameters of the restriction will be specified.

### 15. **Revocation of Admission and/or Degree**

Admission to or a degree awarded from the university may be revoked for fraud, misrepresentation, or other violation of university standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.

### 16. **Trespass Action**

A "No Trespass" order issued by the TLU Police Department forbidding a person from entering any TLU-owned building or property on campus or off without prior arrangements with the TLU Police. Violation of this order may result in arrest and possible further disciplinary action.

### 17. **University Housing Probation**

Official notice that, should further violations of Residence Life or university policies occur during a specified probationary period, the student may immediately be removed from university housing. Regular probationary meetings may also be imposed.

### 18. **University Housing Reassignment**

Reassignment to another university housing facility. Residence Life personnel will decide on the reassignment details.

### 19. **University Housing Suspension**

Removal from university housing for a specified period of time after which the student is eligible to return. Conditions for re-admission to university housing may be specified. Under this sanction, a student is required to vacate university housing within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the Director of Residence Life. This sanction may be enforced with a trespass action, if deemed necessary. Prior to reapplication for university housing, the student must gain permission from the Director of Residence Life (or designee). This sanction may include restrictions on visitation to specified buildings or all university housing during the suspension.

### 20. **University Housing Expulsion**

The student's privilege to live in, or visit, any university housing structure is revoked indefinitely. This sanction may be enforced with a trespass action if deemed necessary.



**21. Vandalism**

\$50 administrative fee plus cost of cleaning materials, labor, replacements of parts etc.

**22. Visitation and or Cohabitation**

1<sup>st</sup> offense: loss of visitation for two weeks

2<sup>nd</sup> offense: loss of visitation for four weeks and \$50

3<sup>rd</sup> offense: loss of visitation for the equivalent of one semester and \$100

**23. Warning**

An official written notice that the student has violated university policies and/or rules and that more severe conduct action will result should the student be involved in other violations while the student is enrolled at the university.

**24. Withholding Degree**

The university may withhold awarding a degree otherwise earned until the completion of the process set forth in the Student Code of Conduct, including the completion of all sanctions imposed, if any.

**Group / Organization Sanctions**

The following sanctions may be imposed upon groups or organizations found to have violated the Student Code of Conduct:

- 1) One or more of the sanctions listed above.
- 2) Deactivation, de-recognition, loss of all privileges (including status as a university registered group/organization), for a specified period of time.

More than one of the sanctions listed above may be imposed for any single violation. Sanctions are cumulative and must be completed by the assigned date.

When a student has been found to have violated the Student Code of Conduct, the sanction(s) shall be determined and imposed by the Associate Dean of Students (or designee). The Associate Dean of Students (or designee) will consider the Administrative Hearing Officer's and/or hearing panel recommendations in determining and imposing sanctions. The Associate Dean of Students (or designee) is not limited only to the recommendations proposed. The Vice President and Dean of Student Life & Learning has final authority to determine the appropriateness of sanctions.

**Failure to Complete Conduct Sanctions**

All students, as members of the university community, are expected to comply with conduct sanctions within the timeframe specified by the Associate Dean of Students (or designee) or Administrative Hearing Officer. Failure to follow through on conduct sanctions by the date specified, whether by refusal, neglect or any other reason, may result in additional sanctions and/or suspension from the university. In such situations, resident students will be required to vacate university housing within 24 hours of notification by the Associate Dean of Students (or designee), though this deadline may be extended upon application to, and at the discretion of, the Director of Residence Life and/or the Associate Dean of Students (or designee). A suspension will only be lifted when compliance with conduct sanctions is satisfactorily achieved. This determination will be made by the Associate Dean of Students (or designee).

**STEP 8: Notification of Outcomes**

The outcome of a campus hearing is part of the education record of the responding student and is protected from release under the Federal Education Rights and Privacy Act (FERPA), except under certain conditions. As allowed by FERPA, when a student is accused of a policy violation that would constitute a "crime of violence" or forcible or non-forcible sex offense, the university will inform the alleged victim/party bringing the complaint in writing of the final results of a hearing and appeal procedures, regardless of whether the university concludes that a violation was committed. Such release of information may only include the alleged student's/responding student's name, the violation committed,

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and the sanctions assigned (if applicable). In cases of sexual misconduct and other offenses covered by Title IX only, the rationale for the outcome will also be shared with all parties to the complaint in addition to the finding, sanction(s) and appeal procedures.

In cases where the university determines through the student conduct process that a student violated a policy that would constitute a “crime of violence” or non-forcible sex offense, the university may also release the above information publicly and/or to any third party. FERPA defines “crimes of violence” to include:

- 1) Arson
- 2) Assault offenses (includes stalking)
- 3) Burglary
- 4) Criminal Homicide—manslaughter by negligence
- 5) Criminal Homicide—murder and non-negligent manslaughter
- 6) Destruction/damage/vandalism of property
- 7) Kidnapping/abduction
- 8) Robbery
- 9) Forcible sex offenses
- 10) Non-forcible sex offenses

### **Parental Notification**

The university reserves the right to notify the parents/guardians of dependent students regarding any conduct situation, particularly alcohol and other drug violations. The university may also notify parents/guardians of non-dependent students who are under the age of 21 of alcohol and/or other drug violations. The university in its discretion may notify parents when permitted by FERPA or consent of the student.

## **F. Appeal Review Procedures**

Any party may request one appeal of the decision of the disciplinary hearing panel/administrative hearing by filing a written request to the Associate Dean of Students, subject to the procedures outlined below. All sanctions imposed by the original hearing body remain in effect, and all parties should be informed in a timely manner of the status of requests for appeal, the status of the appeal consideration, and the results of the appeal decision.

### **Grounds for Appeal Requests**

Appeals requests are limited to the following grounds:

1. A procedural error occurred that significantly impacted the outcome of the hearing;
2. To consider new evidence, unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction.<sup>1</sup> A summary of this new evidence and its potential impact must be included;<sup>2</sup>
3. The sanctions imposed may not be proportionate to the severity of the violation and the student’s cumulative conduct record.

Appeals must be filed in writing with the Dean of Students Office within three class days of the notice of the outcome to the hearing, barring exigent circumstances. Any exceptions are made at the discretion of the Associate Dean of Students (or designee) and, when appropriate, the Title IX Coordinator.

The Associate Dean of Students (or designee) will share the appeal by one party with the other party (parties) when appropriate under procedure or law (e.g., if the responding student appeals, the appeal is shared with the complainant, who may also wish to file a response, request an appeal on the same grounds or different grounds). The Associate Dean of Students will refer the request(s) to

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<sup>1</sup> Failure to provide information during or participate in an investigation or a hearing, even resulting from concern over pending criminal or civil proceedings, does not make evidence “unavailable” at the time of the hearing.

<sup>2</sup> The Associate Dean of Students is expected to consult with the chair of the original panel to inquire as to whether the new evidence would, in the opinion of the chair, have substantially impacted the original finding or sanction.

the university's designated Appeal Review Officer, appointed by the Vice President and Dean of Student Life & Learning. The Appeal Review Officer will draft a response memorandum to the appeal request(s), based on the determination that the request(s) will be granted or denied, and why. All request-related documents are shared with all parties prior to submission to the Appeal Review Officer, who serves a three-year term.

The Appeal Review Officer will conduct an initial review to determine if the appeal request meets the limited grounds and is timely. They may consult with the Associate Dean of Students and/or Title IX Coordinator on any procedural or substantive questions that arise.

If the appeal is not timely or the appealing party does not establish a limited ground of appeal, the original finding and sanction will stand and the decision is final. If the appeal is timely and meets the limited ground for appeal, the Appeal Review Officer determines whether to refer the appeal to the appeals panel or to remand it to the original decision-maker(s), typically within three-five class days. Efforts should be made to use remand whenever possible, with clear instructions for reconsideration only in light of the granted appeal grounds. Where the original decision-maker may be unduly biased by a procedural or substantive error, a new panel will be constituted to reconsider the matter which can, in turn, be appealed once. Full rehearings by the appeals panel are not permitted. Where new evidence is presented or the sanction is challenged, the Appeals Review Officer will determine if the matter should be returned to the original decision-maker for reconsideration or if it should be reviewed by the appeals panel with instruction on the parameters regarding institutional consistency and any applicable legal guidelines. In review, the original finding and sanctions are presumed to have been decided reasonably and appropriately, thus the burden is on the appealing party(ies) to show clear error. The appeals panel must limit its review to the challenges presented.

On reconsideration, the appeals panel or original decision-maker may affirm or change the findings and/or sanctions of the original hearing body according to the permissible grounds. Procedural errors affecting the outcome should be corrected, new evidence should be considered, and sanctions should be proportionate to the severity of the violation and the student's cumulative conduct record.

All decisions of the appeals panel are to be made within five days of submission to the panel and are final, as are any decisions made by the original hearing body, Associate Dean of Students or Title IX Coordinator as the result of reconsideration consistent with instructions from the Appeal Review Officer. The conclusion of the appeal process is the final phase of the conduct process within the TLU Student Code of Conduct and there are no further reviews of findings of responsibility or outcomes assigned by hearing officers or panels.

### **The Appeals Panel**

Three-member appeals panels are drawn from the hearing panel pool, with the following requirements to serve:

1. They did not serve on the panel for the initial hearing.
2. They were not involved in the investigation in any way.
3. They have been properly trained in appeals procedures.

The Associate Dean of Students will have final authority to approve all those serving on the panel. The parties may challenge a panelist(s) on the basis of potential bias, and any panelist who cannot render an impartial decision must recuse themselves. The Associate Dean of Students will make the determination as to the validity of any challenge or need for recusal. In the event of a recusal from the panel, the Associate Dean of Students will appoint a replacement from the pool of panelists.

The Associate Dean of Students (or designee) serves as the non-voting advisor to the panel, with responsibility for training the panel, conducting preliminary investigations, and ensuring a fair process for the complainant and responding student.

The presumptive stance of the university is that all decisions made and sanctions imposed by the original decision-maker are to be implemented during the appellate process. At the discretion of the Associate

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Dean of Students (or designee), and in consultation with the Title IX Coordinator when necessary, implementation of sanctions may be stayed, pending review, only in extremely exigent circumstances. This does not include proximity to graduation, end of term, or exams. Instead, it refers to an overwhelming likelihood, as determined by the Appeals Review Officer and Associate Dean of Students, in consultation, that the appeal would result in a reversal of the finding and/or substantial modification of the sanctions.

### **Other Guidelines for Appeal**

- All parties will be informed in a timely manner of the status of requests for appeal, the status of the appeal consideration, and the results of the appeal decision;
- Every opportunity to return the appeal to the original decision-maker for reconsideration should be pursued;
- An appeal must not be confused with a new or second hearing. The role of an appellate body is to consider an appeal, not to re-hear a case; that is, the basis for the appeal must fall within one or more of the aforementioned guidelines. Disagreement with the result of the hearing or any sanctions levied does not itself constitute the basis for an appeal.
- Appeals are not intended to be full re-hearings of the complaint. In most cases, appeals are confined to a review of the written documentation or record of the original hearing, and pertinent documentation regarding the grounds for appeal. Witnesses may be called, if necessary.
- Appeals are not an opportunity for appeals panelists to substitute their judgment for that of the original decision-maker merely because they disagree with the finding and/or sanctions. Appeals decisions are to be deferential to the original decision-maker, making changes to the finding only where there is clear error and to the sanction only if there is a compelling justification to do so.
- In cases involving appeals requested by students accused of violating the Student Code of Conduct, review of the sanction(s) by the appellate body may not result in more severe sanction(s) for the accused student. Instead, following an appeal, the appellate body may, upon review of the case, reduce but not increase the sanctions imposed.
- In cases involving appeals requested by persons other than students accused of violating the Student Code of Conduct, the appellate body may, upon review of the case, reduce or increase the sanctions originally imposed or remand the case to the original hearing body.

### **G. Disciplinary Records**

All conduct records are maintained by the university for seven years from the time of their creation except those that result in separation from the university (expulsion) and those that fall under Title IX, which are maintained indefinitely.

## **Section 8: Interim Suspension**

The Vice President and Dean of Student Life & Learning (or designee) may evict from university housing or suspend from the university a student pending disciplinary proceedings or other outcome. In situations involving possible Title IX violations, the Vice President and Dean of Student Life & Learning will act in consultation with the Title IX Coordinator. The interim eviction and/or suspension shall become immediately effective without prior notice. Interim suspension shall be considered an excused absence.

1. Interim suspension generally will be imposed when deemed appropriate by the university in circumstances including but not limited to:
  - a. Ensuring the safety and well-being of members of the university community or preservation of university property;
  - b. Ensuring the student's own physical or emotional safety and well-being; or
  - c. Avoiding the threat of disruption of, or interference with, the normal operations of the university.
2. During the interim suspension, a student shall be denied access to university housing and/or to the campus (including classes) and/or all other university activities or privileges for which the student

might otherwise be eligible, as the Vice President and Dean of Student Life & Learning may determine to be appropriate.

3. The interim suspension does not replace the regular process, which shall proceed on the normal schedule, up to and through a student conduct hearing, if required.
4. Violation of an interim suspension will be grounds for expulsion.

### **Section 9: Interpretation and Revision**

1. Any question of interpretation of application of the Student Code of Conduct shall be referred to the Vice President and Dean of Student Life & Learning for final determination.
2. The Student Code of Conduct will be updated annually under the direction of the Associate Dean of Students with a comprehensive revision process being conducted every three years.
3. This Student Code of Conduct was implemented August 2014.

## SEXUAL ASSAULT (TITLE IX) POLICIES AND PROCEDURES

### Sexual Harassment, Sexual Assault, Sexual Misconduct, Relationship (Dating) Violence and Stalking Policy

#### Non-discrimination Statement

Texas Lutheran University (TLU) policy prohibits discrimination based on sex in employment and education programs and activities both on and off campus. Prohibited conduct is set forth in this policy, including under definitions. This policy applies to all students and employees and to conduct on school grounds, off-campus, and at school-sponsored activities, and through technology resources, including those provided by or used at TLU.

TLU policy and Title IX of the Education Amendments of 1972 prohibit discrimination on the basis of sex in employment and education programs and school-sponsored activities and/or official campus activities. Title IX protects all persons from sex discrimination, which includes sexual harassment and sexual violence. TLU will process all sex discrimination complaints it receives, including complaints of sexual harassment, sexual violence, and stalking regardless of where the conduct occurred, to determine whether the conduct occurred in the context of an employment or education program or activity or had continuing effects on campus. If alleged off-campus sexual harassment or sexual violence occurs in the context of an education program or activity or had continuing effects on campus, the complaint will be treated the same as a complaint involving on-campus conduct. This includes complaints of sexual assault or harassment by students, employees, and third parties.

TLU strongly urges students, faculty, staff, and third parties to report incidents of conduct prohibited under this policy as soon as they become aware of a situation. Responsible employees (as defined below) are **required** to promptly report incidents of conduct prohibited under this policy.

#### A. Title IX Coordinators

Complaints of sexual assault, sexual harassment or other conduct prohibited under this policy and inquiries concerning the application of Title IX and its regulations should be directed to the TLU Title IX Coordinator or the Deputy Coordinators listed below:

##### ***Title IX Coordinator***

Dr. Bernadette K. Buchanan  
*Associate Dean of Student Life & Learning for  
Title IX and Division Compliance*  
Alumni Student Center, ASC 107  
830-372-8060  
[bbuchanan@tlu.edu](mailto:bbuchanan@tlu.edu)

Please contact Dr. Buchanan if you have a complaint against a member of the TLU community concerning sexual harassment, sex discrimination, sexual assault, and conduct prohibited by this policy, or if you are a member of the TLU community with questions about Title IX.

##### ***Title IX Deputy Coordinator for Students***

Mr. Kyle Wych  
*Associate Dean of Student Life & Learning*  
Alumni Student Center, ASC 102C  
1000 West Court Street  
Seguin, TX 78155  
830-372-8060  
[kwych@tlu.edu](mailto:kwych@tlu.edu)

Please contact Mr. Wych if you have a complaint against a student concerning sexual harassment, sex discrimination, sexual assault, conduct prohibited by this policy, or if you are a student with questions about Title IX.

***Title IX Deputy Coordinator for Faculty***

Dr. William Davis  
*Professor and Chair of Chemistry*  
Krost Science Building, Room 302  
1000 West Court Street  
Seguin, TX 78155  
830-372-6046  
wdavis@tlu.edu

Please contact Dr. Davis if you are a faculty member with questions about Title IX or have a complaint against a faculty member concerning sexual harassment, sex discrimination, sexual assault or any conduct prohibited by this policy.

***Title IX Deputy Coordinator for Non-Faculty Employees and Third Parties***

Ms. Toi Turner  
*HR Administrator*  
O.G. Beck Administration Building  
1000 West Court Street, Suite 105A  
Seguin, TX 78155  
830-372-8019  
tturner@tlu.edu

Please contact Ms. Turner if you are a non-faculty employee with questions about Title IX or have a complaint against a non-faculty employee concerning sexual harassment, sex discrimination, sexual assault or any conduct prohibited by this policy.

***Title IX Deputy Coordinator for Athletics***

Mr. Michael Hunt  
*Head Coach for Men's and Women's Tennis*  
*Jones Complex*  
1000 West Court Street  
Seguin, TX 78155  
830-372-8128  
mhunt@tlu.edu

If you have a Title IX question or concern related to athletics, please contact Mr. Hunt.

The responsibilities of TLU's Title IX deputy coordinators for students, faculty and non-faculty employees and third parties include investigating or overseeing the investigation of all incidents of alleged sexual assault or harassment, ensuring that consistent standards and practices apply to all investigations, being available to meet with students and employees who believe sexual assault or harassment has occurred, and assisting campus security and local law enforcement as needed. Deputy coordinators for students, faculty and non-faculty employees and third parties report incidents whether resolved informally or formally to the university Title IX Coordinator. These reports allow the Title IX Coordinator to identify patterns in a particular area within the university and to coordinate compliance with federal regulations.

Students may also contact the U.S. Department of Education, Office for Civil Rights at (800) 421-3481 or [ocr@ed.gov](mailto:ocr@ed.gov).

## SEXUAL ASSAULT POLICIES AND PROCEDURES

### B. Policy Definitions

**Complainant** means a person who submits a complaint alleging a violation of this policy.

**Consent is the voluntary positive agreement between individuals to engage in specific sexual activity.**

“Consent” shall not be deemed or construed to mean the failure by the alleged victim to offer physical resistance to the offender. Once consent is withdrawn or revoked, the sexual activity must stop immediately.

- Consent must be **voluntary** and given without coercion, force, threats, or intimidation.
- Consent is not effective if it results from: (a) the use of physical force, (b) a threat of physical force, (c) intimidation, (d) coercion, (e) incapacitation, or (f) any other factor that would eliminate an individual’s ability to choose whether to engage in sexual activity.
- Consent can be **withdrawn or revoked**. Consent to one form of sexual activity (or one sexual act) does not constitute consent to other forms of sexual activity (or other sexual acts). Consent to sexual activity given on one occasion does not constitute consent to sexual activity on another occasion. The fact that two people are or were in a dating or sexual relationship does not constitute consent to engage in sexual activity.
- Consent cannot be given by a person who is **incapacitated**. A person cannot give consent if s/he is unconscious or coming in and out of consciousness. Examples of incapacitation include unconsciousness, sleep and blackouts. Whether an *intoxicated* person (due to using alcohol or other drugs) is *incapacitated* depends on the extent to which the person’s decision-making capacity, awareness of consequences, and ability to make fully informed judgments is impaired.
- Being intoxicated by drugs or alcohol does not diminish a person’s responsibility to obtain consent from the other party before engaging in sexual activity. Factors to be considered when determining culpability include whether the person knew, or whether a reasonable person in the accused’s position should have known, that the victim could not give, did not give, or revoked, consent; was incapacitated; or was otherwise incapable of giving consent.
- For more information about consent and what it entails please check out the following websites:
  - <http://www.loveisrespect.org/healthy-relationships/what-consent/>
  - <https://www.rainn.org/articles/what-is-consent>

Individuals who consent to sex must be able to fully understand what they are doing. Under TLU’s Title IX and student and employee disciplinary/sexual misconduct policy, “no” always means “no,” and “yes” may not always mean “yes.” For example, when alcohol or other drugs are used, a person will be considered unable to give valid consent if the person cannot appreciate the who, what, where, when, why, or how of a sexual interaction. In addition, silence — without clear action demonstrating permission — will not be assumed to indicate consent. Further, there is a difference between seduction and coercion; coercion is defined as unreasonably pressuring another person for sex. Coercing someone into engaging in sexual activity violates Title IX, student conduct and workplace policy in the same way as physically forcing someone into engaging in sexual activity.

**Dating violence** means an act between individuals who are or have been in a dating relationship that has resulted in physical harm, psychological/mental harm, bodily injury, assault, or sexual assault or is a threat that reasonably places the victim in fear of imminent physical harm, bodily injury, assault, or sexual assault. The existence of such a relationship shall be determined based on the consideration of the following factors:

- a. The length of the relationship;
- b. The nature of the relationship; and
- c. The frequency and type of interaction between the persons involved in the relationship.

“Dating violence” does not include violence in a casual acquaintanceship or violence between individuals who only have engaged in ordinary fraternization in a business or social context.

**Domestic violence** is abuse or violence committed by a current or former spouse or intimate partner of the complainant, by a person with whom the complainant shares a child in common, by a person with



whom the complainant is cohabiting (or has cohabited) with a spouse or intimate partner, by a person similarly situated to a spouse of the complainant under the domestic or family violence laws of the State of Texas, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of Texas. An act of violence constitutes domestic violence if it is committed against a family member, a household member or someone the offender is currently dating or dated in the past, including a spouse, former spouse, person related by blood or marriage, a foster child or foster parent, and persons who are parents of a child in common.

**Hostile Educational Environment.** Harassment creates a hostile environment when the conduct is sufficiently severe, pervasive, or persistent to interfere with or limit a student's ability to participate in or benefit from the services, activities, or opportunities offered by a school.

**Intimate Partner Violence (IPV).** Domestic violence by a spouse or partner in an intimate relationship against the other spouse or partner. Intimate violence can take a number of forms including physical, verbal, emotional, economic and sexual abuse.

**Rape** means nonconsensual sexual intercourse or sexual penetration, which, in addition to intercourse, means nonconsensual oral or anal intercourse, or any other intrusion, however slight, by a sex organ into another person's body. It may or may not involve force or a threat of force, coercion, violence, or immediate bodily injury, threats of future retaliation, or duress.

**Rape** occurs when an action compels another person to submit to or engage in sexual penetration against the person's will, including when the victim is mentally incapable of consent. A person commits sexual assault if he or she causes the penetration of the anus or sexual organ of another person by any means, without that person's consent, causes the penetration of the mouth of another person by the sexual organ of the actor without that person's consent, or causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor. A sexual assault is without the consent if:

- a. The actor compels the other person to submit or participate by the use of physical force or violence;
- b. The actor compels the other person to submit or participate by threatening to use force or violence against the other person, and the other person believes the actor has the ability to execute the threat;
- c. The other person has not consented and the actor knows the other person is unconscious or physically unable to resist;
- d. The actor knows that as a result of mental disease or defect the other person is at the time of the sexual assault incapable either of appraising the nature of the act or resisting it;
- e. The other person has not consented and the actor knows the other person is unaware the sexual assault is occurring;
- f. The actor has intentionally impaired the other person's power to appraise or control the other person's conduct by administering any substance without the other person's knowledge; or
- g. The Actor compels the other person to submit or participate by threatening to use force or violence against any person and the other person believes that the actor has the ability to execute the threat.

**Acquaintance Rape** is a form of sexual violence committed by an individual known to the victim. This includes a person the victim may have just met, such as at a party, been introduced to through a friend, or met on a social networking website.

**Respondent** means the person alleged to be responsible for prohibited conduct alleged in a complaint.

**Responsible Employee** means a TLU employee who has a **duty** to promptly report incidents of sex discrimination, sexual harassment, sexual assault, sexual misconduct, domestic or dating violence, and stalking to the university Title IX Coordinator or Deputy Title IX Coordinators. Responsible employees are not confidential reporting resources.

## SEXUAL ASSAULT POLICIES AND PROCEDURES

**Retaliation** means adverse educational or employment consequences, including workplace conduct or other conduct that adversely affects the academic, employment, or other institutional status of a student or employee of the university, visitor, applicant for admission to or employment with the university, because an individual has, in good faith, brought a complaint under this policy, opposed an unlawful practice, participated in an investigation, or requested accommodations. Examples of retaliation include, but are not limited to unfair grades, denial of promotion, non-selection/refusal to hire, denial of job benefits, demotion; suspension, discharge, threats, reprimands, negative evaluations, harassment, or other adverse treatment that is likely to deter a reasonable student or employee from pursuing his or her rights. Retaliation is strictly prohibited.

**Sex Discrimination** is an adverse action taken against an individual because of sex, including sexual harassment, sexual violence, domestic violence, dating violence, and stalking as prohibited by Title IX, Title IV, VAWA/Campus SaVE Act, and other laws and regulations. Both men and women can be victims of sex discrimination.

**Sexual Assault** occurs when physical, sexual activity is engaged without the consent of the other person, or when the other person is unable to consent to the activity. The activity or conduct may include physical force, violence, threat, intimidation, ignoring the objections of the other person, causing the other person's intoxication or incapacitation (through the use of drugs or alcohol) or taking advantage of the other person's intoxication (including voluntary intoxication).

**Sexual Harassment** is any unwelcome conduct of a sexual nature. This includes unwelcome verbal, nonverbal or physical conduct including but not limited to unwelcome sexual advances; requests for sexual favors; and other verbal, nonverbal, or physical conduct of a sexual nature, such as sexual violence, sexual advances, requests for sexual favors, and indecent exposure, where:

- a. Submission to, or rejection of, the conduct is explicitly or implicitly used as the basis for any decision affecting a student's academic status or progress, or access to benefits and services, honors, programs, or activities available at or through TLU; *or*
- b. Such conduct is unwelcome; *or*
- c. Submission to, or rejection of, the conduct by a TLU employee is explicitly or implicitly used as the basis for any decision affecting a term or condition of employment, or an employment decision or action; *or*
- d. Such conduct is sufficiently severe or pervasive to create a hostile educational or employment environment.

**Sexual Harassment** includes behavior such as unwelcome sexual advances, requests for sexual favors, and other conduct of a sexual nature. It is conduct that affects a person's employment or education or interferes with a person's work or educational performance or creates an environment that a reasonable person would find it intimidating, hostile or offensive.

- a. **Hostile Environment** sexual harassment includes situations where harassment is sufficiently severe, pervasive or persistent and objectively offensive that it unreasonably interferes with, limits or denies the ability to participate in or benefit from the university educational or employment program or activities, sanctions can be imposed for the creation of a hostile environment. The determination of whether an environment is "hostile" must be based on all the circumstances. These circumstances could include, but are not limited to:

- The frequency of the speech or conduct;
- The nature and severity of the speech or conduct;
- Whether the conduct was physically threatening;
- Whether the speech or conduct was humiliating;
- The effect of the speech or conduct on the alleged victim's mental and/or emotional state;
- Whether the speech or conduct was directed at more than one person;
- Whether the speech or conduct arose in the context of other discriminatory conduct;

- Whether the speech or conduct unreasonably interfered with the alleged victim's educational or work performance;
  - Whether a statement is a mere utterance of an epithet, which engenders offense in a student or offends by mere discourtesy or rudeness.
- b. **Quid Pro Quo** sexual harassment means unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature where submission to, or rejection of, such conduct results in adverse educational or employment action. Quid pro quo harassment may also exist when a threat of adverse action or a promise of a benefit is explicitly conditioned on submission to, or rejection of, such requests.

**Sexual Misconduct** is behavior or conduct of a sexual nature that is unprofessional and/or inappropriate for the educational or working environment. Behaviors that may constitute sexual misconduct include, but are not limited to:

- a. Repeatedly engaging in sexually oriented conversations, comments, or horseplay, including the use of language or the telling of jokes or anecdotes of a sexual nature in the workplace, office, or classroom, even if such conduct is not objected to by those present;
- b. Gratuitous use of sexually oriented materials not directly related to the subject matter of a class, course, or meeting, even if not objected to by those present;
- c. Failure to observe the appropriate boundaries of the supervisor/subordinate or faculty member/student relationship, including the participation of a supervisor, teacher, advisor, or coach in an unreported consensual romantic or sexual relationship with a subordinate employee or student; or
- d. Engaging in sexual exploitation. Sexual exploitation occurs when an individual takes non-consensual or abusive sexual advantage of another for his or her own benefit or to benefit anyone other than the one being exploited. Examples of sexual exploitation include, but are not limited to, engaging in voyeurism; forwarding of pornographic or other sexually inappropriate material by email, text, or other channels to non-consenting students/groups; and any activity that goes beyond the boundaries of consent, such as recording of sexual activity, letting others watch consensual sex, or knowingly transmitting a sexually transmitted disease (STD) to another.

**Sexual Violence:** a spectrum of any sexual act committed against someone without that person's freely given consent. The spectrum defines the full range of experiences that are included under sexual violence – when a sexual act is used as a tool for violence, humiliation, or degradation. Some of those experiences are not considered criminal violations in most states, even though they may be experienced as violating or threatening. **Incapacitated** means the victim is temporarily incapable of appraising or controlling his/her conduct due to the influence of a narcotic, anesthetic or other substance administered without consent or due to any other act committed upon the victim without consent.<sup>3</sup> Sexual violence can be carried out by school employees, other students, or third parties. All acts of sexual violence are forms of sex discrimination prohibited by Title IX. Both men and women can be victims of sexual violence.

**Statutory Rape** is unlawful sexual intercourse with a minor under 17 years old, even if the intercourse is consensual.

**Stalking** means a course of conduct directed at a specific person (1) intended to harass, annoy, alarm, abuse, torment, or embarrass that person<sup>4</sup> or (2) which the actor knows or reasonably should know the other person will regard as threatening and causes or cause the person to fear:

- a. Bodily injury or death;
- b. Bodily injury to or death of a member of the other person's family or household or an individual with whom they have a dating relationship; or
- c. That an offense will be committed against the other person's property;

<sup>3</sup> Persons who are drugged, incapacitated, or under the age of 17 are unable to give consent.

<sup>4</sup> Under section 42.07.

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- d. To feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended; and
- e. Would cause a reasonable person to:
  - i. fear bodily injury or death for himself or herself;
  - ii. fear bodily injury or death for a member of the person's family or household or for an individual with whom the person has a dating relationship;
  - iii. fear that an offense will be committed against the person's property; or
  - iv. feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended.<sup>5</sup>

**Cyberstalking** means to engage in a course of conduct to communicate or cause to be communicated, words, images, or language by or through the use of a computer, electronic mail or electronic communication,<sup>6</sup> directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose. This includes online harassment as defined by sections 33.07 and 42.07 of the laws of the State of Texas.

### C. Prohibited Conduct

Any conduct by an employee, student, or third party that denies or limits the ability of a student or employee to participate in or receive the benefits, services, or opportunities of employment or any TLU program or activity based on sex is prohibited. This includes any circumstance where:

1. An employment or educational decision or benefit is conditioned on submission to unwelcome sexual advances or conduct;
2. Submission to, or rejection of, unwelcome sexual conduct is used as a basis for denying employment or an opportunity to participate in or benefit from any school program or activity;
3. Conduct has the purpose or effect of unreasonably interfering with, denying or limiting a student ability to participate in or benefit from any school program or activity or a term, condition or benefit of employment;
4. Conduct alters the educational environment to the degree that it adversely affects the student's ability to participate in or benefit from any school program whether or not that student is the target of the harassment;
5. There is a pattern and practice of sexual harassment;
6. A teacher, administrator or other person in a position of authority engages in sex discrimination or sexual harassment of a student or employee; and/or
7. A student or a group of students engages in sexual harassment of another student or students.

The following are examples of behaviors that are prohibited under this policy. This policy specifically includes electronic communications, including but not limited to phone calls, text messages, e-mail, and communications using social media such as Instagram, Snapchat, Twitter, and Facebook. This is not intended to be an exhaustive list:

1. Unwelcome sexual flirtations, advances or propositions;
2. Derogatory, vulgar or graphic written or oral statements regarding one's sexuality;
3. Unwanted touching, patting, pinching, or other attention to an individual's body;
4. Attempted or actual physical assault;
5. Any nonconsensual sexual act, including but not limited to rape, sexual assault, sexual battery and sexual coercion;

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<sup>5</sup> Sections 42.072 and 42.07.

<sup>6</sup> "Electronic communication" means a transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic, or photo-optical system.

6. Unwelcome sexual comments, innuendoes, suggestions or jokes;
7. Display of sexually suggestive pictures or objects;
8. Domestic violence, dating violence, sexual violence, and stalking, including cyberstalking;
9. Sending text messages, e-mails, or other electronic communications with nude or sexually suggestive photos, videos, or other images; and
10. Sharing or sending nude or sexually suggestive images over the Internet.

#### D. Reporting sexual misconduct or filing a complaint

**Where to report:** Sexual assault, sexual harassment, sexual violence and other behavior prohibited by this policy should be reported to:

- Dr. Bernadette Buchanan, 830-372-8060 or bbuchanan@tlu.edu (*for complaints against any member of the TLU community*)
- Mr. Kyle Wych, 830-372-8060 or kwych@tlu.edu (*for complaints against students*)
- Dr. William Davis, 830-372-6046 or wdavis@tlu.edu (*for complaints against faculty*)
- Ms. Toi Turner, *HR Administrator*, 830-372-8019 or tturner@tlu.edu (*for complaints against administrators, staff, or non-employees/third parties*)
- Mr. Michael Hunt, 830-372-8128 or mhunt@tlu.edu (*for complaints against athletes*)
- A report can also be made to the Texas Lutheran University Police by dialing “0” on a campus phone or 830-372-8000, or Police Chief Irene Garcia by dialing ext. “8199” on a campus phone or 830-372-8199 or to the Seguin Police Department by dialing “911”

A complaint or report may be verbal or written and does not need to take a particular form.

Students may also report any incident of sexual violence or sexual harassment that may create or contribute to the creation of a hostile environment to any instructor or school employee. Students, staff and faculty may notify the head of their department or unit, their supervisor, or any member of the administration with whom they are comfortable. Any instructor or other employee receiving such a report is responsible for reporting it to the Title IX Coordinator. Failure to comply with this policy shall be grounds for disciplinary action, up to and including termination.

**What to expect.** A representative of TLU, typically a Deputy Title IX Coordinator, will meet with the complainant, give the complainant a copy of this policy, and explain:

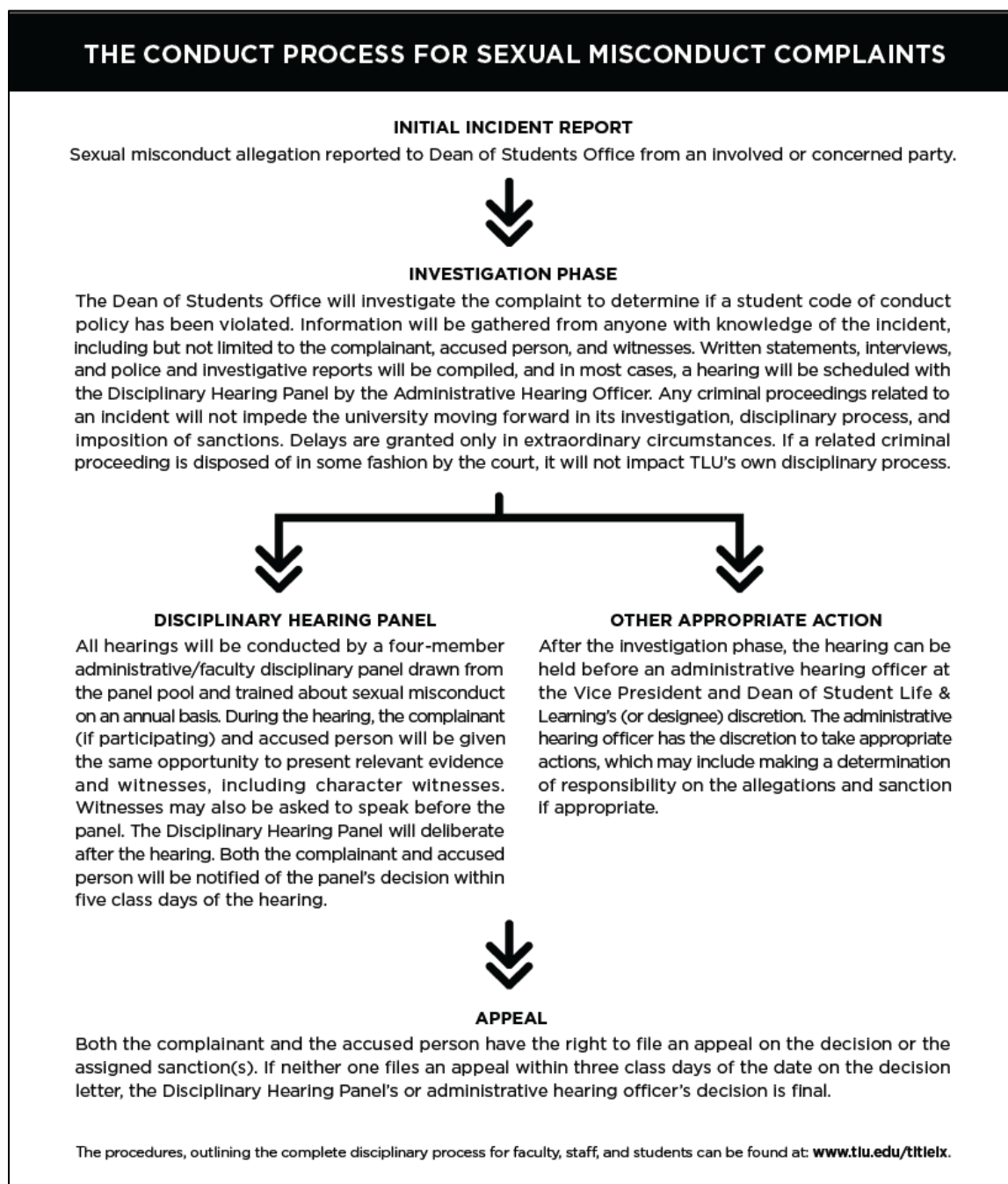
1. The importance of seeking immediate medical attention for sexual assaults;
2. The importance of preserving evidence;
3. The right to report a crime to campus or local law enforcement;
4. The right to *not* report a crime to law enforcement or file criminal charges;
5. The right to simultaneously file both a criminal complaint with campus security or local law enforcement and an institutional Title IX complaint;
6. The right to assistance from school officials with filing a criminal complaint, if assistance is requested;
7. Internal options, including informal and formal resolution<sup>7</sup> ;
8. Available health care, victim advocacy, academic support, mental health, legal assistance resources and counseling services available both on and off campus, including the campus health center, the campus counseling center and sexual assault resource centers, and pastoral counselors, which can be found here;
9. Even if a complainant asks TLU not to take any action, the university is obligated to investigate the complaint;
10. Prohibitions against retaliation;
11. Interim measures that may be put in place, including a no-contact order pending the outcome of the investigation, providing support services, changing living arrangements or course schedules, assignments, or tests, and temporary removal of the respondent from the campus community pending the outcome of an investigation;

<sup>7</sup> Mediation cannot be used in cases of alleged sexual assault.

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12. Options for avoiding contact with the respondent(s), including being allowed to change academic and extracurricular activities and living, transportation, dining, and working situations as appropriate;
13. Complaints against students may be referred to the Office of the Vice President and Dean of Student Life & Learning for adjudication through the student conduct process; and
14. Complaints against employees may be referred for disciplinary action by Human Resources and/or Academic Affairs.

When implementing interim protective measures and taking steps to separate complainants from respondents, TLU will attempt to minimize the burden on the complainant.



**Confidentiality.** TLU will make reasonable and appropriate efforts to preserve student complainants' and student respondents' privacy and to protect the confidentiality of information. TLU will only disclose information regarding complaints under this policy on a need to know basis, primarily to persons who are responsible for its investigation and any reporting requirements.

TLU strongly supports a complainant's interest in confidentiality in cases involving sexual violence. If a student complainant requests confidentiality, the Title IX Coordinator will determine whether TLU can honor this request while providing a safe and nondiscriminatory environment for all students, including the student who reported the sexual violence. A request for confidentiality could preclude a meaningful investigation; therefore, TLU will consider whether there are circumstances present that demonstrate a risk that the respondent may commit additional acts of sexual violence or other violence. These include whether other sexual violence complaints have been received about the same respondent, whether the respondent has a history of arrests, whether the respondent has records from a prior school indicating a history of violence, whether the respondent threatened further sexual violence or other violence against the complainant or others, and whether the sexual violence was committed by multiple perpetrators.

Other factors include whether the sexual violence was perpetrated with a weapon, and the age of the student subjected to the sexual violence.

If the complainant asks that the complaint not be pursued, TLU will take reasonable steps to investigate and respond to the complaint consistent with the request not to pursue an investigation.

Even when a student asks that a complaint not be pursued or that information be kept confidential, if necessary, TLU will take action to protect the student. This includes providing support services and changing living arrangements or course schedules, assignments, or tests as appropriate.

## **E. Investigation**

Complaints under this policy will be investigated by the Title IX Coordinator, deputy or a designee (referred as the "investigator"). Other university officials may assist in gathering facts during the investigation and information from TLU campus security or local law enforcement officials may be considered. Both parties will be given the same opportunity to present relevant evidence and witnesses, including character witnesses. If the respondent is allowed to review the complainant's statement, the complainant may also review any statement by the respondent. No other witness statements or documents will be available for review by the parties during the investigation. In cases of alleged domestic violence, dating violence, sexual assault, or stalking, proceedings under this policy shall provide a prompt, fair, and impartial investigation and resolution, and be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

TLU will make every effort to complete its investigation of Title IX sex discrimination complaints within 60 days. If additional time is needed, both the complainant and respondent will be notified. In addition, the complainant and respondent will receive periodic status updates on the progress of the complaint. During the investigation and any subsequent hearing process or appeal, TLU may implement interim actions including, but are not limited to no-contact orders pending the outcome of the investigation and/or appeal, providing academic support and counseling services, changing living arrangements or course schedules, assignments, or tests, temporary removal of the respondent from the campus community pending the outcome of an investigation, and options for avoiding contact, including being allowed to change academic and extracurricular activities and living, transportation, dining, and working situations as appropriate.

**Relevant Information for Investigation.** At the outset of an investigation, the Title IX Coordinator/Investigator will notify the respondent of the allegations against him or her and request a written response. In addition, the Title IX Coordinator/Investigator may collect and consider the following types of information:

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- Statements by the complainant and respondent about the alleged incident(s);
- Statements by witnesses to the alleged incident(s);
- Evidence about the credibility of the complainant and the respondent;
- Evidence that the respondent has been found to have harassed other;
- Evidence that the complainant has made false allegations against other individuals;
- Evidence as to whether the complainant's reaction or behavior after the alleged harassment;
- Evidence as to whether the alleged victim filed a complaint or took other action to protest the conduct soon after the incident occurred; and
- Other evidence of the harassment (e.g., reporting conduct to parents, counselors or friends, or medical records).
- The fact of a current or previous consensual dating or sexual relationship between the parties will not imply consent or preclude a finding of sexual violence.

**Evidentiary/fact determinations.** The Title IX Coordinator/investigator has broad discretion in determining whether a proffered witness or documentary information would be relevant or helpful to a determination.

**Evidentiary Standard.** A "preponderance of the evidence" standard will be used.

**Time Frame for Investigation and Completion of Report.** An investigation and report should normally be completed within 60 calendar days after notice of a complaint. This time may be extended for good cause, including breaks or the unavailability of the complainant or respondent. A written decision should be completed and provided to the parties at the conclusion of the investigation.

**Cooperation.** All faculty, staff and students are required to cooperate in the investigation process. Refusal to cooperate will result in disciplinary action based on failure to cooperate in an official university investigation for employees and disciplinary action potentially leading to dismissal.

**Notice of Investigation.** At the outset of an investigation, the investigator will advise the respondent of the allegations against him or her in writing.

**Opportunity to Participate.** Both the complainant and the respondent will have the same opportunity to meet with the investigator, to submit relevant documentation or other evidence, including character evidence, and to request that the investigator speak with relevant witnesses and evaluate written documents and statements. The investigator may exclude any third party (including legal counsel, family members, or character witnesses) from such meetings and interviews.

**Pending Criminal Matters.** The internal investigation will proceed whether a related criminal matter is pending or not. If there is an ongoing criminal investigation, TLU will *not* wait for the conclusion of the criminal investigation or criminal proceeding to begin its own Title IX investigation. However, TLU may temporarily delay the fact-finding portion of a Title IX investigation while the police or other law enforcement officials are gathering evidence.

### F. Hearings

Once the Title IX investigation concludes, a decision must be made concerning disciplinary action. When the complaint involves a student respondent, the investigator's final report will be submitted to the Vice President and Dean of Student Life & Learning. The Vice President and Dean of Student Life & Learning or a designee will determine whether to charge the student with a disciplinary infraction. No complaint will be forwarded for a hearing unless there is reasonable cause to believe a policy has been violated. Reasonable cause is defined as some credible information to support each element of the offense, even if that information is merely a credible witness or an alleged victim's statement. A complaint wholly unsupported by any credible information will not be forwarded for a hearing.



1. Hearing Process

If the Vice President and Dean of Student Life & Learning refers the matter for a hearing, both the complainant and respondent will receive notice of the hearing and be given the opportunity to present evidence and witnesses, as well as have an advisor of their choice present, though that advisor may not participate in any of the proceedings. The Student Code of Conduct hearing process and hearing procedures contained in the Student Handbook will be followed unless a different process is stated below. The notice will be in writing and may be delivered by one or more of the following methods: in person by the Associate Dean of Students (or a designee); mailed to the local or permanent address of the student as indicated in official university records; or emailed to the student's university-issued email account. Once mailed, emailed and/or received in-person, such notice will be presumed delivered.

At the hearing, there shall be no authority to compel the attendance of witnesses. The following applies:

- a. Both parties will be given similar and timely access to information that will be used at the hearing.
- b. Any conflicts of interest between a party and the fact-finder or decision-maker at a hearing must be disclosed.
- c. Both parties will be given the same opportunity to present relevant evidence and witnesses, including character witnesses.
- d. If the respondent is allowed to review the complainant's statement, the complainant may also be allowed to review the respondent's statement.
- e. The parties are prohibited from personally questioning each other at hearings
- f. If the institution allows attorneys to attend the disciplinary hearings, the attorneys for both sides must have the same opportunity to speak and participate.
- g. If attorneys are allowed to attend in an advisory capacity, both sides must have the same opportunity to provide advice.
- h. TLU will maintain documentation of all disciplinary hearing proceedings, including written findings of facts, transcripts, and any audio recordings
- i. The fact of a current or previous consensual dating or sexual relationship between the parties does not itself imply consent or preclude a finding of sexual violence.
- j. If a complainant or respondent refuses to participate in a Title IX hearing that the Vice President and Dean of Student Life & Learning has determined should occur, the hearing shall proceed and the matter be determined in their absence.

2. Examining witnesses

The hearing can be held before an administrative hearing officer or disciplinary panel at the Vice President and Dean of Student Life & Learning's or a designee's discretion. The respondent and complainant may question their own or opposing witnesses, although the hearing officer of the disciplinary panel can require that questions be submitted to and asked by the panel or officer at its/his/her discretion. The complainant and respondent shall not be allowed to question one another during the hearing. Witnesses may be questioned by the hearing panel or administrative hearing officer. The respondent and complainant shall have an equal opportunity to submit questions to the hearing officer or disciplinary panel to be asked of witnesses.

3. Composition of the Hearing Panel

All hearings will be conducted by a four-member administrative panel drawn from the panel pool and trained about Title IX on an annual basis.

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### 4. Decision process

The past sexual history or sexual character of a complainant or respondent will be inadmissible in hearings unless determined to be highly relevant by the panel chair. Such information sought to be admitted by a party or the university will be presumed irrelevant until a showing of relevance is made, at least five days prior to the hearing, to the chair. Demonstration of pattern, repeated, and/or predatory behavior by the responding student, in the form of previous findings in any legal or campus proceeding, or in the form of previous good faith allegations, will generally be relevant to the finding, not just the sanction. The complainant and respondent will be notified in advance if any such information is deemed relevant and will be introduced in the hearing.

The four-member administrative panel will determine whether it is more likely than not that a violation of policy occurred and issue a written decision. The written decision will include, but not be limited to, whether the allegations were substantiated, and if so, disciplinary sanctions and remedial measures. The hearing decision will be provided to both parties, although the content of each letter may be modified subject to the limitations of FERPA and other federal or state privacy laws. In cases of alleged sexual assault, the result of the hearing and any sanction imposed will be disclosed to both parties regardless of whether the hearing concludes an assault was committed.

The complainant and respondent will both be sent notice of the hearing panel's findings in writing at the same time. The written recommendation will be relayed to the respondent and complainant, with any restrictions or sanctions. If the complaint is against a faculty member or other employee, the hearing decision will be submitted to the appropriate Vice President, who will make a recommendation concerning restrictions or sanctions to the President. The President or the President's designee will make the final determination as to any recommended actions or sanctions.

Any person who serves as a hearing officer, a disciplinary panel member or on a hearing board related to Title IX sexual misconduct must receive annual training on legal requirements and the university's policies and procedures related to sexual harassment and sexual violence.

### **G. Appeals**

A student may appeal a decision of the panel to the Vice President and Dean of Student Life & Learning or designee. The appeal must be submitted in writing within three class days of receiving written notification of hearing outcome.

#### **Grounds for Appeal**

Appeal requests are limited to the following grounds:

1. A procedural error that significantly impacted the outcome of the hearing;
2. To consider new evidence that was not available during the original hearing or investigation and could substantially impact the original finding or sanction.<sup>8</sup>
3. A summary of this new evidence and its potential impact must be included;<sup>9</sup>
4. The sanctions imposed are disproportionate to the severity of the violation and the student's overall conduct record.

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<sup>8</sup> Failure to provide information during or participate in an investigation or a hearing, even resulting from concern over pending criminal or civil proceedings, does not make evidence "unavailable" at the time of the hearing.

<sup>9</sup> The Associate Dean of Students is expected to consult with the chair of the original panel to inquire as to whether the new evidence would, in the opinion of the chair, have substantially impacted the original finding or sanction.

Appeals must be filed in writing with the Dean of Students Office within three class days of the notice of the outcome of the hearing, and either the respondent or complainant may file an appeal. Appeals filed after the deadline will not be considered.

The Appeals Review Officer or designee will issue a decision in writing to the accused student no later than five class days after the request for an appeal has been submitted. This deadline may be extended in the event of complex or unusual circumstances. If this deadline is extended, the Appeals Review Officer or designee shall notify the accused of the delay in writing.

## **H. Sanctions and Protective Measures**

If a violation of this policy is proven by a preponderance of the evidence (*i.e.*, that it is more likely than not that sexual harassment occurred), immediate action, including protective measures, will be implemented to end the harassment and prevent its reoccurrence. The recommended action will depend on the degree of control the school has over the harasser and the nature, frequency and severity of the substantiated sexual harassment. In all instances, the Title IX Coordinator will follow up and communicate with the complainant at the conclusion of the investigation.

Depending on whether the respondent is a student, faculty, staff member, or third party, sanctions can include a verbal warning, written reprimand, a no-contact order, short-term or long-term suspension, expulsion, or dismissal/termination. Counseling for the complainant and respondent will also be considered as remedial action. In addition, the following protective measures may be imposed following a final determination of rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking:

**Protective or remedial measures.** Available protective and remedial measures include, but are not limited to:

- a. Providing an escort to ensure that the complainant can move safely between classes and activities;
- b. Ensuring the complainant and respondent do not share classes or extracurricular activities;
- c. Moving the perpetrator or complainant (if the complainant requests to be moved) to a different residence hall;
- d. Providing comprehensive, holistic victim services including medical, counseling and academic support services, such as tutoring;
- e. Arranging for the complainant to have extra time to complete or re-take a class or withdraw from a class without an academic or financial penalty; and
- f. Reviewing any disciplinary actions taken against the complainant to see whether there is a causal connection between the sexual violence and the misconduct that may have resulted in the complainant being disciplined

Any sanction imposed on someone being accused of sexual assault or harassment that relates directly to the victim, such as a “no contact” order, transfer to different classes or housing, or a suspension will be disclosed to the complainant. The perpetrator will not be notified of the individual remedies offered or provided to the complainant other than no-contact orders. In cases of alleged sexual violence, the result of the hearing and any sanction imposed will be disclosed to both parties regardless of whether the hearing concludes an assault was committed

## **I. Informal Resolution**

If the complainant requests mediation or informal resolution, he/she will not be required to work out problems directly with the respondent. Mediation cannot be used in cases of alleged sexual assault. In addition, the complainant has the right to terminate the informal resolution procedure at any time and pursue a formal complaint.

## SEXUAL ASSAULT POLICIES AND PROCEDURES

### **J. Accused Student's Rights Under the Family Educational Rights and Privacy Act (FERPA)**

Under FERPA, the accused student may ask to inspect and review information about the allegations against him or her if the information directly relates to the respondent and is maintained as an education record. In such a case, TLU will either redact the complainant's name and all identifying information before allowing the respondent to inspect and review the sections of the complaint that relate to him or her, or notify the respondent of the specific information in the complaint that is about the respondent. See 34 C.F.R. § 99.12(a).

### **K. Retaliation**

Retaliation against a student, employee, or other individual who reports or complains about sex discrimination to an appropriate school official or participates in a report, investigation or proceeding involving a claim or allegation under this policy because he or she made a complaint, testified, or participated in an investigation or proceedings is prohibited.

### **L. Dissemination of Policy**

This policy must be distributed to:

1. Students
2. Administrators, faculty, and other employees
3. Applicants for admission
4. Applicants for employment

This policy must be available:

1. On the TLU website
2. In hard copy at multiple campus locations
3. In both printed and electronic publications, including student, staff, and faculty handbooks, codes of conduct, and catalogs

### **M. Health Care, Victims' Advocacy, Support and Related Services and Providers.**

#### **Campus Resources**

TLU Police Department  
Dial "0" from any campus phone  
830 372-8000  
[www.tlu.edu/safety](http://www.tlu.edu/safety)  
*On-campus law enforcement*

Dean of Students  
Alumni Student Center, Suite 102  
830-372-8060  
*Offers support services, conducts investigations, and coordinates responses to specific concerns*

Advocacy Coordinator  
Virgel Thompson  
Department of Justice/Office on Violence Against Women: Campus Grantee  
830-372-6313  
*Provides assistance to faculty, staff, and students going through crisis and looking for a referral*

**Confidential Campus Resources**

TLU Counseling & Disability Services  
Dr. Marlene Moriarity  
mmoriarity@tlu.edu  
830-372-8009

*or*

Alumni Student Center  
Meadows Center, Suite 101  
830 372-7999

*Provides **confidential** counseling services and crisis services at no charge to TLU students*

TLU Health Center  
Ms. Cathy Anderson  
canderson@tlu.edu  
Clifton Hall Apartment  
830-372-8068

*Provides **confidential** medical services to TLU students*

TLU Campus Pastor  
Rev. Kara Stewart  
830-372-8161  
Center for Servant Leadership  
kstewart@tlu.edu  
830-372-8160

*Provides **confidential** spiritual assistance for students while going through a crisis*

File a Complaint Webpage  
[www.tlu.edu/file-a-complaint](http://www.tlu.edu/file-a-complaint)

*Provides an anonymous way for a member of the TLU community to file a formal complaint*

**Community Resources**

Guadalupe Regional Medical Center Emergency Room  
1215 E. Court St.  
Seguin, Texas  
830-379-2411

Crime Victims' Services  
800-983-9933

Guadalupe Valley Family Violence Shelter  
Seguin, Texas  
830-372-2780  
Advocate@safesequin.org

Seguin Police Department  
350 N. Guadalupe St.  
Seguin, Texas  
830-379-2123

## SEXUAL ASSAULT POLICIES AND PROCEDURES

### *References:*

The Violence Against Women Reauthorization Act of 2013, (VAWA), also known as the Campus SaVE Act.

Title IX of the Education Amendments of 1972, as amended.

Title VII of the Civil Rights Act of 1964, as amended.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, as amended.

October 26, 2010 Dear Colleague Letter on harassment and bullying, issued by the U.S. Department of Education

April 4, 2011 Dear Colleague Letter on sexual violence, issued by the U.S. Department of Education

April 24, 2013 Dear Colleague Letter on Title IX retaliation, issued by the U.S. Department of Education;

April 29, 2014 Questions and Answers on Title IX and Sexual Violence, issued by the U.S. Department of Education.

Title IX Legal Manual, U.S. Department of Justice Civil Rights Division.

### **Sexual Misconduct Disciplinary Policy**

Members of Texas Lutheran University community, guests and visitors have the right to be free from sexual violence and discrimination. All members of the TLU community are expected to conduct themselves in a manner that does not infringe upon the rights of others. The TLU sexual misconduct policy has been developed to reaffirm this expectation and to provide recourse for those individuals whose rights have been violated.

TLU maintains a policy of zero tolerance for sexual misconduct regardless of the sexual orientation or gender identity of individuals engaging in sexual activity. Zero tolerance means the university will remedy all unwelcome conduct of a sexual nature and will impose serious sanctions on anyone who violates this policy. Resolution by the university is intended to bring an end to harassing or discriminatory conduct, prevent its recurrence and remedy the effects on the alleged victim and the community. This policy has dual purposes: it serves as a measure to determine, after the fact, if behaviors trespassed on community values and as a guide for students on the university's expectations, preventatively, for sexual communication and interaction, responsibility and respect.

Consent is clear sexual permission and can only be given by a person who is of legal age. Consent can be given by word or action, but non-verbal consent is more ambiguous than explicitly stating one's wants and limitations. Consent to one form of sexual activity should not, and cannot, be taken as consent to any other sexual activity. Individuals who consent to sex must be able to fully understand what they are doing. Under TLU's student disciplinary policy and sexual misconduct policy, "no" always means "no," and "yes" may not always mean "yes." For example, when alcohol or other drugs are used, a person will be considered unable to give valid consent if the person cannot appreciate the who, what, where, when, why, or how of a sexual interaction. In addition, silence — without clear action demonstrating permission — will not be assumed to indicate consent. Further, there is a difference between seduction and coercion; coercion is defined as unreasonably pressuring another person for sex. Coercing someone into engaging in sexual activity violates the student conduct policy in the same way as physically forcing someone into engaging in sexual activity.

### **A. Violations of the University Sexual Misconduct Policy**

Sexual misconduct is a serious offense and such violations are subject to any combination of conduct sanctions, as described in the Student Code of Conduct, with individuals found responsible for violation of the nonconsensual sexual intercourse policy facing a recommended sanction of university suspension or university expulsion. Deviations from this range are rare and only made where there are compelling mitigating circumstances. Suspensions, if given, are based on satisfying conditions rather than solely on a period of time. Predatory, pattern and/or repeat offenders face expulsion, which is also available for any serious offense whether pattern, predatory or repeat offending is evidenced or not. The other forms of sexual misconduct defined below cover a range of behaviors, and therefore a range of sanctions from warning to expulsion can be applied, depending on the nature of the misconduct. A partial list of university sexual misconduct policy violations is listed below.

**Sexual Misconduct Policy Violations**

1. **Dating violence** means an act between individuals who are or have been in a dating relationship or marriage that is intended to result in physical harm, bodily injury, assault, or sexual assault or is a threat that reasonably places the victim in fear of imminent physical harm, bodily injury, assault, or sexual assault.
2. **Domestic violence** is abuse or violence committed by a current or former spouse or intimate partner of the complainant, by a person with whom the complainant shares a child in common, by a person with whom the complainant is cohabiting (or has cohabited) with a spouse or intimate partner, by a person similarly situated to a spouse of the complainant under the domestic or family violence laws of the State of Texas, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of Texas.
3. **Sexual harassment** also includes acts of verbal, non-verbal (e.g., written) and physical aggression, intimidation or hostility based on sex or gender stereotyping, even if these acts are not sexual in nature.
  - c. **Hostile Environment** sexual harassment includes situations where harassment is sufficiently severe, pervasive or persistent and objectively offensive that it unreasonably interferes with, limits or denies the ability to participate in or benefit from the university educational or employment program or activities, sanctions can be imposed for the creation of a hostile environment. The determination of whether an environment is "hostile" must be based on all the circumstances. These circumstances could include, but are not limited to:
    - The frequency of the speech or conduct;
    - The nature and severity of the speech or conduct;
    - Whether the conduct was physically threatening;
    - Whether the speech or conduct was humiliating;
    - The effect of the speech or conduct on the alleged victim's mental and/or emotional state;
    - Whether the speech or conduct was directed at more than one person;
    - Whether the speech or conduct arose in the context of other discriminatory conduct;
    - Whether the speech or conduct unreasonably interfered with the alleged victim's educational or work performance;
    - Whether a statement is a mere utterance of an epithet, which engenders offense in a student or offends by mere discourtesy or rudeness.
  - d. **Quid Pro Quo** sexual harassment means unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature where submission to, or rejection of, such conduct results in adverse educational or employment action. Quid pro quo harassment may also exist when a threat of adverse action or a promise of a benefit is explicitly conditioned on submission to, or rejection of, such requests.
4. **Nonconsensual Sexual Intercourse (or attempts to commit the same):**
  - Any sexual intercourse (anal, oral or vaginal),
  - however slight,
  - with any object,
  - by a person upon another person,
  - without consent and/or by physical force
5. **Nonconsensual Sexual Contact (or attempts to commit the same):**
  - Any intentional sexual touching,
  - however slight,

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- with any object,
  - by person upon another person,
  - without consent and/or by physical force
6. Sexual Exploitation: Taking nonconsensual or abusive sexual advantage of another for one's own advantage or benefit, or to benefit a person other than the one being exploited. Examples of sexual exploitation include, but are not limited to:
- Prostituting another student;
  - Non-consensual video or audio recording of sexual activity;
  - Coercing a student into providing sexually explicit pictures of the student or others
  - Exceeding the boundaries of express consent, such as allowing friends to hide in a closet to be witness to one's consensual sexual activity;
  - Engaging in voyeurism (Peeping Tommerly); and/or
  - Knowingly transmitting a sexually transmitted disease or infection to another person who is a member of the campus community.

### **Frequently Asked Questions**

The following are some of the most commonly asked questions regarding the university's sexual conduct policy and procedures.

#### **1. Does a complaint remain confidential?**

Reports made to counselors, health service providers and clergy will be kept confidential. All other reports are considered private. The privacy of all parties to a complaint of sexual misconduct will be maintained, except insofar as it interferes with the university's obligation to fully investigate allegations of sexual misconduct. Where information is shared, it will still be tightly controlled on a need-to-know basis. Dissemination of information and/or written materials to persons not involved in the complaint procedure is not permitted.

In all complaints of sexual misconduct, the accusing party will be informed of the outcome. In some instances, the administration also may choose to make a brief announcement of the nature of the violation and the action taken, to the community, though personally identifying information about the alleged victim will not be shared. Certain university administrators are informed privately (e.g., the President of the university, Dean of Students, Title IX Coordinator, Chief of Police, etc.) of the outcome and any change to a student's status, as necessary. The university must statistically report the occurrence on campus of any of seven major violent crimes, including certain sex offenses, and hate crimes in an annual report of campus crime statistics. This statistical report does not include personally identifiable information.

#### **2. Will the student's parents/guardians be told?**

No, not unless he/she tells them. Whether the student is the accusing party or the responding party, the university's primary relationship is to the student and not to the parent/guardian; however, in the event of major medical, conduct action, or academic jeopardy, students are strongly encouraged to inform their parents. University officials may directly inform parents when requested to do so by a student, or in a life-threatening situation, in the case that the student is a minor, or if the student has signed the permission slip at registration which allows such communication.

#### **3. Will the student have to confront the alleged perpetrator?**

Yes, if the student files a formal complaint, but not directly. Sexual misconduct is a serious offense and the responding party has the right to question the accuser; however, the university does provide options for allowing questioning without direct contact, including closed-circuit testimony, Skype, using a room divider or using separate hearing rooms.



**4. Does the student have to name the alleged perpetrator?**

Yes, if they want formal conduct action to be taken against the alleged perpetrator. No, if they choose to respond informally and do not file a formal complaint. One should consult the complete privacy policy described above to better understand the university's legal obligations regarding information that is shared with various university officials.

**5. What should a student do if they are accused of sexual misconduct?**

First, they should not contact their accuser. They may immediately want to contact someone who can act as their advisor; anyone may serve as their advisor. They may also contact the Associate Dean of Student Life & Learning, who can explain the university's procedures for dealing with sexual misconduct complaints. They may also want to talk to a confidential counselor in Counseling & Disability Services.

**6. What should a student do about legal advice?**

Complainants in cases of criminal sexual assault need not retain a private attorney to seek prosecution because legal issues will be handled through a representative from the District Attorney's Office. The student may want to retain an attorney if they are the responding party. Complainants may also want to retain an attorney if they are considering filing a civil action against the respondent. Both the accused and the complainant may also use an attorney as their advisor during the campus' investigative and hearing processes.

**7. How can Texas Lutheran University help to remedy the effects of discrimination?**

If the student wants to move or have the responding party moved, they may request a room change. Room changes under these circumstances are considered emergencies. It is the university's policy that in emergency room changes, the student is moved to the first available suitable room. Other accommodations available to the student might include:

- Assistance from university support staff in completing the relocation;
- Arranging to dissolve a housing contract and pro-rating a refund;
- Exam, paper or assignment rescheduling;
- Taking an "incomplete" in a class;
- Transferring class sections;
- Temporary withdrawal; and/or
- Alternative course completion options;
- A no-contact order;
- Counseling assistance;
- Escorts or other campus safety protections.

**8. What should the student do to preserve evidence of a sexual assault?**

Physical information of a sexual assault must be collected within about 120 hours of the assault for it to be useful in a criminal prosecution. If a student believes they have been a victim of a sexual assault, they should go to a hospital Emergency Room before washing themselves or their clothing. A sexual assault health professional (a specially trained nurse called a SANE) at the hospital is on call and will counsel them.

If they go to the hospital, local police will be called but they are not obligated to talk to the police or to prosecute. The exam will help to keep that option open for them should they decide later to exercise it.

The hospital staff will collect evidence, check for injuries and address the possibility of exposure to sexually transmitted infections. If the student has changed clothing since the assault, they should bring the clothing they had on at the time of the assault with them to the hospital in a clean, sanitary container such as a clean paper grocery bag or wrapped in a clean sheet. (Plastic containers do not breathe, and may render forensic evidence useless.) If they have not changed clothes, they should

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bring a change of clothes with them to the hospital, if possible, as they will likely keep the clothes they are wearing as evidence. The student can take a support person with them to the hospital, and they can accompany the student through the exam, if they want. Do not disturb the crime scene—leave all sheets, towels, etc. that may bear evidence for the police to collect.

**9. Will either party's prior use of drugs and/or alcohol be considered when reporting sexual misconduct?**

No, not unless there is a compelling reason to believe that prior use or abuse is relevant to the present complaint.

**10. Will a student be sanctioned when reporting an act of sexual misconduct if the student has illegally used drugs or alcohol?**

No. TLU offers amnesty in such situations. The seriousness of sexual misconduct is a major concern and the university does not want any of the circumstances (e.g., drug or alcohol use) to inhibit the reporting of sexual misconduct. (See Student Code of Conduct Section 7: C – Amnesty Provisions)

**11. What should a student do if they are uncertain about what happened?**

If a student believes that they have experienced non-consensual sexual contact, but are unsure of whether it was a violation of the university's sexual misconduct policy, they should contact the Title IX Coordinator and/or Associate Dean of Student Life & Learning. The TLU Counselor can also help them to define and clarify the event(s), and advise them of their options.

**a) Risk Reduction Tips**

Tips like these tend to make victims feel blamed if a sexual assault occurs. It is never the victim's fault, and these tips are offered in the hope that recognizing patterns can help men and women to reduce the risk of victimization. Generally, an assault by a known offender will follow a four-step pattern:

- 1) An individual's personal space is violated in some way. For example, the perpetrator may touch the victim in a way that does not feel comfortable.
- 2) If the victim does not express discomfort, the perpetrator may begin to view the victim as an easy target because she/he is not acting assertively.
- 3) The perpetrator may take the victim to a location that is secluded and where the victim is vulnerable.
- 4) The victim feels trapped or unable to be assertive and is raped or assaulted.

Decisive action early in an encounter may be the key to avoiding rape. An individual who can combine assertiveness and self-defense skills, who is self-confident and definite in his/her interactions with others, is less likely to become a victim of rape. If the individual can assertively defend his/her rights initially, he/she has a better chance of avoiding being raped than does a person who resorts to techniques such as pleading or trying to talk the perpetrator out of it. If you find yourself in an uncomfortable sexual situation, these suggestions may help you to reduce your risk:

- 1) Make your limits known before things go too far.
- 2) Give clear messages. Say "yes" when you mean yes and "no" when you mean no. Leave no room for misinterpretation. Tell a sexual aggressor "NO" clearly and loudly, like you mean it.
- 3) Try to extricate yourself from the physical presence of a sexual aggressor.
- 4) Grab someone nearby and ask for help.
- 5) Be responsible for your alcohol intake/drug use and realize that alcohol/drugs lower your sexual inhibitions and may make you more vulnerable to someone who views a drunk or high person as a sexual opportunity.
- 6) Watch out for your friends and ask that they watch out for you. A real friend will get in your face if you are about to make a mistake. Respect them if they do.

- 7) Be aware of any nonverbal messages you may be sending that conflict with what you are saying. Notice your tone of voice, gestures and eye contact.
- 8) Be forceful and firm when necessary. Don't be concerned with being polite. Your passivity may be interpreted as permission or approval for this behavior.
- 9) Do not acquiesce to something you do not want just to avoid unpleasantness. Do not allow "politeness" to trap you in a dangerous situation. This is not the time to be concerned about hurt feelings.
- 10) Trust your feelings or instincts. If a situation does not feel comfortable to you or you feel anxious about the way your date is acting, you need to respond. Leave immediately if necessary.

If you find yourself in the position of being the initiator of sexual behavior, you owe sexual respect to your potential partner. These suggestions may help you to reduce your risk for being accused of sexual misconduct:

- 1) Do not make assumptions about:
  - Consent;
  - Someone's sexual availability;
  - Whether a person is attracted to you;
  - How far you can go; or
  - Whether a person is physically and mentally able to consent to you.
- 2) Clearly communicate your intentions to your sexual partner and give him/her a chance to clearly relate his/her intentions to you.
- 3) Mixed messages from your partner should be a clear indication that you should step back, defuse the sexual tension, and communicate better. Perhaps you are misreading your partner. Perhaps your partner has not figured out how far he/she wants to go with you yet. You need to respect the timeline with which your partner is comfortable.
- 4) Do not take advantage of someone's drunkenness or drugged state, even if he/she did it to him/herself.
- 5) Realize that your potential partner could be intimidated by you, or fearful. You may have a power advantage simply because of your gender or size. Do not abuse that power.
- 6) Understand that consent to some forms of sexual behavior does not necessarily imply consent to other forms of sexual behavior.
- 7) On this campus, silence and passivity cannot be interpreted as an indication of consent. Read your potential partner carefully, paying attention to verbal and non-verbal communication and body language.
- 8) Do not force someone to have sex with you, or have sex with a partner who has not clearly consented to you by words or actions unmistakable in their meaning.

## **Pregnant and Parenting Students**

### Purpose:

To describe the university's commitment to provide a supportive learning environment for pregnant and parenting students.

### Additional Authority:

- Title IX of the Education Amendment of 1972
- University Policy on Sexual Harassment, Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking

### Scope:

This policy applies to those seeking admission, currently admitted and those students enrolled at the university.

## SEXUAL ASSAULT POLICIES AND PROCEDURES

### Definitions:

#### Pregnant or Parenting Student

For the purpose of this policy, pregnant or parenting student refers to those applying for admission, admitted, or enrolled in classes who have a qualifying condition.

#### Medically Necessary Leave of Absence

An absence from the classroom or extracurricular activities because of a qualifying condition and deemed necessary and documented by an appropriate health care professional.

#### Qualifying Condition

Conditions covered by this policy are pregnancy, complications related to pregnancy, false pregnancy, termination of pregnancy, childbirth, and recovery from any of these conditions.

### 1. Policy Statement

The university seeks to treat all students equitably, regardless of their actual or potential parental or familial status. It is the policy of the university to provide appropriate, reasonable adjustments to educational programs and activities to support pregnant students.

This policy establishes a process for pregnant and parenting students to request and obtain adjustments to educational programs and activities allowing them to continue their education at the university.

### 2. Requests for Adjustments for Pregnant and Parenting Students

A student in need of an educational adjustment should submit a request to the Dean of Students Office. If a student is unable to submit a request because of their condition, an appropriate representative of the student may contact the Dean of Students Office on their behalf and the student may confirm the request when they become able to do so.

The Dean of Students Office will consult with the student/appropriate representative and appropriate university officials, including faculty members and department chairs, to fashion an educational adjustment that is appropriate for the student. In the event the Dean of Students Office receives a request for adjustment that may be covered by Section 504 of the Rehabilitation Act or the Americans with Disabilities Act, the request will be forwarded to the Counseling and Disabilities Services Office.

### 3. Medically Necessary Leave of Absence

An educational adjustment under this policy may include an excused leave of absence for as long as medically necessary. To request a leave of absence and accompanying academic adjustments under this policy, a student should follow the request procedure outlined above.

- a. If reasonable, a student will be given extra time to make up course work and tests missed during the leave of absence. Whether or not it is reasonable to grant a student extra time to make up course work and tests missed will be determined by the Director of Counseling and Disability Services, appropriate faculty members, and the department chair. This determination will be based on, among other things, the length of the absence requested and the ability of the student to complete coursework outside of the classroom.
- b. If it is unreasonable for a student to receive extra time to complete a course, the student will be given the option to withdraw from the class without penalty.
- c. Pregnant or parenting students who must take a medically necessary extended leave of absence (generally no longer than 180 days) shall be allowed to return to the same academic and extracurricular status as before the leave began.

4. Reporting Harassment or Discrimination Due to a Qualifying Condition

Texas Lutheran University prohibits discrimination and harassment on the basis of sex. Pregnant or parenting students who believe they have been discriminated against or harassed because of a qualifying condition may file a complaint with the Title IX Coordinator. Complaints of discrimination or harassment under this policy will be processed in accordance with university policy on Sexual Harassment, Sexual Assault, Sexual Misconduct, Relationship (Dating) Violence, and Stalking.

**Stalking**

A person commits stalking when engaging in single or repeated acts toward another individual, including following the individual when such following is unwelcome and under circumstances which demonstrate an intent to place the individual in fear of bodily injury or intent to cause emotional distress. The university considers stalking a form of harassment; therefore, all disciplinary sanctions listed under harassment shall apply to stalking.

## STUDENT LIFE ON CAMPUS

### Academic and Political Expression

#### Speakers, Videos, and Films

The university encourages a wide variety of viewpoints and welcomes all responsible speakers on issues of interest to the community at large. To ensure a climate of reasoned communication, rather than indoctrination or intimidation, an attempt should be made to maintain a reasonable balance of perspectives within a series of lectures or other media presentations. This does not imply a one-for-one balance or “equal time” for all points of view; rather, it suggests a selective balance and equal opportunity.

- To maximize communication and publicity on campus and in the news media, notice of events that have been scheduled or are to be scheduled should be circulated by the sponsor to the Vice President and Dean of Student Life & Learning and the student government president far enough in advance of scheduled dates to allow for adequate publicity and hospitality arrangements. Speakers will normally be invited and hosted by an academic department, a campus organization or committee, or by the President or Vice Presidents in an official capacity.
- To avoid unnecessary embarrassment to the speaker or the university, a group or individual who wants to schedule a controversial speaker should solicit the advice of the Vice President and Dean of Student Life & Learning, or department chairperson before completing arrangements with the speaker. If such a speaker requires extraordinary police protection or security, the sponsors may be asked to cover the extra expense of this.
- To avoid unnecessary embarrassment to the university, a group or individual who wants to schedule a controversial video or film should solicit the advice of the Vice President and Dean of Student Life & Learning, or department chairperson before completing arrangements with the rental agency. As a general rule, “X”-rated videos or films are not to be a part of a university class or activity and are not to be shown on campus.

#### Assembly

Texas Lutheran University upholds the right to free speech; freedom to dissent is a necessary ingredient of a liberal arts education. However, the right to free speech does not provide a license to abuse other persons or carelessly disregard their rights. Guidelines include the following:

- Students have the right to a peaceful assembly in order to express personal views or to support causes through orderly means so long as such expression does not interfere with the educational and administrative activities of the university. Disruptive or coercive actions and interference with the normal activities of the university are treated as serious violations of university policy. The Vice President and Dean of Student Life & Learning must be informed of the plan for assembly and the purpose for demonstration in advance of the event, including off-campus assembly and demonstration by a student organization.
- Guest speakers on the campus are to be given the courtesy of an uninterrupted presentation. Harassment of invited speakers or the obstruction of the event by threat, coercive activity, or the restraint of participants is destructive to the pursuit of learning in a free society and is not tolerated.
- Students and organizations may distribute printed announcements or pamphlets on campus provided that they are not distributed in classroom buildings, chapel, library, or door-to-door in the residence halls and provided that they are not profane, obscene, libelous, or slanderous in printed or photographic content.
- All materials (announcements, flyers, pamphlets, posters, etc.) distributed and posted must contain the name of the sponsoring organization along with a contact name and number and/or e-mail address, and must be stamped by appropriate office (for further guidelines, see Posting in Student Life on Campus section).
- No one may invoke the name of the university without official permission from the Vice President and Dean of Student Life & Learning.
- Violators are subject to laws of the current Texas Penal Code.

Political Campaigns

Texas Lutheran University encourages students to participate in the political process and offers the following guidelines:

- All recognized political parties and their candidates may campaign on campus. Such campaigns will abide by all university regulations regarding conduct within our community.
- All candidates must have a student campus coordinator. This individual must register with the Student Government Association president and the Director of Student Activities and show proof that the coordinator is a campaign worker for the candidate or party. Until this is accomplished, the coordinator may not distribute literature, post signs, or otherwise campaign on campus. The coordinator will be responsible for the party's or candidate's activity on campus and for any violation of campus regulations.
- Any on-campus or off-campus group wishing to use university facilities for community political events must rent the space desired by having the coordinator work with the Director of Student Activities.
- When politicians are invited to speak, an attempt should be made to encourage appropriate groups to invite the opposing candidate(s).
- Campaign materials are not to be distributed through campus mail. Bumper stickers and other adhesive signs are not to be attached to campus buildings or property. Leaflets and pamphlets can be distributed using the guidelines above. All campaign material must be removed within three days following the election.
- Campaigning via the university's telecommunications and email systems is prohibited.
- The use and rental of sound equipment on the campus must be approved by the Director of Student Activities.
- Students who participate in off-campus political activities do so as individuals, not as representatives of the university.

**Access to Student Records and FERPA Notification**

Texas Lutheran University complies with the Family Educational Rights and Privacy Act of 1974 (Buckley Amendment). This Act is designed to protect the privacy of students' educational records and to establish students' rights to review and inspect records. Under the Family Educational Rights and Privacy Act (FERPA) students are afforded certain rights when it comes to their educational records which are outlined below.

Disclosure of Personally Identifiable Information

Students' education records are not accessible to parents or guardians without the student's written consent, unless they provide a certified copy of the most recent federal income tax return that shows the student is a dependent. However, if the university believes it is in the student's best interest, information from education records may be released to a parent or guardian in cases such as:

- When a student's health is in jeopardy
- When a student engages in alcohol or drug-related behavior that violates university policies
- When a student has voluntarily withdrawn from the university or has been required by the university to withdraw
- When a student has been placed on disciplinary probation or restriction
- When a student engages in behavior calling into question the appropriateness of the student's continued enrollment in the university

Students have the right to consent to disclosures of personally identifiable information contained within their education records, except where FERPA authorizes disclosure without consent. Information may be released:

- To the student
- To the parents of a dependent student
- To a university official
- To a party seeking directory information

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- To a party receiving the information pursuant to a judicial order or lawfully issued subpoena regarding student disciplinary proceedings as expressly permitted by FERPA
- To parties otherwise authorized to receive the information pursuant to FERPA

If a student would like information to be released to a third party, please file a "Student Information Release Authorization" form with the Registration and Records Office.

### Access to Education Records

If students would like to inspect and review their education records, they need to make the request in writing to the Registration and Records Office, identifying which records they would like to review.

### Amendment of Education Records

If a student believes their education records are inaccurate or misleading, they may make a request in writing to the Registration and Records Office to have the record amended, identifying which records they wish to have amended and providing supporting documentation as to why they desire this amendment.

### Filing a Complaint

If you feel the university has failed to comply with FERPA requirements, you have the right to file a complaint with the U.S. Department of Education's Office that administers FERPA at:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5901

### Directory Information/Privacy Blocks

As an enrolled student, one's directory information (name, address, phone number, email address, photographs, electronic images, date and place of birth, major fields of study, current enrollment status, participation in officially recognized activities, dates of attendance, degrees, awards, and academic honors received, President's/Dean's list selection, previous institutions attended, program and promotion materials on participants in various sports and similar public activities (including weights and heights of athletic team members) may be released. If a student would rather not have their information released as directory information, they can complete a nondisclosure form available in the Registration and Records Office.

A few other notes:

- If students block directory information, it may still be inspected by those university officials authorized by law to inspect education records without consent.
- If students choose to block directory information, it can't be released to friends, family, prospective employers, the news media, advisors, student activities and honor societies.
- Some reasons for considering the privacy block for directory information include harassment, or the advice of a legal or medical professional.
- If students would like to keep public data private but release information so it can be published in commencement programs and honor lists, contact the Registration and Records Office.

### University Officials with Legitimate Educational Interests

Students' education records may be disclosed, without consent, to university officials with legitimate educational interests. These include people employed by the university in administrative, supervisory, academic, research or support staff roles; people contracted by the university for particular services; people serving on the Board of Regents; students serving on official committees or assisting other school officials in performing tasks; or volunteers or other non-employees with legitimate educational interests. A legitimate educational interest is present if the university official needs to review an education record in order to fulfill professional responsibilities.



## Accommodations for Students with Disabilities

The mission statement of Texas Lutheran University affirms the university's long-standing commitment to serve a diversified community. Included in this commitment are ongoing efforts to make the learning resources and physical facilities of the university accessible to students with disabilities. In accordance with the terms of the Americans with Disabilities Act of 1990 (ADA), Texas Lutheran University provides reasonable accommodations for students with physical/medical, learning disabilities and/or psychological disabilities. A request for reasonable accommodations should be initiated in the office of the TLU ADA Coordinator, Meadows Center, Alumni Student Center.

A student who requests accommodations for a disability will be scheduled for a meeting with the ADA Coordinator. It is expected that students living in the TLU residential community can live independently. Those students not able to live independently should apply for accommodations applicable to residential life with the ADA Coordinator, as well. All buildings on campus have access ramps and some have elevators. A limited number of parking spaces for students with physical disabilities are reserved throughout the campus. Students with handicap tags must register their handicap tag number on the portal along with their vehicle information. The handicap tag must be clearly displayed with no visual obstructions to the registered number.

It is the right and responsibility of the individual student to request accommodations and to provide professional documentation of the disability. Documentation requirements vary by disability and verification of disability forms are available online via the student portal under the Student Life tab.

Once the disability has been documented and eligibility for accommodations has been determined, typical accommodations and the classes for which the student is requesting them are discussed between the ADA Coordinator and the student. The typical accommodations are noted on a Determination of Reasonable Accommodations form. The student then meets individually with instructors to determine which accommodations are reasonable and appropriate for each specific class. The student is expected to maintain close contact with his/her academic advisor throughout the semester or summer school session to ensure that agreed-upon accommodations are effectively carried out.

Note: The student is responsible for initiating this procedure each semester or summer school session. Students with disabilities who are enrolled or who plan to enroll at Texas Lutheran University are eligible for admission and for financial aid programs on the same basis as students without disabilities. Additional assistance may be available from the Texas Department of Assistive and Rehabilitative Services (DARS), 312 S. Saunders Street, Seguin, Texas 78155.

### Appeals Procedure

Appeals regarding ADA accommodations should be made in writing and addressed to:

ADA Coordinator (830) 372-8009  
Texas Lutheran University  
1000 W. Court St.  
Seguin, TX 78155

If the appeal involves the ADA Coordinator, it should be filed with:

Vice President and Dean (830) 372-8060  
of Student Life & Learning  
Texas Lutheran University  
1000 W. Court St.  
Seguin, TX 78155

Within five class days after the receipt of the appeal, the ADA Coordinator or the Vice President and Dean of Student Life & Learning will meet with the student and with other university officials as appropriate to discuss possible resolutions. A response in writing will be given within five days.

If the response by the ADA Coordinator or the Vice President and Dean of Student Life & Learning does not satisfactorily resolve the issue, the student may appeal the decision within five class days to the

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Admissions, Advising and Academic Standards Committee (AAA).

The AAA Committee will review the appeal and may, at its discretion, meet with the student. The committee will then provide a written recommendation to the Vice President for Academic Affairs for final action.

If the appeal is non-academic in nature and the ADA Coordinator or Vice President and Dean of Student Life & Learning does not satisfactorily resolve the issue, the student may appeal the decision within five class days to the Vice President for Academic Affairs for a final decision.

### Addresses

All students are required to keep both an accurate permanent and local address on record with the Registration and Records Office. The local address for students living off campus should be the address at which they reside and receive mail and may not be a university address. Students living on campus may use their campus mailbox as their local address. In all cases, students are not permitted to use the university address as their permanent address at any time. Upon graduation, transfer to another school, or withdrawal from the university, students must provide an accurate permanent address to the Registration and Records Office as part of the checkout process. Correct addresses are critical to ensure that all billing, correspondence, and other pertinent information from the university are received in a timely manner. Students not returning the next semester should fill out a Mail Forwarding Form in order to have mail reach them upon leaving TLU.

### Class Absences

#### Athletic and Performance-Related Absences

Students who must miss classes to officially represent the university in such sponsored activities as intercollegiate athletics, performance tours and events, and other university-sponsored activities will be excused under the following circumstances:

- A student's absence from class does not excuse the student from any work missed during the absence. Students may not be penalized for such absences. The student and instructor will devise an appropriate substitute for missed work, classes, and examinations.
- The responsibility to make up work lies solely with the student who must discuss the missed assignments with the instructor as far in advance as possible.
- The names of students who will miss class to represent the university will be sent to their instructors by their sponsor or coach as far in advance as possible of the class to be missed. This list should include departure time or reporting time and estimated return time.
- Every attempt should be made to schedule travel so that it will have the least conflict with students' class schedules. In addition, athletic contests, other than mandatory play-off games, and performance tours or events will not be scheduled during final exams.

#### Military-Related Absences

Excused absences will be granted for students with short-term military obligations of no longer than five consecutive class days, with no more than ten total class days per semester. Longer absences will be handled on a case-by-case basis, but will likely result in a "W" on the transcript. The student is responsible for contacting faculty members in advance and making up all work missed during excused absences.

### Communication with Students

Texas Lutheran University provides electronic mail and web portal access (my.tlu.edu) for students, faculty, staff and others affiliated with TLU. The university routinely uses email and my.tlu.edu for both formal and informal communication with students and they are expected to check their TLU accounts regularly for university communications.

### Complaint Resolution

Texas Lutheran University desires to resolve student grievances, complaints and concerns in an expeditious, fair and amicable manner. Most problems between students and faculty/staff can and should

be resolved between parties involved. If the concern/conflict cannot be resolved at this level, members of the community have the right to have disputes resolved through the TLU Disciplinary System as outlined in the Student Code of Conduct, or the grade appeal process as outlined in the TLU Catalog. Standards of conduct and other policies are outlined in the TLU Student Handbook.

Issues and complaints that cannot be addressed through established channels or between involved parties, students are encouraged to submit complaints to the Dean of Students.

The student may file a formal complaint with the Dean of Students describing the treatment, action or decision at issue and the remedy sought. To file a formal complaint, complete the electronic form found on the TLU Dean of Students web page at [www.tlu.edu](http://www.tlu.edu) or on MyTLU at [my.tlu.edu](http://my.tlu.edu).

Procedures:

The Dean of Students Office will investigate student complaints.

- The complaining party will be interviewed by the Dean of Students (or designee).
- The investigation may include contact with other parties involved.
- If appropriate, efforts may be taken to resolve a conflict by bringing parties together for discussion.
- Supervisors of employees may be contacted if complaints involve their area.
- Written notification of resolutions will be sent to all parties involved.
- A record of complaints will be maintained in the Dean of Students Office.

All student complaints must first be addressed internally. If the internal resources have been exhausted and the complaint is not satisfactorily resolved, the student may file a complaint with the Texas Higher Education Coordinating Board and/or with TLU's accrediting agency, The Southern Association of Colleges and Schools.

Complaint Resolution by the State of Texas

The Texas Higher Education Coordinating Board is the appropriate state agency in which prospective or current students may file a complaint. Information on the policy and process of how to do so can be found on the website at [www.theccb.state.tx.us](http://www.theccb.state.tx.us).

Complaint Resolution by the Accreditation Agency

Texas Lutheran University is regionally accredited by the Southern Association of Colleges and Schools (SACS). Information on their complaint policies, procedures, and complaint form can be found at [www.sacscoc.org](http://www.sacscoc.org).

## Consensual Relationships

Texas Lutheran University is committed to the principle that a positive learning environment is fostered by professionalism, respect, and trust. Students must encounter a university community that is free from exploitation, harassment, or discrimination of any kind (affirmed by American Association of University Professors' Code of Professional Ethics). To this end, Texas Lutheran University deems unethical and inappropriate, amorous relationships, consensual or otherwise, between university employees and students. The university reserves the right to take disciplinary action, including termination, against any employee who engages in such a relationship.

## Emergency Preparedness and Procedures, including severe weather

The TLU Safety and Emergency Management Committee is responsible for (1) identifying situations that might pose a threat to the physical safety of our students, employees and visitors, (2) developing and implementing plans to try to prevent or minimize the probability of those situations occurring, and (3) developing and implementing plans to respond to such situations as effectively as possible should they occur.

Anyone on campus who becomes aware of a situation that threatens or potentially threatens the safety of people or property on campus should immediately notify the TLU Switchboard (830-372-8000, or

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extension 0 from campus phones) and briefly describe the location and nature of the emergency situation.

In the event of an emergency situation that has affected or might affect the campus community, the university will make every effort to notify students, faculty, staff and visitors in a timely manner as to the nature of the emergency and recommended responses. Methods of notification will include:

- Text message via e2Campus emergency notification system (sign up at [www.tlu.edu/e2campus](http://www.tlu.edu/e2campus))
- Emergency warning siren (tested every Saturday at noon unless threatening weather is in the area)
- TLU Web site
- TLU Messages (voice mail and/or email); and/or
- KWED 1580 AM radio station

In addition, each building on campus has a designated Emergency Coordinator. Please follow the directions of the Emergency Coordinator for the building you are in during an emergency situation.

Recommended responses to several possible emergency situations (e.g., severe weather, fire) are included in a brochure entitled "What to Do In Case Of . . ." that should be posted in every office, residence hall room and apartment on campus. For a copy of this brochure or for additional information about TLU's emergency preparedness policies and procedures, contact Andrew Nelson, Vice President of Finance and Administration and Chair of the Safety and Emergency Management Committee ([anelson@tlu.edu](mailto:anelson@tlu.edu); phone ext. 8011).

### **FERPA Policy**

(See Access to Student Records and FERPA Notification.)

### **Financial Aid**

Students who are interested in being considered for federal, state, or additional institutional financial assistance are required to complete the Free Application for Federal Student Aid (FAFSA). The 2017-2018 FAFSA will become available mid- to late October 2016. Students are required to maintain satisfactory academic progress (SAP) for financial aid renewal. Student SAP is reviewed at the end of each academic year, typically during the last week in May. Some scholarships and grants require students to maintain a specific cumulative GPA for continued eligibility.

#### *MyTLU – Financial Aid Award Letter and Document Tracking*

All students will have 24/7 access via MyTLU to view their financial aid status and award letter. Financial Aid Document Tracking allows the student to view all received and missing documents. All required documents must be submitted to the Office of Student Financial Services for file completion. Students can view their financial aid award letter and all financial aid revisions in real time via MyTLU.

#### *Financial Aid Disbursements and Refund Checks*

After the official 12<sup>th</sup> class day (census date) of each semester, the Office of Student Financial Services will review the student's enrollment status before financial aid funds are disbursed and credited to the student's account. If the total financial aid exceeds semester charges, the student may be eligible for a refund. Typically, refund checks are issued the Friday after census date. Students are required to check with the Office of Student Financial Services to determine when the refund check is available.

#### *Financial Aid Renewal*

Students receiving any form of financial aid are required to meet SAP requirements at the end of each academic year. Students must complete 75% of all courses attempted and maintain a cumulative 2.0 GPA. A student failing to meet SAP requirements will be required to submit a SAP Appeal Letter to the Office of Student Financial Services. The Financial Aid Appeals Committee will review the appeal. An appeal decision will be determined no earlier than three weeks upon submission. TLU's Satisfactory Academic Progress policy is located on TLU's Financial Aid website under Financial Aid Policies.

TLU Scholarship and Grant

A student may receive his/her TLU academic scholarship for a **maximum of 8 full time** semesters. These awards cannot be used during summer sessions. Students are required to complete 24 semester hours at the end of each academic year and maintain a cumulative 2.50 GPA for automatic renewal.

Changes in Enrollment

- Dropping a Class: Financial aid awards will be recalculated for a student who drops a class prior to the 12<sup>th</sup> class day each fall and spring semester. In general, dropping a class after 12<sup>th</sup> class day will not affect a student's financial aid eligibility for that semester as long as the student remains enrolled. However, dropping classes may affect academic progress and eligibility for renewal of financial aid for future semesters. See Satisfactory Academic Progress policy for more information.
- Withdrawing from/Failing All Classes: Students who withdraw or fail all courses in any given semester may owe a refund of their federal financial aid. Per federal regulations, students are not considered to have earned all of their financial aid until they have attended at least 60% of the semester. This generally coincides with the last date to drop a class without a grade.

Before withdrawing from classes, students should contact a financial aid counselor to discuss how withdrawing will affect their financial aid. A copy of the financial aid refund policy is located on TLU's Financial Aid web page under Financial Aid Policies.

Student Employment and Applying for a Job

Part-time on-campus jobs are available to students who are in good academic standing. Some off-campus jobs are available to students awarded Federal Work Study, see Office of Student Financial Services for more information. Preference is given to students with financial need, but particular job skills and departmental referral occasionally take precedence. Students are not permitted to work more than 20 hours per week. Students are paid biweekly at minimum wage rates unless otherwise specified by the employer.

Campus employment opportunities will be posted on MyTLU.

**Financial Obligations**

Students must meet all of their financial obligations to the university in accordance with the payment deadlines established by the Office of Student Financial Services. All charges assessed to the student's account are ultimately the student's responsibility. A student who is delinquent in any financial obligation to Texas Lutheran University may be subject to exclusion from any or all of the privileges as a student of the university. Graduation may be denied, and his/her academic record will not be released until the outstanding balance is paid in full. If the student defaults on payments, Texas Lutheran University may disclose this fact, along with other relevant information, to various credit bureau organizations. Should

the student's account become delinquent, the student is liable for all attorney fees and other reasonable collections costs and charges necessary for the collection of any outstanding amount due.

**Free Speech**

Texas Lutheran University supports every individual's right to freedom of expression consistent with the forum (area of campus) in which the expression is made. TLU also recognizes the importance of fostering a culture of tolerance and civility that is a cornerstone for the accomplishment of its educational goals.

Within the classroom, visual and/or aural demonstrations, depictions or conduct that may be offensive to an individual will not be restricted when there is a legitimate pedagogical context, such as material having an appropriate connection to course subject matter. Similarly, campus discourse on topics of political,

artistic or social issues that are conducted consistent with the nature of the forum and reasonable

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institutional limitations (registration to use space, time, place and manner regulations, etc.) that are clear and unambiguous will be supported.

Expression that is severe, persistent, and objectively offensive, that is directed toward an individual based upon that individual's protected status (e.g., sex/gender, race, ethnicity, national origin, disability or age) and has the effect of limiting or deny educational or employment access, benefits or opportunities is not a protected form of speech or expression, and can form the basis of a violation of the campus harassment, bullying or discrimination policies. Other limitations on free speech include: endangering someone or threatening them; inciting violence; using "fighting words" directed at an individual or group that directly provoke violence; defamation; obscenity; and expression that has a discriminatory effect such that it limits or denies someone's educational access, benefits and/or opportunities.

### **Guest Speakers Guidelines**

It is the policy of the campus to foster a spirit of free inquiry and to encourage the timely discussion of the broad range of issues that concern our community, provided that the views expressed are stated openly and are subject to critical evaluation.

#### **1. Student Organization Responsibilities**

A registered student organization, may invite guest speakers to the campus, subject to the following provisions:

- a. Sponsorship must be by a registered student organization.
- b. Proper arrangements for the use of university facilities must be made, consistent with institutional policy.
- c. It must be clear that the student organization, not the university, is extending the invitation and that any views the speaker may express are his or her own and not those of the university.
- d. The student organization must take whatever steps are necessary to ensure that the meeting is conducted in an orderly manner. This may necessitate consultation with campus security and/or hiring of outside security.
- e. The student organization must comply with any and all conditions for the orderly and scholarly conduct of the meeting

### **Health and Welfare of Students**

The mental and physical health of students can strongly affect their academic and social success at the university, as well as influencing other members of the university community. TLU staffs qualified medical and mental health professionals who provide short-term health services to students seeking assistance. For some students, pre-existing conditions or severe stress during college may create a situation where the student must be referred out to community resources, which can give long-term or in-patient care.

### **Medical Leave**

When a student experiences serious medical or psychological problems after the last day to withdraw from a course with a "W", he or she may request to take a voluntary medical leave of absence. The student must submit a letter of intent to withdraw along with documentation from a health care provider supporting the medical necessity of withdrawal to the Vice President and Dean of Student Life & Learning (or the Vice President for Academic Affairs in the Vice President and Dean of Student Life & Learning's absence). If approved, the student will leave campus, be granted grades of "W" in all enrolled courses, and the student will be obligated to adhere to the readmission requirements outlined below if he or she desires to return to TLU after the problem has been treated and resolved.

Readmission Requirements for Medical Leave

If a student must leave TLU for medical reasons, he or she must take sufficient time away to adequately address the issues that necessitated the leave. During this absence, the university expects the student to undergo professional healthcare treatment as the primary method of resolving the problem. Failure to seek ongoing treatment of a kind appropriate to the healthcare problems will raise serious doubt as to the student's readiness to resume student status. In such a case, the university may withhold admission until such time that appropriate treatment has been received.

A student on medical leave, who wishes to return, must initiate a request for readmission by writing a letter to the Vice President and Dean of Student Life & Learning detailing what has been accomplished during the absence. The student's letter must be accompanied by the readmittance form (obtained at the Dean of Students Office) completed by the appropriate healthcare personnel, and a signed release of information form for the appropriate TLU personnel and healthcare professionals to enable communication. The student's letter and supporting documentation are the basis upon which the Dean makes the judgment that the health circumstances causing the student to leave have been adequately addressed and that there is a reasonable assurance that the student will be able to successfully resume his/her studies.

**University-Initiated Medical Leave**

TLU may require a student to take a medical leave of absence if the student (a) has a medical or psychological problem which cannot be properly treated in the university setting; or (b) has evidenced a medical condition or behavior that seriously interferes with the student's ability to function and/or seriously interferes with the educational pursuits of other members of the TLU community. The Vice President and Dean of Student Life & Learning, or in their absence, the Vice President for Academic Affairs is the university official designated to make judgment about the need for a medical leave and to implement the following procedures for the student.

Referral for Assessment or Evaluation

The student may be referred for evaluation by an independent healthcare provider chosen by the university. Such evaluation may be appropriate if it is believed that the student may meet the criteria set forth in this policy or if a student subject to conduct proceedings provides notification that information concerning a medical, mental health/behavioral condition or disorder will be introduced.

Students referred or mandated for evaluation will be so informed in writing with personal and/or certified delivery, and will be given a copy of these standards and procedures. The evaluation must be completed per the direction of the referral letter, unless the Vice President and Dean of Student Life & Learning grants an extension. A student who fails to complete the evaluation in accordance with these standards and procedures, and/or who fails to give permission for the results to be shared with appropriate administrators, will be referred for disciplinary action for "Failure to Comply" under the Student Code of Conduct.

University-Initiated Medical Leave Hearing Procedures

## 1. Administrative Hearing Option

The Vice President and Dean of Student Life & Learning, or in their absence, the Vice President for Academic Affairs may invoke informal resolution procedures to determine the need for an involuntary leave without a formal hearing. This process is also known as an *administrative hearing*. In administrative hearings, medical and administrative evidence will be heard, and final determinations will be made by the Vice President and Dean of Student Life & Learning. If the medical evaluation and/or administrative assessment support the need for a leave, the Vice President and Dean of Student Life & Learning will render a written decision within two class days, barring extenuating circumstances, stating the rationale for his/her determination. The decision will be delivered to the student directly, electronically, and/or by regular and certified mail. If the determination is made that a leave is warranted, the notification will include any specific conditions of readmission.

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### 2. Formal Hearing Option

The student subject to an involuntary leave may request a formal hearing in lieu of the administrative hearing described above. If the medical evaluation and/or administrative assessment support the need for a leave, a hearing will be scheduled before core members of the university administration. The student will be informed, in writing electronically and through regular and/or certified delivery, of the time, date and place of the hearing. The student will be notified of who is expected to present information at the hearing, and is expected to notify the Vice President and Dean of Student Life & Learning of any parties with relevant information whom the Dean should contact to request their appearance at the hearing as a witness. The student may, at the discretion of the Vice President and Dean of Student Life & Learning, be assisted by an advisor in the hearing. An advisor is defined in this process as a current member of the faculty, staff or administration of the university. No advisor will be allowed to speak for or formally represent the student during a formal involuntary leave hearing.

The student and the student's advisor may present information about the necessity of involuntary leave and the student will be given the opportunity to ask questions of others presenting information. The hearing should be conversational and non-adversarial; however, the Vice President and Dean of Student Life & Learning (or designee) will exercise active control over the proceeding, to include deciding who may present information. Formal rules of evidence will not apply. Anyone who disrupts the hearing may be excluded. There will be a single verbatim record, such as a tape recording, for all involuntary leave hearings. The record will be the property of the university and maintained according to the university's record retention policy for such hearings.

A written decision will be rendered by the committee within two class days, barring extenuating circumstances, stating the rationale for its determination. The decision will be delivered to the student in writing, electronically and through regular and/or certified delivery. If the determination is made that a leave is warranted, the notification will include any specific conditions of readmission.

### 3. Appeals Process

The determination of the involuntary leave hearing, administrative or formal, is subject to appeal to the Vice President and Dean of Student Life & Learning in accordance with the following process:

Students subject to involuntary leave may petition for a review of the determination within three (3) class days of issuance of the hearing committee's written decision. All petitions must be in writing and delivered to the Dean of Students Office. Reviews will only be considered for one or more of the following purposes:

- To consider new information which was unavailable at the time of the original hearing and could be outcome determinative;
- To assess whether a material deviation from written procedures impacted the fairness or outcome of the hearing;
- To decide if an involuntary leave is disproportionate to the severity of the threat evidenced in the hearing;
- To determine if the decision does not align with the information provided in the hearing or whether reasonable accommodations might mitigate the risk without a leave; or
- To assess whether bias on the part of a hearing committee member deprived the process of impartiality.



Except as required to explain the basis of new information unavailable at the time of a hearing, review of a hearing will be limited to the verbatim record of the initial hearing and/or all supporting documents. The review and appeal decision of the Vice President and Dean of Student Life & Learning is final.

*(Note: In making the decision to require a student to take a medical leave, the Vice President and Dean of Student Life & Learning and/or the Vice President for Academic Affairs must act out of concern for the student and his or her rights, concern for the other students, and concern for the university as a whole. The Vice President and Dean of Student Life & Learning and/or Vice President for Academic Affairs will have to consider whether the university is able to provide the level of care and guidance needed, whether there is a likelihood that the student will pose a threat to himself/herself or others, and/or to what extent the student seriously interferes with the rights of others in the community to carry on their educational pursuits.)*

## **Missing Persons**

The purpose of this policy is to establish procedures for the Texas Lutheran University's response to reports of missing students, as required by the Higher Education Opportunity Act of 2008.

This policy applies to students who reside in campus housing, including off-campus apartment units leased by Texas Lutheran University for student residents.

For the purpose of this policy, a student may be considered to be a "missing person" if the person's absence is contrary to his/her usual pattern of behavior and unusual circumstances may have caused the absence. Such circumstances could include, but not be limited to, a report of suspicion that the missing person may be the alleged victim of foul play, has expressed suicidal thoughts, is drug dependent, is in a life-threatening situation, or has been with persons who may endanger the student's welfare.

1. Procedures for designation of emergency contact information
  - a. Students age 18 and above and emancipated minors
  - b. Students will be given the opportunity during each semester registration process at Texas Lutheran University to designate an individual or individuals to be contacted by Texas Lutheran University no more than 24 hours after the time that the student is determined to be missing in accordance with the procedures set forth below. A designation will remain in effect until changed or revoked by the student.
  - c. Students under the age of 18

In the event a student who is not emancipated is determined to be missing pursuant to the procedures set forth below, Texas Lutheran University is required to notify a custodial parent or guardian no more than 24 hours after the student is determined to be missing in accordance with the procedures set forth below.

2. Official notification procedure for missing persons
  - a. Any individual on campus who has information that a residential student may be a missing person must notify Texas Lutheran University Police Department at x8000 as soon as possible. The Texas Lutheran University Police Department at the time of the report will immediately notify the Office of the Vice President and Dean of Student Life & Learning, and provide the same office with the name and student ID number of the missing student. Both the Texas Lutheran University Police Department and the Office of the Vice President and Dean of Student Life & Learning will work as a team in all missing person cases involving students and staff of Texas Lutheran University.

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Note: In order to avoid jurisdictional conflicts when an off-campus and/or commuter student is believed to be missing, the reporting person should immediately notify local law enforcement authorities. Texas Lutheran University Police Department will assist local law enforcement with the investigations as requested.

- b. Texas Lutheran University Police Department will gather all essential information about the residential student from the reporting person and from the student's acquaintances (description, clothes last worn, where student might be, who the student might be with, vehicle description,
  - c. information about physical and emotional well-being of the student, an up-to-date photograph, class schedule, etc.) Appropriate campus staff will be notified to aid in the search for the student.
  - d. If the above actions are unsuccessful in locating the student or it is apparent immediately that the student is a missing person (e.g., witnessed abduction), Texas Lutheran University Police Department will enter the person as a missing person in TCIC and NCIC. The Texas Lutheran University Police Department will coordinate with the Seguin Police Department or Guadalupe County Sheriff's Department in an effort to locate the student and conduct a joint investigation with said agencies.
  - e. No later than 24 hours after determining that a residential student is missing, the Vice President and Dean of Student Life & Learning will notify the emergency contact (for students 18 and over) or the parent/guardian (for students under the age of 18) that the student is believed to be missing.
3. Campus communications about missing students
    - a. In cases involving missing persons, law enforcement personnel are best situated to provide information to the media that is designed to elicit public assistance in the search for a missing person. Therefore, all communication regarding missing students will be handled by the Texas Lutheran University Police Department with the assistance of the Office of Marketing and Communications and the Vice President and Dean of Student Life & Learning. All inquiries to Texas Lutheran University regarding a missing student shall be referred to Texas Lutheran University Chief of Police (or designee).

Prior to providing the community with any information about a missing student, Texas Lutheran University officials shall consult with the Texas Lutheran University Police Department to ensure that communications do not hinder the current investigation.

### **Posting**

Texas Lutheran University supports the freedom to publicize activities and distribute materials by internal or external entities relating to functions on-and off-campus which benefit the university community and are consistent with the university's values.

The posting, distributing, or disseminating of printed materials (i.e. fliers, posters, table tents, banners, handbills) that advertise, publicize, or otherwise provide notice of activities, events, or information are subject to this position policy.

#### General Posting

Approval must be obtained prior to making use of the residence halls or campus facilities for the sale, promotion, posting or distribution of any type of material. All material must indicate the name of the sponsoring department, or student organization and contact information, as well as the location, date and time of the event.

All printed materials posted or distributed on campus by students and guests must receive approval from the building supervisor where they would want to distribute the materials. Allow 24 hours turnaround time for approval. Review and approval of postings will be based on the time, place and manner of posting, not the posting's content. Only one (1) posting of any kind is permitted in any posting location. Posting is permitted on a first-come, first-served basis, and existing posting may not be removed or covered by new ones. Fliers left on tables or desks or loosely dispersed on campus are not permitted and will not be stamped.

All materials used to advertise, promote, or provide notice of activities or events not sponsored by TLU are all subject to the TLU Posting Policy through the building managers. Off-campus individuals or those posting events not sponsored by TLU may not post their own materials on campus and materials should measure a minimum of 8.5" x 11" and not exceed 11" x 17" in size.

Promotion and advertising of any event may not indicate that alcohol will be available for purchase and must indicate that "ID will be required." Also, the promotion and advertising of an event shall not portray symbols of alcoholic beverage consumption (including but not limited to, drinking contests and competitions) or emphasize frequency or quantity of alcoholic beverage consumption.

Chalking on campus pedestrian sidewalks and walkways is permitted on areas of campus that are not covered by awnings or porches. Chalking is not permitted on structures or walls of any kind.

#### Additional Approvals

The Director of Student Activities (or designee) must approve all promotional material for any and all TLU activities before being posted. The Career Development Office must also approve announcements advertising employment opportunities for students. All religious organizations and events religious in nature must have the additional approval of the university through the Campus Ministry Office.

Academic and Administrative Office posters do not need the approval of the Director of Student Activities but should be marked with department and date, (i.e., Financial Aid Office, December 10, 2016, Do not remove until December 31, 2016).

The promoting group must obtain permission of the appropriate department to post on bulletin boards in Academic/Administrative areas for non-departmental ads.

#### Literature Distribution

Literature distribution must be supervised by a student member of the sponsoring registered organization. Non-students may not distribute literature on campus without specific approval of the Director of Student Activities and/or the Dean of Students.

Each sponsoring organization will be held responsible for the conduct of the distribution activity, including the behavior of any non-student participant.

On Campus: The distribution must be made only in designated areas. Calling out to people to facilitate the distribution of literature is not permitted. Absolutely no printed materials may be placed on automobiles parked on university property without prior approval from the Director of Student Activities.

Off Campus: Posting or distribution of materials at an off-campus location requires permission of the proprietor.

#### Posting Guidelines

Tacks may be used on bulletin boards and posting strips and are provided where posters are allowed. Please adhere to specific guidelines for each building. Persons posting are responsible for providing all materials.

## STUDENT LIFE ON CAMPUS

Materials may remain posted for a maximum of 30 days or until the day after the announced event, whichever is sooner, and the sponsoring group is responsible for removal.

### Approved Posting Locations

- Bulletin boards in:
  - Academic Buildings
  - Administrative Buildings
  - Chapel Offices
  - Library
- Residence Halls/Apartments: Give to the Residence Life Office for RAs to post inside residence halls or at apartments.
- Sidewalks: Chalking is acceptable no more than two days before an event; messages must be removed no later than 24 hours after the event.
- Student Center: Bulletin boards and Graf Lounge walls where strips are provided. No items may be taped to painted pillars or windows.
- Recreation Center: Lobby area bulletin boards; ask desk personnel for specific location.
- Hein Dining Hall: Lobby area bulletin boards; ask desk personnel for specific location.

### Posting Violations

- Posting materials without proper approval(s).
- Posting materials on painted pillars.
- Use of two-sided, electrical or duct tape.
- Covering another announcement or impairing an individual's line of sight.
- Posting on glass doors or windows, painted or varnished surfaces.

Failure to adhere to this policy may result in losing the privilege to distribute or post printed materials on campus for a period of time to be specified by the Director of Student Activities.

## **Religion/Association**

Students have the right to exercise their religious convictions and associate with religious, political, or other organizations of their choice provided they do so in a manner that respects the rights of other members of the community and complies with the Student Code of Conduct. Student organizations have the right to affiliate members who subscribe to organizational tenets, beliefs and/or principles as long as all recognized organizations also abide by the university's non-discrimination policy.

## **Student Activity Center at Jackson Park Usage**

- Purpose: The Student Activity Center at Jackson Park is intended for events such as parties, receptions and other recreational or social meetings for groups as large as three hundred fifty (350) persons. These events may involve TLU student groups and TLU departments.
- Scheduling: Scheduling for student organizations will be through the Director of Student Activities and departments and outside parties will be scheduled through University Events. Event arrangements and requirements will be coordinated when the reservation is accomplished. Scheduling for on-campus events will be on a first-come, first-served basis.
- Reservations Policy: The university will accept reservations based on the following considerations: (1) Availability is determined by the academic calendar, university-events calendar, heating/AC availability, and the suitability of your event for the facilities and the university's mission. (2) The TLU organization/department must notify the Director of Student Activities within ten calendar days of the event to be canceled. The university reserves the right to cancel this contract in the event of mechanical, electrical, food service, or technical problems, or when an event of higher priority must be scheduled, or when your event proves to be unsuitable for the facility. Every effort will be made to be sure an event is scheduled without complications. (3) A priority system is used flexibly in the acceptance of reservations: first, TLU student events, then, in descending order of priority, TLU-sponsored events, university or church-

related conferences, standing meetings, personal events of university personnel or alumni, and, lastly, events for the surrounding community. (4) All student organizations and university departments have first priority with regard to reservation requests. After October 1<sup>st</sup> each year, reservation requests are open to the public. (5) Needs for special set up and equipment should be arranged at the time of the reservation with Jonathan Zitelman at extension 6303.

More information regarding the Student Activity Center at Jackson Park is available in the Office of Student Activities.

### **Students Exhibiting Life-Threatening Behavior**

Texas Lutheran University attempts to assist students in resolving typical young adult developmental issues, as well as stresses brought on by the college experience. Among other offices, TLU maintains the Counseling Center to provide counseling or serve as a referral source for students who are suicidal. It is the policy of the university to regard all threatened/attempted suicides as serious, regardless of the specific degree of lethality involved in the attempt.

If a student threatens/attempts suicide or exhibits life-threatening behavior, the university's first priority is to attempt to ensure the student's safety and well-being. If it is known that a student is threatening/attempting suicide, the Texas Lutheran University Police Department will be notified and they will transport the student to the hospital. In many cases, the student will need to be removed to a more appropriate setting. The Vice President and Dean of Student Life & Learning as well as the campus counselor will be notified and the family will be contacted.

When a student threatens/attempts suicide, other people in the university feel the effect and the university has an interest in protecting them from the emotional stress and crisis atmosphere that accompanies attempted suicide. This could apply to fellow residents in the university housing, instructors and fellow students in class, teammates and others who have significant contact with the student or who may feel threatened or extremely anxious as a result of a suicide or suicide attempt. Counseling support is also offered to those affected in this manner as appropriate.

### **Student Right to Know and Campus Security Act of 1990**

The Student Right to Know and Campus Security Act of 1990 (now known as the Clery Act) is a federal mandate which requires that all current students be provided with information on policies and procedures involving campus security, the reporting of criminal action or other emergencies, and the enforcement authority of security personnel. This information must also include descriptions of programs for students about campus security and crime prevention, as well as statistics on the occurrence of specific crimes. Notification of the annual security report is made by the Texas Lutheran University Chief of Police and the full report is posted on the university website each October-<http://www.tlu.edu/student-life/campus-safety/>. Hardcopies are available from the Texas Lutheran University Police Department on request.

### **Student Sales & Fundraising**

Sales will be conducted by registered student organizations only. Sales in stationary locations on campus must be approved by the Director of Student Activities and appropriate paperwork to reserve facilities must be approved at least ten business days before the event. Individuals or organizations may not sell or solicit donations off campus in the name of the university unless prior authorization is given by the Dean of Student Life and the Office of Development and Alumni Relations.

### **TLU ID Card**

This card should be in your possession at all times and presented to university officials upon request. For safety and security reasons, it is prohibited to loan one's student ID card to anyone else. All lost or stolen cards should be reported to Residence Life within 24 hours. ID cards will be confiscated if found in use by another person, either to gain entry to the dining or residence hall(s). A charge will be assessed for all lost, stolen or damaged ID cards. Until the lost card is replaced, the student must pay cash for meal service in the dining hall or snack bar.

## RESIDENCE LIFE

On-campus living should be an enjoyable and rewarding experience with opportunities for self-development. To encourage that process, students are expected to follow all residential living regulations and to be considerate of others and of university property at all times. The residential experience requires an increasing level of physical, psychological, and emotional independence on the part of students. It is the university's expectation that all residential students will be capable of living independently and unassisted within the residential facilities. The university retains the prerogative to decline housing for students who are unable to meet the university's housing expectations.

Texas Lutheran University policy supports retention research which demonstrates that students who reside on campus are better able to form an important linkage with peers and faculty in the social and academic areas. Further, there is some evidence that residential students achieve higher grades than their non-residential counterparts. Students who become involved as members of the college community will be more likely to invest greater effort in learning. In support of the educational mission of TLU, all regularly admitted full-time students on the Seguin campus are required to live in university housing unless they meet at least one of the following criteria:

- 21 years of age or older at the beginning of the fall semester
- Married
- Have lived on a college or university campus for a minimum of four semesters
- Commuting from the student's permanent residence (parent or guardian) that is within a 30-mile radius of the campus

All students/applicants under the age of 18 will be on a case-by-case basis. Full-time students who begin the academic year in residence on-campus commit themselves to a full academic year of residence in university housing except for marriage, graduation, or withdrawal from the university. The university reserves the right to request students who drop to part-time status to live off campus. Requests for exceptions are to be directed to the Residence Life Office. Students found in violation of the housing policy will be placed on disciplinary probation and still be charged for on-campus housing.

In order to comply with a new state law, TLU requires, as of 1/1/2010, that all new and transfer students living in on-campus housing be immunized with meningococcal conjugate vaccine (MCV4).

Written proof of vaccination, given at least ten days before moving on to campus, must be sent to the Admissions Office. Without this verification, a student will not be allowed to move on campus. For further information, please see the TLU Health Services website.

Residence life at Texas Lutheran University promotes students' individual and academic development within an inclusive residential community of faith and active learning. It is the sincere wish of the Residence Life staff that disciplinary actions will not be necessary and that every resident will make a sincere effort to abide by the standards set for the residential community. Violations of policy are considered a breach of the community standards, and violators are expected to give something back to the community as an act of good faith. Guidelines concerning the handling of violations have been approved by the TLU administration. These guidelines are an attempt to inform students of the consequences of their actions and to achieve consistency in the enforcement of rules, but the university reserves the right to apply other sanctions due to individual circumstances or special cases.

### Housing Information

#### **Apartment Housing**

The apartments at TLU provide a more independent living environment for students and require a mature and responsible resident. Students are expected to take an active role in the apartment's care and

upkeep. Residents who fail to uphold housing regulations as published in the student handbook and housing materials will be processed under the disciplinary guidelines detailed in the student handbook.

### **Area Coordinator (AC)**

A professional staff member with responsibilities for a designated housing area. The AC lives in the designated area. The AC supervises the resident assistant staff for the designated area and assumes responsibilities for programming, facility oversight, and student conduct issues.

### **Break Periods**

All university housing is officially closed during the Christmas break period. Residents are encouraged to return home during other break periods. While university police are available during break periods, all departments, including Residence Life, operate with a minimal staff. Meals, maintenance, housing, and other issues will not be addressed during these periods.

### **Bulletin Boards**

Bulletin boards provide residents information on issues, activities, events, services, policies, and general information. All decorations, flyers, brochures, and information must be approved by Residence Life prior to posting. Flyers, bulletins, brochures, and other materials may not be posted on main doors or windows on either side of main door in any residential area. There are bulletin boards designated in each hall for flyers. The bulletin board is marked at the top with the word "information". Use staples or a push pin when posting on the bulletin board. Postings using any other adhesive may be removed and the person(s) or group(s) sponsoring the posting(s) may be billed for any damages resulting from the use of the inappropriate adhesive. Damaging and/or destroying the materials approved and appropriately displayed on residential bulletin boards may be considered vandalism and sanctioned accordingly.

### **Cable Television**

Each room/apartment and various lounges within the residence halls are connected to cable. Seguin Hall cable outlets are only in the suites. Any problems with cable service should be reported to the Information Technology Help Desk at 830-372-6000. Private satellite dishes are not permitted. Splicing cable into rooms is not permitted. TV's must be digital capable.

### **Deliveries**

Students who request deliveries to the residence halls must make arrangements to receive such deliveries in person in the lobby of the residence hall or at the switchboard. No deliveries may be made directly to individual rooms.

### **Director of Residence Life**

The Director is responsible for the overall operation of on-campus housing, which includes Centennial Hall, Seguin Hall, South Hall, South Apartments, North Apartments, and Family Housing. The Director is primarily responsible for the budget, expenditures, and construction issues. The Director also shares the university's commitment to maintain all of its facilities and services in good condition. The Director's office is located in the Residence Life Office.

### **Disruption of Service**

Texas Lutheran University will not be liable for disruptions to any services that are beyond the university's control and that are restored within a reasonable amount of time.

### **Emergency Preparedness and Procedures, including severe weather**

The TLU Safety and Emergency Management Committee is responsible for (1) identifying situations that might pose a threat to the physical safety of our students, employees and visitors, (2) developing and implementing plans to try to prevent or minimize the probability of those situations occurring, and (3) developing and implementing plans to respond to such situations as effectively as possible should they occur.

## RESIDENCE LIFE

Recommended responses to several possible emergency situations (e.g., severe weather, fire) are included in a brochure entitled “What to Do In Case Of . . .” that should be posted in every residence hall room and apartment on campus and an evacuation map of your building.

Residents are to remain in the shelter until the warning has been officially lifted. Residents should move into a basement (if available), a hallway, inner stairwells, bathrooms or utility rooms, closing and securing rooms as they leave. Generally, the lower the resident can move in the building the better. Residents should follow the evacuation plans posted on the back of each residence hall room door.

- Centennial Hall to interior hallways; Library basement if time permits
- Knutson Hall and Hahn Hall to interior hallways; Library basement if time permits
- Baldus, Clifton, and Trinity Halls go to the basements of Trinity and Clifton
- Seguin Hall to first floor lounges, main hallway; Moody Science basement if time permits
- Linne, Renger, and Strunk Apartments go to a bathroom in a first floor apartment; Library basement if time permits
- Brandes, Kramer, Lange, and Steger Apartments go to a bathroom in a first floor apartment; Seguin Hall/Moody Science if time permits
- Glazener Apartment to the Library basement
- Bogisch Apartment to the Moody Science basement

### Energy Conservation

Conserving energy is both economically and ecologically wise. Utility and water costs are factors that affect room rates. Students are expected to turn off lights and other electrical items when not in use and to help conserve energy whenever possible.

### Incident Report

The incident report documents occurrences within the housing areas, including alleged violations of residential and/or university policies, procedures, rules, and/or regulations. The incident report is completed by the Residence Life staff and submitted to the Residence Life Office. The report documents the facts and observations of the occurrence. An incident report is completed and submitted to document relevant and pertinent information regarding an occurrence, and the submission of an incident report does not automatically mean a violation is alleged.

### Kitchens

Food preparation in the residence halls is limited to snacks and occasional entertaining and should be confined to hall kitchens or lounge areas specifically equipped for such activity. Cooking is not permitted in residence hall rooms. It is the responsibility of the student(s) using the kitchens to clean up after themselves.

### Laundry

Each residential area on campus has free laundry service. Top Load Speed Queen washers provided are energy and water efficient. Any problems with the machines should be reported immediately to the resident assistant. Residents of the apartments need to make sure the door to their laundry rooms remain closed and locked. Apartment resident room keys also serve as the laundry room key. Personal laundry accidentally left behind in the **laundry room after 72 hours** will be placed in bags and may be **reclaimed up to seven days from the Area Coordinator**. After that point, all clothing items become property of TLU and will be disposed of at the discretion of the university.



**Maintenance**

Contact the resident assistant in the area to request maintenance assistance. Repeated concerns should be directed to the area coordinator.

**Meal Plan**

Every student living in TLU's residence halls is required to select a meal plan. Apartment residents may choose to select a meal plan, but are not required to do so. Meal plan choices may be changed up to and including the first official day of class; however, you may increase your meal plan but not decrease, after the first day of classes. No changes may be made after that date unless you are moving up in meal plans. An example is B to A. Residents may change meal plans during the designated time prior to the beginning of the next semester.

**On-Campus Housing Contract**

To live on campus, a student must submit an on-campus housing contract. This document sets forth the conditions and terms of occupancy and may not be assigned to another person in any way. The individual signing the contract is fully responsible for meeting the conditions and terms of occupancy which are set forth in the document.

**Parking**

All residents are required to display a current university parking permit and to park only in the lot(s) designated by their permit.

**Personal Belongings**

The university cannot assume responsibility for the personal belongings of students or for any damages to personal property. This refers to all areas on campus and to personal property taken off campus in connection with a university function. Personal items of value such as radios, stereos, computers, televisions, etc. should be properly insured. Personal property should be marked for identification. Serial numbers and other identification information for electronic equipment and other personal property should be recorded and filed for reference purposes. It is the responsibility of students to lock the door(s) and window(s) of their rooms/apartments. Vehicles should be locked, and books, bags and other personal property should not be left clearly in view on the seats and floor of vehicles.

Personal property accidentally left behind in the residence after the closing of the hall may be reclaimed up to seven days after departure. After that point, all remaining items become property of TLU and will be disposed of at the discretion of the university.

**Postings**

All postings within the residential facilities must be approved by either the respective area coordinator or Residence Life Office.

**Property Insurance**

The resident assumes the risk of theft, loss, damage, or destruction of personal property which may occur in the housing area. It is strongly recommended that residents cover their personal property through a family or personal insurance policy.

**Recycling**

Each housing area has recycling opportunities. Please contact your Resident Assistant (RA) or AC for more information.

**Resident Assistant (RA)**

An upperclass student paraprofessional who lives within his/her designated area. The RA provides assistance and referrals to residents, coordinates programming, and enforces residential and campus policies and regulations.

### **Residential Housing Association (RHA)**

RHA serves as the voice for residential students. Every student living on campus is a member of this student organization that provides leadership opportunities, seeks to improve on-campus living by gathering student opinions on important housing issues, and provides community programming. Each area selects designated representatives to serve as voting members. Interested students should contact the Director of Residence Life to take advantage of this exciting opportunity.

### **Room Responsibility**

Each student shares responsibility for violations that occur in his or her room or apartment with or without his or her knowledge. This is defined as room/apartment responsibility.

### **Sanitation**

Students should maintain a clean and healthful environment and report to the resident assistant and/or area coordinator any situation requiring attention. Residents are responsible for cleaning their assigned rooms and, if applicable, connecting bath areas. All residents are expected to assume and share responsibility for keeping common areas neat and orderly. The university reserves the right to check rooms regularly to determine if unsanitary or unsafe conditions or unreported damage exist. If such conditions exist, residents will be expected to correct the condition immediately.

### **Security**

All students are expected to assume and accept responsibility for the security of the housing areas. Students should immediately report any suspicious person or activity to Residence Life staff and/or to the police. To provide a more secure environment, students:

- Should remove any objects used to prop open exterior doors
- Should lock room and apartment doors
- Should not leave windows open or unlocked when unattended
- Should not permit unknown persons to enter housing areas without a resident escort

### **Sign-up for on-campus housing**

During the spring semester, housing sign-up guidelines will be available in the Residence Life Office.

### **Single Rooms**

The university endeavors to honor a student's request for a single room, but space is limited. First-time new students are generally not eligible for single rooms. If space is available, the student may contact the area coordinator to request a single room. Such assignments are made based on classification, behavioral record, and order of request. There is an additional charge for single rooms.

### **Storage**

The university does not have storage areas for students.

### **Telephones**

Upon request, TLU will provide complimentary local phone and voicemail services to a telephone jack located in each room. Students pay for their own long distance and must provide their own touch-tone telephone. Only 900 MHz or 5.8 GHz phones may be used. 2.4 GHz phones are not permitted in the residence halls because they interfere with the wireless internet service and their use may result in sanctions. Contact the Information Technology Help Desk at 830-372-6000 or by e-mail at [ishelp@tlu.edu](mailto:ishelp@tlu.edu) to establish service. Any misuse of the phone service or failure to pay monthly long distance phone bills may result in loss of service and/or disciplinary action. Both 900 and 976 prefixes are blocked from access to the campus. Trouble with telephone lines should be reported to the Residence Life staff. There are house phones on each floor that may be used for local, on campus, or long distance with a calling card.

## **Vending Machines**

Vending machines are located near campus residences. Requests for refunds should be directed to the Bookstore. Tampering with vending machines may lead to disciplinary action.

## **Withdrawals**

A student who withdraws from the university must vacate his or her residence hall/apartment and check out within 24 hours of the withdrawal unless permission to stay longer is granted by the Director of Residence Life.

# **Housing Policies**

## **Alcohol**

No one under the age of 21 may possess or consume alcoholic beverages in accordance with Texas State law and university policy.

- All residence halls, except Hahn Hall and any TLU apartment where at least one resident is under 21, is alcohol free.
- The display of alcoholic beverage containers/packaging such as cans, bottles, bottle caps, cartons, packaging labels, etc. are not permitted.
- Students older than 21 may possess and consume alcohol in the privacy of their apartments or Hahn Hall room as long as all students residing in the apartment or Hahn Hall room are 21 years or older.
- The maximum number for a party within an apartment is 20. The student host is responsible for all of their guests, including those who are under 21 years of age. Hosting a party involving the illegal use of alcohol or making alcohol available to minors is a violation of Texas State law and university policy. The student host will be held responsible for any and all violations of TLU policies by his/her guest(s).
- Drinking games or other behaviors designed for the purpose of rapid and/or excessive consumption of alcohol are prohibited.
- See Section 5 of the Student Code of Conduct for further information.

## **Animals**

No pets except for **fish** in small aquariums or an emotional support animal (see policy below) are allowed in the residence halls and apartments. Prohibited pets include turtles, frogs or anything not meeting the scientific definition of fish. All animals coming with family and friends to visit must remain outside all residence halls and apartments. Violations will result in a disciplinary write-up. Twenty-four hours are allowed for removal of the pet. If after 24 hours, the pet remains or reappears in any campus residence, the original owner will be written-up for a second violation and the animal will be taken to a Seguin area animal shelter. Students will be responsible for any damages and cleaning to the residential facilities, including the cost of outside pest control companies, as deemed necessary by the university.

### **Emotional Support Animal Policy**

Texas Lutheran University is committed to accommodating persons with disabilities who require the assistance of emotional support animals; however, the university is also mindful of the health and

safety concerns of the campus community. Thus, the university must balance the need of the individual and his or her animal with the potential impact of such animals on other campus residents.

The ADA Coordinator in the Office of Disability Services is responsible for implementing this policy and for assisting students with disabilities to document their specific need for an accommodation. The successful implementation of the policy requires the cooperation of students, faculty, and staff.

## **Definitions**

### ***Disability***

According to the Americans with Disabilities Act of 1990 (ADA), any person who has a physical or mental condition which substantially limits one or more life activities (such as walking, seeing, hearing, working, or learning) meets the definition of an individual with a disability. Individuals with a record of such a condition, or individuals who are regarded as having such a condition are also entitled to protection from discrimination. Acceptable documentation of a disability can be from either a medical or mental health provider.

### ***Emotional Support Animal***

An emotional support animal is an animal selected to play an integral part of a person's treatment process that demonstrates a good temperament and reliable, predictable behavior. An emotional support animal is prescribed to an individual with a disability by a physician or mental health professional. An emotional support animal is not a service animal. **Emotional support animals are only permitted in housing, not in other campus buildings.**

### ***Pet***

A pet is an animal kept for companionship. A pet is not considered an emotional support animal, and, therefore, is not covered by this policy. Residents are not permitted to keep pets on university property or in university housing with the exception of fish.

## **Emotional Support Animals in University Housing Requests**

Emotional support animals may not reside in university housing without expressed approval of university officials. Such requests should be processed as follows:

- A student requesting an emotional support animal must provide the ADA Coordinator with appropriate documentation at least 60 days before prospective housing will be needed.
- A student desiring the assistance of an emotional support animal must provide documentation of the need for an emotional support animal. Please contact Counseling Services for required paper work.

## **The request to have an emotional support animal reside in campus housing must be submitted each academic year.**

### **Registration**

The following information will be needed after the emotional support animal is approved and at least seven days before the animal moves in.

### **Vaccination Certificate/Shot Record and Current Color Picture of Animal**

As a student who has been approved for an emotional support animal, they have the responsibility to keep their animal in a healthy and sanitary condition at all times. The student understands that this agreement could be withdrawn if they fail to abide by responsibilities listed below.

### **Animal Care & Guidelines**

The animal must wear a collar with current rabies tags at all times. The student must properly maintain the hygiene, health, and vaccinations for the animal. The student must have their animal on a leash whenever the animal is not inside the apartment/residence hall (i.e., when transitioning the animal to a vehicle). The animal must be fed and watered inside the apartment/residence hall. Food and water is not left outside the apartment/residence hall at any time. The animal must not be left unattended for more than 7-8 hours. The student must have the animal in a kennel when they are away from their apartment/residence.

**Damages/Cleaning**

Any damage to or requested renovations to apartment/residence hall (due to damage or neglect as result of animals) will be the sole responsibility of the student. Damage to TLU property discovered or reported during the year and caused by the animal must be rectified within one month. An inventory and condition inspection of the residence will be conducted prior to the animal's arrival. The student will receive customary cleaning treatment by Custodial Services when the animal owner moves out. Additional cleaning/repair charges resulting from the animal will be taken from the animal deposit. All additional charges are the sole responsibility of the student.

**Outdoor Guidelines**

The animal owner is required to properly dispose of solid waste with a pooper scooper and plastic bag and dispose of the excrement in a dumpster. The Custodial staff will not be responsible for cleaning any excrement.

**Animal Liability**

The university shall not, under any circumstances, be held liable for any personal injury or damages caused by the emotional support animal. The student hereby agrees to indemnify and hold Texas Lutheran University harmless from all property or injuries to persons caused wholly or in part by, or resulting from the animal which will be living with them in their assigned TLU residence.

**Areas Off Limits to Emotional Support Animals**

As previously stated, emotional support animals are permitted in university residence halls and apartments only.

**Denial Process**

- Individual does not meet the definition of a disability.
- Relationship between the disability and the need for assistance provided by the animal is not adequately established.
- Animal does not meet all requirements for health, vaccination, and/or licensing.
- Presence of animal will fundamentally alter the nature of the housing program or service.

The student must notify Residence Life in writing if the animal is no longer needed as an emotional support animal or is no longer in residence. In order to substitute one animal with a different animal, the student must file a new request with Counseling Services.

**Removal of Service or Emotional Support Animal**

- The university may remove a service or support animal for the following reasons:
- Poses a direct threat to the health or safety of others
- Is unruly or disruptive (barking, jumping up on people, running around)
- In ill health
- Excessively unclean (e.g., flea-infested, foul-smelling, shedding excessively)
- Exhibits aggressive behavior

If suspension of animal-owning privileges is implemented, the student will need to find an immediate alternative placement of the animal. The student is responsible for the removal of the animal, and if the student refuses, TLU will contact Animal Control.

**Conflicting Disabilities**

Residence Life will make a reasonable effort (e.g., sign on door stating animal in residence) to notify residents in the residence building where the animal will be located.

Students with medical condition(s) who are affected by animals (respiratory diseases, asthma, severe allergies) are asked to contact Residence Life and/or the ADA Coordinator if they have a health or safety-related concern about exposure to an emotional support animal. The individual will be asked to

## RESIDENCE LIFE

provide medical documentation that identifies the condition(s), and will allow determination to be made as to whether the condition is disabling and whether there is a need for an accommodation.

Residence Life will resolve any conflict in a timely manner. Staff members will consider the conflicting needs and/or accommodations of all persons involved. The TLU University Student Health Center may be used as a resource for information on health issues.

### **Questions**

Questions or concerns related to this policy should be addressed to the Counseling Services/ADA Coordinator:

Texas Lutheran University  
Counseling Services/ADA Coordinator  
1000 W. Court St.  
Seguin, Texas 78155  
(830) 372-8009  
(830) 372-6585 fax

### **Service Animal Policy**

Texas Lutheran University is committed to accommodating persons with disabilities who require the assistance of service animals; however, the university is also mindful of the health and safety concerns of the campus community. Thus, the university must balance the need of the individual, and his or her, with the disability with the potential impact of such animals on other campus residents.

The ADA Coordinator in the office of Disability Services is responsible for implementing this policy and for assisting students with disabilities to document their specific need for an accommodation. The successful implementation of the policy requires the cooperation of students, faculty, and staff.

### **Definitions**

#### ***Disability***

According to the Americans with Disabilities Act of 1990 (ADA), any person who has a physical or mental condition which substantially limits one or more life activities (such as walking, seeing, hearing, working, or learning) meets the definition of an individual with a disability. Individuals with a record of such a condition, or individuals who are regarded as having such a condition are also entitled to protection from discrimination. Acceptable documentation of a disability can be from either a medical or mental health provider.

#### ***Service Animal***

ADA defines a service animal as any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including but not limited to, guiding individuals with impaired vision, alerting individuals who are hearing impaired to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair or fetching dropped items.

### **Service Animals in University Housing Requests**

Service animals may not reside in University housing without expressed approval of university officials. Such requests should be processed as follows:

A person requesting a service animal must provide the ADA Coordinator with appropriate documentation at least 30 days before prospective housing will be needed. Please contact the ADA Coordinator for the Verification of Disability form for Service Animals.

### **Service Animals in Training**

Individuals who desire an accommodation for a service animal in training must demonstrate that there

is a proper training plan designed to work for the benefit of an individual with a disability. They must also abide by all relevant provisions of this policy. An animal being trained to be a service animal has all the same rights as a fully trained animal when accompanied by a trainer and identified as such.

### **Registration**

The following information is needed at least 7 days before the animal moves in.

- Vaccination certificate/Shot Record
- Current Color Picture of Animal

As a person who has been approved for a Service animal, you have the responsibility to keep your animal in a healthy and sanitary condition at all times. You understand that this agreement could be withdrawn if you fail to abide by responsibilities listed below.

### **Animal Care & Guidelines**

The animal must wear a collar with current rabies tags at all times. You must properly maintain the hygiene, health, & vaccinations for the animal. The owner must have their animal on a leash whenever the animal not inside the apartment/residence hall (i.e., when transitioning the animal to a vehicle). The animal must be fed and watered inside the apartment/residence hall. Food and water is not left outside the apartment/residence hall at any time.

### **Damages/Cleaning**

Any damage to or requested renovations to apartment/residence hall (due to damage or neglect as result of animals) will be sole responsibility of the student. Damage to TLU property discovered or reported during the year, and caused by the animal, must be rectified within one month. An inventory and condition inspection of the residence will be conducted prior to the animal's arrival. The residence will receive customary cleaning treatment by Custodial Services when the animal owner moves out. Additional cleaning/repair charges resulting from the animal are the sole responsibility of the student.

### **Outdoor Guidelines**

The animal owner is required to properly dispose of solid waste with a pooper scooper and plastic bag and dispose of the excrement in a dumpster. The Custodial staff will not be responsible for cleaning any excrement.

### **Animal Liability**

The University shall not, under any circumstances, be held liable for any personal injury or damages caused by your animal. You hereby agree to indemnify and hold Texas Lutheran University harmless from all property or injuries to persons caused wholly or in part by, or resulting from your animal which will be living with you in your assigned residence at Texas Lutheran University. The University suggests that the student purchase renter's insurance.

### **Failure to observe care guidelines will result in reassessment of the service animal accommodation.**

### **Denial Process**

- Individual does not meet the definition of a disability.
- Relationship between the disability and service provided by the animal is not adequately established.
- Animal does not meet all requirements for health, vaccination, and/or licensing.

The student must notify Residence Life and the ADA Coordinator in writing if the service animal is no longer in residence. In order to substitute one animal with a different animal, the student must file a new request.

### **Removal of Service**

The University may remove a service animal for the following reasons:

- Poses a direct threat to the health or safety of others

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- Is unruly or disruptive (barking, jumping up on people, running around)
- In ill health
- Excessively unclean (e.g., flea-infested, foul-smelling, shedding excessively)
- Exhibits aggressive behavior

### **Conflicting Disabilities**

Residence Life staff will make a reasonable effort (e.g., sign on door stating animal in residence) to notify residents in the residence building where the animal will be located.

Students with medical condition(s) who are affected by animals (respiratory diseases, asthma, severe allergies) are asked to contact the Residence Life office if they have a health or safety related concern about exposure to a service animal. The individual will be asked to provide medical documentation that identifies the condition(s), and will allow determination to be made as to whether the condition is disabling and whether there is a need for an accommodation.

Residence Life and the ADA Coordinator will resolve any conflict in a timely manner. Conflicting needs and/or accommodations of all persons involved will be taken into consideration.

### **Questions**

Questions or concerns related to this policy should be addressed to the ADA Coordinator:

Texas Lutheran University  
ADA Coordinator  
1000 W. Court St.  
Seguin, Texas 78155  
(830) 372-8009

### **Balconies, Ledges, Patios, Roofs and Windows**

Balconies and patios are to be kept neat and free from garbage, towels, clothes, university furniture or other items that may detract from the appearance of the campus. Failure to maintain balconies and patios in an appropriate manner will result in disciplinary action, including fines. No persons or property are allowed on ledges, fire escapes, roofs, and no window shall be open in residential buildings or apartments. Violators will be fined and subject to disciplinary action.

### **Bed Bugs**

In the event a resident suspects bed bugs, that resident must notify their resident assistant or area coordinator immediately so proper steps may be taken by the university.

### **Bicycles**

Students may use bicycles on the sidewalks, understanding that pedestrians have the right of way. High quality locks and chains are recommended since TLU is not responsible for stolen property. Bicycle storage is available outside the residence halls. Bicycles may be kept in a student's room or apartment, and the student will be responsible for any damage resulting from such storage. Bicycles may not be stored in stairwells, hallways, lounges, or other common areas. A fine may be assessed and/or the bike confiscated if it is stored improperly or ridden inside.

### **Cleanliness**

Students are expected to maintain a clean and orderly residence. Residents will be held financially responsible at check-out time for damages and the cost of cleaning. Residents who abuse residential facilities will face disciplinary sanctions. Residents are responsible for keeping the area outside of the residence free from trash, including cigarette butts. Aluminum cans and glass bottles should not be stored outside unless placed in appropriate receptacles.



Students are responsible for cleaning their assigned room and, if applicable, connecting bath areas. The university's custodial staff provides standard cleaning services in common areas (hallways, stairwells, lounges, lobbies, and community bath areas). Students are expected to be considerate in the way common areas are used. Students who create an unusual or excessive cleaning demand in a common area will be responsible for the cleaning of the area. If the responsible person(s) cannot be identified, the cost for the excessive cleaning may be assessed to all residents of the wing/floor/hall.

## **Cohabitation**

See Guest Policy

## **Common Areas**

Lounges, study areas, recreation areas, bathrooms, laundry facilities, and hallways are for the use of all residents. All residents share responsibility for their upkeep and security. Furniture in public areas may not be moved to other locations, including residents' rooms. Likewise, furniture or other belongings not assigned to or intended for public areas may not be placed or stored in these locations. Routine cleaning is provided by custodial staff. Residents are expected to be considerate in the way common areas are used. Students who create an unusual or excessive cleaning demand in a common area will be responsible for the cleaning of the area.

It is the collective responsibility of residents to report individuals who cause excessive cleaning and/or damage to common area or property. Excessive cleaning or damage to common areas and/or property will be billed to the responsible student(s). In the event the excessive cleaning and/or damage cannot be attributed to a specific person or group, all floor, wing, and/or hall residents may be collectively billed and/or fined.

## **Community Bath Facilities**

Using community bath facilities designated for the opposite sex is prohibited. Any person who uses a community bath designated for the opposite sex may be subject to disciplinary action. Residents are responsible for informing their guests regarding appropriate toilet facilities.

- Community style bath: are cleaned professionally at least two times a week by the TLU Custodial staff.
- Suite style bath: students that live with this type of bath are responsible for cleaning their own bathroom.

## **Damages**

Students are prohibited from damaging, defacing and/or destroying, intentionally or accidentally, university property or the property of another resident or guest. Students will be held responsible for the restitution of any damages they, or their guests, cause. Students may also face disciplinary action.

Students may be held accountable for damages associated with the property of other students or university property. Students may be held responsible for damages they cause intentionally or accidentally. For example, this could include damages resulting from a cooking fire, playing hall sports, or setting off the sprinkler system. If your negligence results in damage to the property of others or to the university, you may be held responsible for the subsequent damages. A \$50.00 administrative fee will be assessed in addition to the actual damage, cleaning charges, etc.

## **Dart Boards**

Dart boards or any other object which may cause holes or other punctures in walls or other surfaces are prohibited in all residence halls and apartments.

## **Disruptive Behavior**

Living in a residential community requires students to take independent responsibility for their own self-care and the impact of their behavior on others. Students whose behavior disrupts the community may be asked to adhere to an action plan and/or leave the residence halls if such behavior continues to disrupt the residential community.

### **Drugs and Paraphernalia**

Illegal drugs are prohibited in all university residential facilities. See Code of Conduct for further information.

### **Electrical Appliances**

Electrical appliances must be U.L. (Underwriters Laboratories) approved and must not cause a disruption to the electrical circuits or disturb other residents. Students may use microwave ovens of 700 watts or less. Students residing in the residence halls may bring a refrigerator that is 4.3 cubic feet or less. The use of surge protectors is recommended. The overloading of electrical circuits is a dangerous fire hazard and therefore not allowed. Electrical appliances and equipment must be used in accordance with the manufacturer's instructions. The university reserves the right to deny use of any appliance and/or to confiscate any unapproved appliance.

### **Escort**

See Guest Policy

### **Exterior Doors and Door Access**

See Key Policy

### **Family Housing**

In general, a "family" is defined as a spouse, dependent children and/or dependent children of spouse.

It is expected that "family" members are eligible at the time of application for Family Housing. Therefore, verification of eligibility may be requested at any time commencing with submission of a Family Housing application and will definitely be required prior to signing a Housing Contract or moving on campus. The size of a "family" cannot exceed the legal occupancy limits of Family Housing units.

#### **Children must meet the following criteria. Documentation/verification is required.**

1. Child(ren) must be a minor, under 18 years of age.
2. The parent and/or spouse needs to have some form of legal custody, as well as physical custody of his/her minor child(ren).

#### **DOCUMENTATION/VERIFICATION:**

- a. A certified Birth Certificate or legal custody certified by a court document is required.
- b. For single parents, legal custody must be documented with a certified court document.
- c. Any falsification of documents or misrepresentation of facts is grounds for eviction and campus discipline.

#### **Couples must meet the following criteria. Documentation/verification is required.**

1. At least one spouse must be a regularly-enrolled, full-time student as defined by the Texas Lutheran University Registrar.
2. Neither spouse is in an existing marriage with anyone other than the individual with whom they intend to contract for residency. Both individuals must be at least 18 years of age.
3. Family members must be in residence concurrently on a permanent, full-time basis to remain eligible. Conflicting addresses, remote jobs, and similar conflicts will void eligibility.
4. The married couple agrees to notify the Residence Life Office at Texas Lutheran University of any change in the status of the marriage. Should the change in relationship cause the resident to be ineligible to live in Family Housing, the resident will be required to vacate the unit pursuant to the Housing Contract.

#### **DOCUMENTATION/VERIFICATION:**

- a. Spouses or single parent will be required to show a valid photo ID from the state the student is a legal resident.

- b. Required documentation is a marriage certificate.
- c. Any falsification of documents or misrepresentation of facts is grounds for eviction and campus discipline.

## **Fire Safety**

Due to the extreme dangers presented by fire hazards in student rooms, the university will continually monitor all living areas through Residence Life staff visits and formal, announced inspections by representatives of the Residence Life staff. Each semester one drill is performed per residence hall. These drills are completed within 30 days of the semester beginning.

Fire extinguishers, smoke and heat detectors, fire alarm bells, and pull stations are critical to life safety and should never be damaged, vandalized, or misused. State and Federal laws require stiff penalties for the abuse of these items. All hall occupants (residents and guests) must immediately evacuate the building when the fire alarms sound. Students should report immediately to the designated gathering point for the housing area and report to the Residence Life staff on site.

Burning any substance and/or setting fires in the housing areas, including igniting flyers, decorations, or other posted materials, is not permitted under any circumstances. Violations of fire safety regulations will result in disciplinary sanctions, including fines.

### Evacuation

If you are in the building when an alarm goes off, please contact the Texas Lutheran University Campus Police Department at 372-8000 or call 911. All people must clear the building and be at least 100 feet away. Each residential building or group of buildings has a designated area to report to so Residence Life staff can take roll.

- Knutson Hall and Hahn Hall goes to grass area near Hein Dining Hall patio
- Centennial Hall goes across the sidewalk toward South Apartments
- Seguin Hall goes to the Nursing building on the East side of the building
- Baldus, Clifton, and Trinity Halls go to the Chapel lawn
- Linne, Renger, and Strunk Apartments go to the soccer field
- Brandes, Kramer, Lange, and Steger Apartments go to the area across the parking lot toward Seguin Hall
- Bogisch Apartment will evacuate across the street to the Fritz House
- Glazener Apartment will evacuate across the street to the grass by the Fine Arts Building

### Fire Alarms

All hall occupants (residents and guests) must immediately evacuate the building when the fire alarms sound. Students should report immediately to the designated gathering point for the housing area and report to the Residence Life staff on site. The setting of false fire alarms and/or the improper and unauthorized use of fire safety equipment (fire extinguishers, smoke detectors, exit signs, etc.) compromises the safety of all residents and is prohibited. Burning any substance and/or setting fires in the housing areas, including igniting flyers, decorations, or other posted materials, is not permitted under any circumstances. Violations of fire safety regulations will result in disciplinary sanctions, including fines.

### Fire Exits

Fire exits may be used only in cases of emergency. Use of fire exits at any other time will result in disciplinary action, including fines.

### Fire Equipment, Alarms and Extinguishers

Tampering with fire protection equipment and systems is a felony punishable by fine and/or imprisonment. Violators may also face prosecution, suspension, and/or expulsion from the university. The cost of re-charging discharged extinguishers and replacing damaged equipment may be split among all residents if the individual(s) involved in discharging or damaging them are not identified. Residents found to be disabling smoke detectors will be subject to fines and disciplinary sanctions.

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### Prohibited Cooking Devices

- Electric skillets, broilers, toaster ovens and anything with an open flame or exposed heating coil
- Cooking is not allowed in residence hall or suite rooms, or in areas other than the kitchens of apartments or the community kitchens in designated residence halls

### Prohibited Room Heating Devices

Room heating devices not issued by the Residence Life or Facilities Maintenance is prohibited in all housing areas. This includes all space heaters.

### Prohibited Decorations

- Oil lamps, candles, and incense are expressly prohibited in all residence areas.
- Large flags, fish netting, tapestries, or large cloth hangings are not permitted on walls.
- Do not attach anything to the ceiling light fixture or ceiling mounted sprinklers and/or smoke detectors.

### Other Prohibitions

- No flammable liquids such as paint thinner, oil-based paint, dry cleaning fluid, etc. shall be stored in any resident rooms or areas not specifically approved for such storage.
- No motorcycle, moped, or gasoline engine shall be permitted within any residence building.
- Fireworks and sparklers are prohibited in all residence halls, apartments, or suites.
- Barbecue grills are not allowed in or on apartment facilities (including balconies and patios). However, there are some built-in barbecue pits around campus for public use.
- Extension cords (only surge protectors are permitted).
- Halogen lamps
- Incense
- Candles with wicks are strictly prohibited in residence halls and apartments. Removing the wick is permitted. The use of Scentsy products is permitted.

## **Furniture and Water Beds**

All university furnishings must be kept inside campus residences, except for properly designed patio furniture. The university does not remove or store furniture. Misplaced furniture or furniture not in its designated location may result in a fine and/or cost of replacement.

Furnishings in common areas may not be removed to individual residences. Removing furniture from its designated location may result in disciplinary action, including fines. Damage to university furniture will require restitution for the cost of the property in addition to additional sanctions, including fines.

Students may bring their own furniture items (with the exception of water-filled furniture) provided they do not present a safety hazard and/or create the need to store or displace furniture provided by the university.

## **Guests**

University housing is provided for the exclusive use of TLU students as assigned by the Residence Life Office. With prior permission from one's roommate(s), students may occasionally host an overnight guest no longer than three consecutive nights. All overnight guests must be registered with the area coordinator and be of the same sex as the occupants of the room. The host is responsible for informing the guest(s) of the university's rules and regulations, and the resident host is held accountable for the actions and conduct of the guest(s).

A student may not permit visitors to use the housing facilities for any period of time, over the objection of their roommate(s), if it becomes a source of complaint by other residents or university staff, or when its use becomes, through duration or frequency, a de facto subcontracting of space to an unauthorized person. Violation of the guest policy may result in disciplinary action and/or termination of the resident's housing agreement and removal of the guest from university housing.

When you invite a guest to visit you, provide him/her with your telephone number and ask that he or she calls upon arrival. Do not prop any entry doors open--an alarm may sound and your convenience could lead to another resident being robbed or injured. It is your responsibility to meet your guest at the building entrance.

### Cohabitation

Cohabitation by members of either the same or opposite sex is not permitted in either the residence halls or apartments. A guest staying over an extended period of time and/or giving the impression that s/he is living with the host will be deemed a cohabitant. Cohabitation is defined as a guest staying longer than three consecutive nights and/or staying for three or fewer consecutive nights on two or more occasions during the same week. Failure to comply with this policy may result in sanctions and may jeopardize access to campus housing.

### Escort Policy

All guests in the residence hall must be escorted by and be in the presence of their resident host at all times while in the residence hall rooms and common areas. This means guests must be in sight of and within a reasonable distance from the host escort at all times. Failure by a resident to escort one's guest(s) while in the residence halls may result in disciplinary sanctions, including loss of visitation and/or guest privileges and/or fines.

### Visitation Policies

A visitor is defined as anyone not assigned to the room and/or apartment.

Limited – Residents living in Baldus, Centennial, Clifton, and Trinity may have guests from 9:00 a.m. to 12:00 midnight, Sunday through Thursday and from 9:00 a.m. to 2:00 a.m. on Friday and Saturday.

Self-Governed – Knutson, Hahn, and Seguin residents vote on their visitation policies at the beginning of each semester. At least 80% of the residents must vote. Of those voting, it takes at least 80% agreeing to a specific visitation option to pass for the building. Options include: limited visitation (same as listed above); 9:00 a.m. – 12:00 midnight, Sunday through Thursday and 24 hours from 9:00 a.m. Friday through 12:00 midnight Sunday; or 24-hour visitation.

Apartment – Apartment residents may establish their own policies for their unit.

Suites of residents may also establish their own visitation policy as long as it does not exceed the policy established by the hall vote. The Residence Life Office reserves the right to establish visitation policies in any halls should it be deemed necessary.

Violations of visitation policies may result in disciplinary sanctions, including but not limited to loss of visitation and guest privileges and/or fines.

## **Hall Meetings**

It is necessary at times to get input from residents in the hall on ideas or problems as well as to communicate important campus information. Residents are required to attend all scheduled mandatory hall meetings and are responsible for any information presented at these meetings. Fines may be assessed to students who choose not to attend these meetings.

## **Hallway & Door Decorations**

Consideration must be given to the floor and TLU community when decorating and posting items on the outside of the room door and in the hallway. Items that interfere with the educational mission of the university are prohibited in hallways, outside of rooms, and window displays. These include, but are not limited to, abusive, indecent, profane, or vulgar language, offensive materials determined to be racist, harassing in nature, threatening to an individual or group, pornographic, and/or displaying or promoting illegal substances. Christmas decorations must be taken down prior to the student leaving for Christmas break.

## **Hallway Sports**

Games such as soccer, football, frisbee, baseball, golf, basketball, skating, or other such activities are not permitted in the rooms, hallways, or common areas of campus housing. Water balloons, water and/or cream fights, and other such activities are prohibited inside all residential facilities. Rollerblades, skates, skateboards, and bicycles may not be ridden/used in the halls or university buildings. Violations will result in a disciplinary write-up plus costs for any cleaning/repairs incurred.

## **Health and Safety Inspections**

During each semester, preventative safety inspections are scheduled for each student room/apartment. During these inspections, Residence Life staff enters the students' rooms/apartments and looks for items or conditions that might pose safety or health hazards to students or the university. Inspections are conducted by two Resident Assistants assigned to the specific area. The inspections are conducted at least two times (one before fall/spring breaks and one after fall/spring breaks) but no more than one per month during the semester. Notices are posted at least 48 hours prior to the first day of inspections. If a resident is not home during inspection time, the AC of that area will return at a later time. At no time will a staff member enter a room when a resident is not home to do an inspection. An inspection receipt will be completed and left in all rooms that do not meet TLU standards. It is important to note Health and Safety Inspections are different than a Room Search.

## **Housing Opening & Closing**

Residence halls and apartments open on specific days as determined by Residence Life. Early move-in must be approved by the Residence Life office. Students must fill out the Early Arrival Early Move-In form located on the Residence Life portal page and pay the designated amount. Filling out this form does not guarantee the ability to move-in early. Checking in early without permission, may result in disciplinary sanctions. Students are expected to vacate their assigned housing no later than 24 hours after the student's last final exam. Graduating seniors are expected to vacate their assigned housing no later than noon on the day following graduation.

### Check-In

At check-in, the student will be asked to thoroughly inspect the room/apartment and note any conditions or discrepancies on the Room Inventory Form (RIF). The student will be held responsible for any damage(s) or change(s) in the condition of the room/apartment not previously indicated on the RIF. Students who move in without completing the check-in and inventory process properly may be fined. Students will have 24 hours to return the completed RIF. Failure to turn in your RIF will result in a blank RIF with your name on it being used at the time you move out. A blank RIF indicates there was nothing wrong with your room at the time you moved into the room.

### Check-In locations

- Knutson Hall for all students living in Knutson Hall and Hahn Hall
- Baldus Hall for all students living in Baldus, Clifton, and Trinity Halls
- Seguin Hall for all students living in Seguin Hall
- Centennial Hall for all students living in Centennial Hall and apartments (Brandes, Kramer, Lange, Steger, Linne, Renger, Strunk, Bogisch and Glazener)

### Check-Out

All students must schedule an appointment with your RA or another RA in your building/area 24 hours in advance of your departure. The RA will then go to your room with you and fill out the remaining portions of your Room Inventory Form that was completed upon your check-in. Your room must be clean to the standard it was at check-in, furniture arranged as it was at check-in, and all personal belongings removed. See signs in your area if you have forgotten the furniture arrangement in your room. After completion of the RIF form the RA will collect your key(s). The area coordinator will walk through your room/apartment once all students have left and determine any charges. The RA does

not determine charges. **A detailed assessment of cleaning and damage charges will be made by our maintenance and custodial staff, which could result in the adjustment of estimated charges at the time of check-out.**

### **Keys, Exterior Doors and Exterior Door Access**

All residence hall and apartment keys are the property of Texas Lutheran University and may not be duplicated. Keys may not be modified in any manner or loaned to other persons. Possession of a key by anyone other than the individual to whom the key was issued is considered unauthorized possession and is prohibited. Students are charged \$30 for each lost or missing key and lock replacement plus a \$50 administrative fee. (Note: In Seguin Hall one key opens both the suite door and room door within the suite. A lost key necessitates the replacement of all cores at the cost of \$30 per core plus a \$50 administrative fee. Charges will range from \$140-\$200 depending on the number of cores to be replaced.) Lost keys are to be reported to the Residence Life staff immediately. Failure to notify a Residence Life staff member of a lost key within 24 hours of the loss may result in a fine. Locks and keys will be changed when considered necessary by the staff. Residents should keep their room doors locked and their keys with them at all times. Lockouts requested beyond the allotted first two (see below) will be charged according to the posted rate structure. Excessive lockouts could lead to disciplinary action.

For the safety and security of residents, residence halls may only be accessed through the use of a proximity (ID) card reader. Residents must carry their student ID cards at all times in order to enter their residence hall. Residents should not allow unescorted guests or other unknown persons to piggyback on their entry. If residents observe others providing such improper access, the residents should report the situation to a Residence Life staff member immediately.

Use of another student's identification card and/or providing one's card for use by another individual to gain access to the TLU residential facilities is not permitted.

Exterior entrances and doors in the residence halls must remain locked unless authorized by the Residence Life Office. Locked doors must not be compromised in any manner, including propping doors open and/or placing a wedge between the door and frame. Compromising exterior door may result in disciplinary sanctions, including fines.

#### Lock-Outs

Students who are locked out of their rooms or apartments for any reason may contact a Residence Life staff member for assistance. A student is permitted two free lock-outs during the year.

### **Littering**

Littering in or around the exterior of residential facilities is prohibited. Litter includes cigarette butts, cans, bottles, cups, wrappers, and other trash or debris. Littering may result in sanctions, including fines and the cost of any excessive cleaning.

### **Lock-Outs**

See Key Policy

### **Noise**

Every student living within a residence hall at Texas Lutheran University has the right to privacy in her/his own room. Just as a student has the right to reasonable protection against unwarranted physical intrusion, he or she also has the right to reasonable protection against the uninvited intrusion of noise. Each student should expect to be able to sleep, study, converse, listen to the music of her/his choice, etc. within the privacy of her/his own room, reasonably free from disruption resulting from the activities of others. No time of day or day of the week may curtail these rights.

**A uniform Noise Policy has been adopted by Residence Life and is summarized here:**

- Noise, particularly sustained, must not be readily audible within the private living quarters of other students.

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- Instruments or amplification devices producing excessive volume, including but not limited to subwoofers, are prohibited in the residence halls outside of designated practice rooms.
- The general noise level within the hall must be such that it does not interfere with the above-mentioned rights.
- Sustained, loud noise originating outdoors but audible within residence halls or other university buildings will not be allowed.
- Noise emanating from within one hall must not be audible within any other hall or university building.

### **As for specific hours and times:**

- Courtesy hours are in effect 24 hours a day, seven days a week.
- Quiet Hours are in effect, Sunday through Thursday from 11:00 p.m. to 9:00 a.m.
- Quiet Hours are in effect on Friday and Saturday from midnight to 9:00 a.m.
- 24-hour Quiet Hours are in effect beginning on reading day through the Sunday following graduation.

## **Occupancy Conditions**

Occupancy periods of the residential facilities by the assigned students are governed by the academic calendar. Residence halls and apartments may be occupied only by the assigned students and their guests in accordance with the visitation policies. Assigned students cannot reassign or transfer occupancy to another person. Roommates assigned to an individual room, suite, or apartment must be of the same gender.

Any person living in university residential facilities without a valid contract or permission from Residence Life will be considered a trespasser. Trespassers may be subject to criminal charges of trespassing and/or loitering, and such individuals will be required to leave the residential facilities immediately.

## **Occupancy Terms**

The terms of occupancy shall be for the fall and spring semester. If a student moves into campus housing after the beginning of a semester, the terms of occupancy shall be for the remaining portion of the academic year. Occupancy during session(s) other than the academic year requires a separate contract. Any student occupying a room or apartment without authorization from Residence Life after the contract period ends will be liable for late check-out fees until the premises are vacated. **The fee for unauthorized late check-out is announced by Residence Life prior to the end of the contract period.**

## **Personal Wipes/Wet Ones**

Care should be taken to ensure that foreign objects are not flushed down drains or toilets. Only toilet paper and human waste can be flushed down the toilets, in small amounts. All other foreign items such as food (including soupy foods and noodles), paper towels, and sanitary products such as pads and tampons, and wet/flushable wipes will clog and back up the toilets. All other items need to be disposed of in trash receptacles. Wet/flushable wipes pose a particular hazard as they do not break down efficiently and will clog pipes. This is the case whether you are living in a new building or an older building. Blocked sewer lines cause major inconvenience to both you and your neighbors. When drains are clogged due to foreign objects, residents may be charged a fee for clearing the line.

## **Pest Control**

Although the residential areas are treated for pests by professional exterminators on a quarterly basis, cleanliness is the best form of pest control and the elimination of possible breeding grounds. Empty cans, bottles, and other trash should be discarded immediately and in proper receptacles.

## **Police**

Texas Lutheran University has full-time Texas Peace Officers. TLU Police have jurisdiction to enter TLU residence halls and apartments and students will see officers in residential housing throughout the year.



## Room Changes

Students may request to change rooms by filling out a Room Change Form located on the my.tlu.edu portal and turning in the form to the Residence Life Office located in the ASC room 107.

Changes may be requested starting the first day of classes each semester. Changes will be accommodated on a first-come, first-served basis and may not be available immediately. Please note that you must check in to your new room and check out of your old room within 48 hours. If this process is not completed in 48 hours, duplicate room charges and improper check-out charges could occur.

## Room Consolidation

If half of a double occupancy room is vacant and the other space is available, the student occupying the room may be given an option to pay the private room rate or maintain the double occupancy rate, in which case a new roommate may be assigned to the room at any time. Paying the private room rate to keep the second space vacant is typically only available in the spring or second semesters due to high occupancy in the fall semester.

For operational reasons, the university may be required to close all or part of a residence hall or apartment. This can include rooms, suites, and full apartments. While this seldom occurs, residents may be required to move and consolidate into other rooms.

To avoid a consolidation, the student may select one of the following options:

- Elect to pay the single room rate and retain the room privately. This option is available only when space is available. Single room rates will be calculated on a pro-rated basis. (This option is not available for freshmen during their first semester living on campus.)
- Choose to move into another half-filled room in the building.
- Find another resident in a half-filled room who is willing to move into your room.
- Be prepared to accept a new roommate at any time. Students selecting this option also agree to the following stipulations:
  - The resident must keep the unoccupied half of the room in such condition that would allow someone to move into the room on short notice.
  - The resident agrees that the room may be shown to prospective occupants without prior notification and in his/her absence.
  - The resident will display an attitude of cooperation and acceptance toward any resident who may look at the room while considering occupancy.
  - The resident agrees to accept a roommate assigned by the Director of Residence Life.

Residence Life reserves the right to put students together that currently do not have roommates and who are not paying for a single room if another student is wanting to pay for a single room.

## Room Entry

The university is sensitive to the privacy of students living in campus housing. However, the relationship of the university to the student is not defined as that of landlord to tenant. The university reserves the right for university personnel to enter rooms for the following purposes:

- **Maintenance:** to check for repairs, inspections, sanitation, furnishings, preventive maintenance, etc.
- **Safety:** to monitor for missing persons, illnesses, safety, violations of residential regulations and/or other rules and laws, etc.
- **Welfare:** to conduct any search whenever it is felt that the community's or individual's welfare is at issue.
- **Health and Safety Inspections:** to establish scheduled times to insure that residential facilities are being properly maintained.

Although not required, the university will normally attempt to notify the resident(s) when university personnel have entered or plan to enter their living quarters as a courtesy.

### **Room Search**

The Director of Residence Life will determine if probable cause exists to search a student's room or apartment. If probable cause is determined, the student will be informed of the basis for the search. If possible, the search will be conducted in the student's presence. However, the student's absence will not prohibit a search. A student living in university residential facilities is not immune from a legal search by law enforcement officers.

### **Signs**

It is illegal to possess and/or display any stolen street or traffic signs or other municipal, county, state, and/or federal signs. Residents found in possession of such a sign without a receipt indicating lawful purchase of the sign will be fined, and law enforcement officials will be advised about the stolen signs.

### **Smoke-Free/Tobacco Free**

Acknowledging the clear scientific evidence that smoking—including the use of smokeless tobacco products and the effects of second-hand smoke—is injurious to health, and acknowledging the university's desire to promote healthy living/working environments and a considerate community life, the university has declared housing areas on the campus to be *smoke free and tobacco free facilities*. This includes all residence halls and apartments. Violations may result in disciplinary sanctions, including fines.

### **Trash Disposal**

Residents are responsible for removing trash from their rooms or apartments and placing it in the proper receptacles. Dumpsters are located outside all housing areas. It is not acceptable to place excessive trash in the common area trash containers in the residence halls.

### **Vandalism**

The cornerstone of your community is you, the resident, and your responsibility to other students and yourself. Residents treating each other and the building with respect will provide everyone with a high quality, affordable living environment. All residents are expected to help prevent and report vandalism, thereby supporting a safe and pleasant experience for all. **Vandalism** is defined as any intentional behavior which causes damage, when that behavior violates policy, or is reckless or negligent in that a reasonable person would know that engaging in that behavior could cause damage.

Students are expected to refrain from behavior which can damage their residence or the belongings of others. In addition, students should choose their guests carefully, as they are responsible for the behavior of their guests in their residence.

Students will be billed for the costs of any vandalism which they cause, or is caused by their guests. In addition, students responsible for vandalism are subject to residence hall discipline which can include mandatory service to their community. Behavior coupled with substance use will also include mandatory substance counseling. Large scale, bias-motivated, or dangerous vandalism is antithetical to community and will result in eviction and referral to Residence Life and disciplinary hearings.

### **Visitation**

See Guest Policy

### **Weapons and Firearms**

Possession or use of weapons or ammunition is not permitted on campus. This includes, but is not limited to, firearms, rifles, stun guns, BB guns, paintball guns, bow and arrows, switch blades, knives (except a common pocket knife with a blade less than 3.5 inches in length), nun chucks, martial arts or medieval weapons, blow guns and sling shots. However, any object used as a weapon will be considered a weapon. Students who reside on campus that would like to transport their hunting and target firearms need to contact the TLU Police Department. The campus carry legislation, passed by the

State of Texas during the 2015 legislative session allowing the carrying of concealed handguns on colleges and university campuses, included an “opt out” provision for private institutions. Texas Lutheran University, as a private institution, has chosen to “opt out” of this legislation and therefore prohibits the carrying of handguns on campus.

Any object which could potentially inflict injury or cause harm when used in a threatening, careless, or aggressive manner and shoots a projectile will be considered a weapon. Possession of weapons of any type, including but not limited to firearms, ammunition, air guns, BB guns, paintball guns, gun replicas, bows, incendiary and/or explosive devices, slingshots, knives, razors, swords, and martial arts or medieval weapons, are prohibited. Possession and/or use of fireworks, including sparklers, are prohibited. Possession and/or use will result in immediate confiscation of the item(s) and disciplinary action.

## STUDENT ORGANIZATIONS

All student organizations are to register officially with the Student Government Association and the Office of Student Activities. Organizations are subject to all rules, regulations, policies, and procedures of Texas Lutheran University. Organizations are not regarded as authorized agents of the university; the university assumes no responsibility for the unapproved actions of organizations. Organizations are to work closely with the Director of Student Activities, the Student Government Association, and the Dean of Students for guidance and compliance with campus regulations.

### Organizational Guidelines

**Recognition:** Each year all organizations seeking recognition for the year must complete the following:

- Organization recognition submission on Connect@TLU
  - Constitution & Bylaws
  - Membership roster
- Advisor Contract
- Student Organization Training requirements – President, Treasurer, and an additional officer
- Advisor Seminar

The Office of Student Activities will communicate the timelines for recognition on an annual basis.

**New Student Organizations:** In order to create a new student organization, the following criteria must be met:

- Organization's purpose must be unique in scope and not duplicate existing organizations.
- A constitution must be approved by the Student Government Association.
- Establish a primary advisor that is a TLU full-time faculty or staff member.
- Organization must agree to conduct its affairs in accordance with university rules and regulations as well as federal and Texas state law.

All students wishing to charter a national organization at TLU must submit a constitution to the Student Government Association and the Office of Student Activities for approval. Greek organizations must also submit a petition to Greek Council requesting a non-binding recommendation to SGA. Final approval of the charter rests with the university Board of Regents.

In addition to submitting a constitution outlining the purpose, objective and significance of the proposed organization, the group must meet the following criteria:

- The mission of the organization must be consistent with the mission of the university.
- The organization must not promote or tolerate, formally or informally, hazing of any kind.
- The organization must reflect a national record of integrity.
- The organization must present a convincing case that it is seriously committed to abiding by all present and future regulations of the university.
- The organization must have a primary emphasis upon service to the university community and the larger community in order to enhance life on campus for *all* students.
- In accepting official status at TLU, the organization agrees that it will never seek or obtain separate housing for its members off campus.

**Religious Organizations:** Campus Ministry at Texas Lutheran University is a coordinated program administered by the Campus Pastor guided by the Campus Ministry Mission Statement, and the Texas Lutheran University Mission Statement. The Campus Ministry Program is strengthened by the presence of dynamic and diverse religious student organizations. These student organizations are approved by both the Religious Activities Committee and the TLU Student Government Association. The Religious

## STUDENT ORGANIZATIONS

Activities Committee ensures that all religious organizations are guided by the Campus Ministry Mission Statement, and are part of a “culture of civility” in which all groups are valued and respected, common ground is celebrated, and differences are discussed in constructive conversation. The TLU Student Government Association oversees all student organizations on campus, and administers the allocation of student activity funds.

### Guidelines for Religious Organizations at Texas Lutheran University

- Religious organizations must be established and administered by full-time TLU students. *(Under no circumstances are outside religious groups allowed to come on campus to recruit members to form a religious organization.)*
- Religious organizations must first be approved by the Religious Activities Committee and then the Student Government Association.
- Religious organizations are required to provide the Religious Activities Committee with an updated mission statement, and a written report at the end of each semester. This report will include highlights of the past semester, future plans, budget information, and a list of members, officers and advisor(s).
- Religious organizations are required to appoint a representative member to the Campus Ministry Council. *(The Campus Ministry Council serves to help coordinate programs, foster partnerships, celebrate shared values, and foster constructive conversation in areas of disagreement.)*
- Religious organizations are encouraged to bear witness to their faith through service to others, participating in the worship life on campus, and being active in the community of faith. Programs, materials, and special events that seek primarily to convert others to their faith or their expression of faith are not permitted.

**Membership:** Active members of any non-academic or honorary organization must have a minimum of a 2.0 grade point average. Officers of all recognized student organizations must also be full-time students at the university. Students placed on academic or disciplinary probation or suspensions are automatically disqualified from active membership.

Greek Council and other organizations which establish intake periods are to design their activities for educating and initiating new members to be consistent with university policies and state law. New members must be enrolled at least one semester at TLU before they are eligible to pledge a fraternity or sorority. Recruitment standards must be consistent with the university’s policies. Actions that violate the university policies or standards may result in disciplinary sanction against all individuals and organizations involved. This includes, but is not limited to, the policies regarding discrimination, harassment, alcohol, and hazing in the Student Code of Conduct.

Students opting to withdraw, de-pledge or become inactive in an organization must have the ability to do so. The organization will be held responsible for the treatment of students withdrawing from any given organization. The desires of the individual student should be respected. Groups harassing or otherwise mistreating former members will be subject to sanctions by the Director of Student Activities, the Greek Council, SGA and/or any other offices governing student organizations and the Office of Student Life & Learning.

### **Policies & Procedures**

**Advisors:** All organizations must have at least one advisor from among those listed on the roster of full-time university faculty and administrative staff. Advisors may only advise one social sorority or fraternity at a time in an academic year. The advisor provides guidance and support and assumes an advisory role in the conduct of organizational events. An advisor must be present at all functions where alcohol will be present and has been approved.

## STUDENT ORGANIZATIONS

**Events:** Organizational events occurring on or off campus must be registered in the Student Activities Office at least ten days prior to the event through the event form process on Connect@TLU. Such events include those taking place in the name of the organization or those attended by the membership of the organization. Failure to register events can result in the organization participating in the on-campus disciplinary process. No promotional activities will be permitted for the event until it is approved. Officers of the organization are responsible for the observance of university policies including the Student Code of Conduct as well as state and local laws. Events should not be held during scheduled worship times, during other major university events, or reading days. If student organizations want to include the TLU logo on their promotional materials, including t-shirts, those items must be approved by the Office of Marketing and Communications. The Office of Student Activities should be contacted for clarification and guidelines for event specifics such as gambling, date events, contracts, and advertising.

**Events with Alcohol:** All student organization events involving alcohol on or off campus must be registered with Student Activities. Failure to meet the following requirements can result in the organization participating in the on-campus disciplinary process along with the sponsors and/or sponsoring organization as well as to the individuals identified found responsible. All events must follow the Student Code of Conduct alcohol policy.

The student organization is responsible for assuring that alcohol consumption does not detrimentally affect the health and well-being of those attending the event. Recognized student organizations may hold events involving alcoholic beverages under the following conditions:

- It is required that all recognized student organizations will have their activities (sponsored, authorized, sanctioned, and/or financed) approved by the group's faculty/staff advisor. Advisor(s) must be present at all times. (Advisors may find other faculty/staff members to share this responsibility.) Advisors and the sponsoring student organization officers are responsible for helping enforce the university's alcohol policies and for informing the TLU Police and the Vice President and Dean of Student Life & Learning of infractions of which they are aware.
- The recognized student organization or organizations must establish active precautionary measures to ensure that alcoholic beverages are not served to persons under the legal drinking age or to persons who appear to be intoxicated.
- Non-alcoholic beverages and non-salty food must be available at the same place as the alcoholic beverages. Food and non-alcoholic beverages must be featured as prominently as the alcoholic beverages.
- Type of alcohol is limited to **beer and wine only on campus**. Beer blasts, trash can punch, or all-you-can-drink functions, etc. are prohibited. All alcohol must be sold at a reasonable price as determined by TABC by a licensed vendor.
- A copy of the alcohol vendor's liquor license, proof of insurance and a copy of the TABC permit MUST be submitted to the TLU Chief of Police as well as the Student Activities Office, prior to the event on campus.
- TLU Campus Police Officers must be employed as security at any event involving alcohol on campus. These officers are responsible for enforcing the legal limits as prescribed by the Texas Alcohol and Beverage Commission as well as checking identification, etc.
- The possession, sale, use or consumption of alcoholic beverages in public areas of the campus is prohibited except in approved places. Any situation sponsored, authorized, sanctioned, endorsed, and/or financed by a recognized student organization must be in compliance with any and all applicable laws and rules of the state, county, city, and Texas Lutheran University, and must comply with third-party vendor guidelines.

**Third Party Vendor Guidelines:** Recognized student organizations planning events with alcohol may use a third party vendor by paying for the services of a person licensed to sell and dispense alcohol during recognized student organization events and/or using a third party vendor to reserve or rent an establishment (i.e. bar or tavern) that is licensed to sell alcoholic beverages. In either of the two methods, a non-organization member is licensed by the State to sell alcohol drink by drink to individuals to the party and on a guest list. The following guidelines are meant to assist you in working with third party vendors to plan an event with alcohol.

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The vendor/bar must:

- Be properly licensed by the appropriate local and state authorities. The vendor should agree to make a copy of the TABC Caterers Permit. A copy should be given to the Office of Student Activities and on file for the student organization records.
- Be properly insured with a minimum of \$1,000,000 (or greater if required by an affiliate) of general liability insurance. This coverage is evidenced by a properly completed Certificate of Insurance prepared by the third party vendor's insurance provider.
  - If the student organization is hiring a vendor to sell alcohol in a place other than a bar or tavern, the Certificate of Insurance must show evidence that the vendor has, as part of the coverage, "off premise liquor liability coverage and non-owned and hired auto coverage."
  - The Certificate of Insurance must name as additional insured (at a minimum) the recognized student organization hiring the vendor.
- Agree in writing to cash or credit card sales only, collected by the vendor, during the event.
- Assume in writing all the responsibilities that any other purveyor of alcoholic beverages would assume in the normal course of business, including but not limited to:
  - Checking identification cards upon entry;
  - Not serving minors;
  - Not serving individuals who appear to be intoxicated;
  - Maintaining absolute control of ALL alcoholic containers present;
  - Collecting all remaining alcohol at the end of the function. No excess alcohol –opened or unopened – is to be given, sold or furnished to the organization;
  - Removing all alcohol from the premises.
- Receive money from the organization only for the service of utilizing the vendor's service and/or rental of the facility (bar, tavern, etc.). Individual participants/attendees will be responsible for the purchase of alcoholic drinks. No money will be received from the organization for the purchase of alcohol.
- Agree that only individuals named on the guest list will be admitted to the bar, tavern, etc. for the duration of the time the facility has been rented by the organization.
- Agree not to publicize or advertise the organization's use of the facility/service.
- Not rent the facility at a reduced rate in exchange for anything provided by the organization (i.e. anticipated alcohol sales, percentage of sales, advertisement, etc.).

The organization must:

- Pay for the bartender's services and/or facility rental fees ONLY. Student organization funds must not be used to purchase alcoholic beverages.
- Not coordinate the purchase of alcoholic beverages for members or guests. This includes coordinating purchases of drinks from the third party vendor and bar, as well as a "pass the hat" method and/or "paying a tab."
- Develop a guest list prior to the event and enforce this guest list at the entrance of the event involving alcohol. Persons not on the guest list must not be admitted to the event.
- Not have alcohol present at any recruitment or new member event or activity.
- Develop a written agreement signed and dated by the organization president and the vendor or bar stipulating agreement to the items in this checklist.
- Ensure non-alcoholic drinks and non-salty foods are available and free of charge throughout the function.
- Promote responsible driving decisions (e.g. designated drivers and taxis).

Limitations for events with alcohol on and off campus:

- No alcoholic beverage may be purchased through a recognized student organization's funds, nor may the purchase of alcohol for members or guests be undertaken or coordinated by any member in the name of, or on behalf of, the recognized student organization. The purchase or use of bulk quantity or common sources of such alcoholic beverage (i.e. kegs or cases) shall be prohibited.

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- No members, collectively or individually shall purchase for, serve to, or sell alcoholic beverages to any minor (i.e. those under legal drinking age).
- No recognized student organization may enter into an agreement to co-sponsor an event with an alcohol distributor, charitable organization or tavern (tavern defined as an establishment generating more than half of the annual gross sales from alcohol) where alcohol is given away, sold, or otherwise provided to those present.
- No recognized student organization may co-sponsor or co-finance a function where alcohol is purchased by any of the host organizations or groups.
- All membership recruitment activities associated with any student organization shall be alcohol-free.
- No alcohol shall be present at any new member activity of any recognized student organization.
- No event shall include any form of "drinking contest" or encourage the rapid consumption of alcohol in the activity or its promotion.
- Penalties for Non-Compliance
  - A student found responsible of non-compliance with these rules or the laws of the State of Texas has committed a violation of university Student Code of Conduct and is subject to sanctions commensurate with the offense and any aggravating and mitigating circumstances.
  - Recognized student organizations have a responsibility to abide by all conditions of these guidelines and the Student Code of Conduct. Actions of all recognized student organizations are subject to review by the Director of Student Activities (or designee). Failure to comply with the rules and/or university student rules may lead to the revocation of recognition privileges or any lesser sanction.

\*Adapted from TAMU & FIPG Risk Management Manual

**Finances:** As a student organization, you are responsible for the finances of your organization. The university offers banking services to student organizations with on-campus accounts. Funds must be in the account before charges can be made. If charges are made to the account without the appropriate funds being available, the student organization's recognition will be revoked until funds have been deposited. If the student organization is inactive for three consecutive semesters, the funds in the account will revert to the Student Government Association for student organization services. The Office of Student Activities strongly discourages the use of off-campus accounts for student organizations.

**Liability:** On and off-campus organizational events must comply with all university policies regarding personal behavior, alcoholic beverages, illegal drugs, property damage, hazing and the like. In the case of sanctioned off-campus events, the sponsoring organization and its officers assume all legal liabilities and are encouraged to seek the guidance of their university sponsors/advisors and policies. (See Student Code of Conduct.)

**Movies:** According to the Federal Copyright Act (Title 17, United States code, Public Law 94-553, 90 Stat.2541) it is against the law to show a movie for public viewing outside the "home." As of January 14, 2008, any public movie showings on campus will require the purchase of a copyright license for the movie being shown. This includes movies shown anywhere on campus for public viewing even if educational in nature. Movies rented or owned may be shown exclusively in your "home", or in the classroom without a license. Contact Student Activities for clarification and how to purchase licenses to show a movie at your registered student organization event.

**Travel:** An event involving travel outside of the Seguin city limits must complete an Event Form on Connect@TLU and the travel form located on my.tlu.edu. Each participant must also complete a Waiver of Liability and return the form to the Office of Student Activities before departure. Students traveling outside of the state of Texas for university purposes or as an official student organization are required to have a faculty or staff advisor accompany the organization. If a group of students traveling out of the state of Texas are not traveling on behalf of an organization but have received university funding in some capacity for the travel, a faculty or staff advisor is required to accompany the organization.



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**Violations:** The university's disciplinary system (see the Student Code of Conduct) handles any violation of university policy by student organizations. Officers of the organization are to represent the organization at the hearings. If found responsible, possible sanctions can result in reprimand, probationary terms, organizational suspension, or revocation of charter. This is not an all-inclusive list of possible sanctions. Individuals associated with organizations may also receive disciplinary sanctions for violating the student handbook's organizational guidelines.

## CAMPUS SERVICES & FACILITIES

### **Academic Advising**

**ASC, 372-8060**

Academic Advisors play a key role in helping students to explore, define, and achieve academic goals that are consistent with personal and professional interests. Freshmen students' advisors are their FREX134 instructors. Once this course is completed, students are then moved to an advisor in their major area of interest. All advisors are full-time faculty members of TLU and help to facilitate student learning. Questions about academic advising or changing of advisors should be directed to the Student Life & Learning Office, 830-372-8060.

### **Academic Support Services**

**Meadows Center, ASC, 372-6305**

The Academic Support Center, in the Division of Student Life & Learning, is a resource for all TLU students who want to work toward greater academic success. Activities include peer and group tutoring, study skills workshops, individual instruction on time management, goal setting and study skills, development of individual learning plans, and various resources for self-management and study. The center provides the Supplemental Instruction and Collaborative Learning programs that are offered at no cost to all students enrolled at TLU. The center also provides the Sophomore Connection and Help! How Do I Study? modules and the Developing Scholars and Early Alert programs. For more information, see the Academic Support website at [www.tlu.edu](http://www.tlu.edu) under Academics or [https://my.tlu.edu/ICS/Student\\_Life/Academic\\_Support.inz](https://my.tlu.edu/ICS/Student_Life/Academic_Support.inz).

**Supplemental Instruction** - Supplemental Instruction is an academic assistance program that increases student performance in classes. SI sessions are attached to historically difficult classes and provide help in clarifying important information and developing study skills for the targeted course. Sessions are led by student facilitators and are held three times a week throughout the semester. SI sessions and meeting times are advertised through the participating courses and on the TLU website.

**Collaborative Learning Assistance** - The mission of the Collaborative Learning program is to provide academic support in a safe and friendly setting for all TLU students in selected classes. Sometimes known as Peer Tutoring, our program provides carefully selected and trained Collaborative Learning Assistants who are eager to help others achieve individual learning goals and ultimately create a successful educational experience.

**Sophomore Connection Module** - The sophomore year is a critical time in a student's life to explore meaning, purpose, values and identity. It is a time for students to begin planning the future by discovering who they are and what matters to them. By enrolling in the Sophomore Connection module, students will be exposed to ideas and activities that will enrich their sophomore experience and help them to explore where they're going and what they'll be doing post-college. Sophomore Connection events can help students learn about important local and global issues, as well as possible majors and vocations, internships, and study abroad.

**Help! How Do I Study? Module** - If you've ever wondered how to study in the more complex college environment, this module is for you. Study strategies and time management are the focus of the module and are learned in the context of the student's current classes.

**Early Academic Alerts** - Three weeks into each semester, instructors receive rosters of students who are in their first year at TLU, new transfers, athletes, veterans, in the Education program, or on academic probation. The instructors are asked to identify behaviors that might influence each student's academic progress including attendance, participation, quality of homework, whether tutoring or counseling might be beneficial, or if the student is no longer attending classes. Six weeks into each semester, instructors are asked to submit course averages for these students. These early alerts are used to provide progress reports to students themselves, as well as academic advisors, the students' Peer Mentors, coaches, and university officials who provide guidance and support for any student who appears to be at risk.

**Developing Scholars** - The Developing Scholars program was established to support students on academic probation in their effort to return to good academic standing, and to aid students in the development of positive academic skills. Students on academic probation meet regularly with professionals in the Division of Student Life & Learning and are supported and mentored in this voluntary program.

**Bookstore** **ASC, 372-8140**

The TLU Bookstore offers new and used textbooks, textbook rental, digital books and is the exclusive source for official TLU apparel and merchandise, supplies, gifts and personal items. Open Monday through Friday, 8:30 a.m. to 4:30 p.m. and Saturday, 11:00 a.m. to 1:00 p.m. or visit us at [www.tlubookstore.com](http://www.tlubookstore.com).

**Campus Ministries** **Jon & Sandra Moline Center for Servant Leadership, 372-8160**

Campus Ministries exist to support, encourage, and challenge students in their faith. Led by Pastor Kara Stewart, these ministries include chapel worship services, small group Bible studies, activities for rest, renewal, and fellowship, and service opportunities. There are groups for students from specific church backgrounds as well as groups for all denominations to gather together. Discover how you can grow in faith and find support in a caring community! Everyone is invited! [https://my.tlu.edu/ICS/Student\\_Life/Campus\\_Ministry.jnz](https://my.tlu.edu/ICS/Student_Life/Campus_Ministry.jnz)

**Career Development** **Meadows Center, ASC, 372-8178**

Coaching students in the development and achievement of career goals is the mission of Career Development. Professionals assist students in assessing interests, values and abilities; choosing majors; searching for jobs, internships and careers; finding and applying to graduate schools; using social media and developing a personal brand; practice interviewing; hosting career events and fairs; reviewing career-related documents; and providing electronic career resources and tools.. [https://my.tlu.edu/ICS/Student\\_Life/Career\\_Development.jnz](https://my.tlu.edu/ICS/Student_Life/Career_Development.jnz)

**Center for Servant Leadership** **Jon & Sandra Moline Center for Servant Leadership, 372-8160**

For students with a vision for a kinder, more caring and equitable world, the Jon and Sandra Moline Center for Servant Leadership provides opportunities to grow leadership skills through service and engagement in Seguin and nearby areas. We build partnerships with community organizations and leaders so that together, we can make communities stronger, healthier, and better for all. We believe that service is a lifestyle – not just a one-time event. Ready to make a difference? Let's get started!

[https://my.tlu.edu/ICS/TLU\\_INFO/Center\\_for\\_Servant\\_Leadership](https://my.tlu.edu/ICS/TLU_INFO/Center_for_Servant_Leadership)

**Church Relations** **Beck, 372-8145**

The Office of Church Relations helps establish and foster mutually beneficial relationships between TLU and the congregations of the Evangelical Lutheran Church in America located in Texas and Louisiana, as well as other Christian denominations and faith traditions in this region. We represent TLU at church events both on and off campus and visit congregations and church members in order to solicit their support in the work of the university. Students participate in Church Relations activities when they represent TLU at various church gatherings and events as requested.

**Counseling Services** **Meadows Center, ASC, 372-8009**

To assist students with changing environments, changing situations, stressful relationships as well as other concerns and problems faced by college students, TLU offers counseling services through a fully trained, licensed counselor. Services are free, conversations are confidential, and referrals to community professionals are possible. [https://my.tlu.edu/ICS/Student\\_Life/Counseling\\_Services.jnz](https://my.tlu.edu/ICS/Student_Life/Counseling_Services.jnz)

**Disability Services**

**Meadows Center, ASC, 372-8009**

TLU offers a variety of accommodations for students with disabilities based on appropriate documentation, nature of disability and academic need. In order to initiate services, students should meet with the ADA Coordinator at the start of each semester to discuss accommodations.

[https://my.tlu.edu/ICS/Student\\_Life/Disability\\_Services.jnz](https://my.tlu.edu/ICS/Student_Life/Disability_Services.jnz)

**Financial Aid**

**Beck, 372-8075**

The Office of Student Financial Services is available to answer questions regarding grants, scholarships, student loans and student employment Monday – Friday, 8:00 a.m. – 5:00 p.m. Questions may also be emailed to [financialaid@tlu.edu](mailto:financialaid@tlu.edu).

**First Year and Campus Programs**

**ASC, 372-6040**

The First Year and Campus Programs Office coordinates Bulldog Orientation and a wide range of programs focusing on support for specialized student populations and campus-wide retention efforts on the first year and students in transition. The office is home to such programs as Peer Mentors, parent and family support, and academic and social initiatives for commuters, transfers, veterans, and first-generation students. [https://my.tlu.edu/ICS/Student\\_Life/First\\_Year - Campus Programs.jnz](https://my.tlu.edu/ICS/Student_Life/First_Year_-_Campus_Programs.jnz)

**Food Services**

**Hein Dining Hall, ext. 8085**

TLU Dining Services provides food in three locations; Hein Dining Hall, Lucky's Snack Bar and Coffee Shop at Tschoepe Hall. ([tlu.sodexomyway.com](http://tlu.sodexomyway.com)) Be advised that times may change due to holidays and semester breaks.

	<b>Hein Dining Hall hours are:</b>		<b>Lucky's Snack Bar hours are:</b>	
	<u>Monday – Friday</u>	<u>Saturday &amp; Sunday</u>		
Breakfast	7:15-10:30 a.m.	9:30-11:00 a.m.	Mon-Thur	7:30 a.m.-11:00 p.m.
Continental Breakfast	10:30-11:00 a.m.		Friday	7:30 a.m.-4:30 p.m.
Brunch		11:00 a.m.-1:30 p.m.	Sunday	5:00-11:00 p.m.
Lunch	11:00 a.m.-1:30 p.m.		<b>Tschoepe Café hours are:</b>	
Continental Lunch	1:30-4:30 p.m.		Mon-Thur	7:30 a.m.-3:00 p.m.
Dinner	(Mon-Thur) 4:30-7:30 p.m. (Fri) 4:30-7:00 p.m.	4:30-7:00 p.m.	Friday	7:30 a.m.-1:30 p.m.

**Health Center**

**Clifton Hall Apt., 372-8068**

The Health Center is located in the Clifton Hall Apartment. Hours: Monday through Thursday, 9:00 a.m. to 3:30 p.m. Friday open 9:00 a.m. to 1:00 p.m. The Health Center is staffed by a registered nurse. Local health care providers see students (no charge) twice a week. Closed during the summer.

Email: [canderson@tlu.edu](mailto:canderson@tlu.edu).

**Information Technology Help Desk**

**Bloomberg Memorial Library Basement, 372-6000**

The IT Help desk is available to students, faculty, and staff Monday through Thursday between 8:00 a.m.-9:00 p.m. and 8:00 a.m.-5:00 p.m. on Friday from the office in the basement of the Blumberg Memorial Library. Requests or questions can also be directed at any time via e-mail to [ishelp@tlu.edu](mailto:ishelp@tlu.edu). Student general accessible computers can be found in several buildings on campus. The ASC has 18 computer stations available 24 hours a day, seven days a week. Additionally, there are 34 computers available in the Blumberg Memorial Library, six in the Tschoepe Hall second floor lounge, and six in the AT&T Science Center/Krost common areas, during normal building hours. All locations have network printing capability with the ASC, Krost, and Library having a “print from your own device” option as well. Check the IT tab on MyTLU for additional information: <https://my.tlu.edu/ICS/IT>

**International Education****Tschoepe Hall 107, 372-8098**

Studying abroad can be one of the most fulfilling experiences of one's college career. It is an exciting opportunity to meet new people, integrate into another culture, learn valuable skills and earn credit – all at a cost similar to studying at TLU. The International Education staff provides information and assistance prior to, during, and upon returning from studying abroad. The International Education staff also works with incoming exchange and degree-seeking international students. Orientation is provided to aid in the students' understanding of U.S. culture. The staff also ensures that international students comply with immigration and regulations for studying in the U.S.

**[https://my.tlu.edu/ICS/TLU INFO/International Education/](https://my.tlu.edu/ICS/TLU_INFO/International_Education/)**

**Website: <http://www.tlu.edu/academics/study-abroad/>**

**Facebook: <https://www.facebook.com/TLU-International-Education-243045372413482/>**

**Intramural Sports****Fitness Center, 372-6762**

The university offers a variety of intramural sports open to all students, faculty, and staff. There are activities for individuals, groups of men or women, and co-rec groups. Competition can include teams from fraternities or sororities, independent students, residence hall floors, and other student organizations. The program includes flag football, volleyball, tennis, racquetball, soccer, basketball, dodgeball, beach volleyball, softball, individual sports and special events. Information about the program is available in the Fitness Center, the Alumni Student Center, residence halls, on the TLU website, Bulldog TV and at <https://www.imleagues.com/TLU> and on the Rec\*It app.

**Library****Bloomberg Memorial Library, 372-8100**

Blumberg Memorial Library provides access to reference help from professional librarians, online and printed academic journals, books, media items, electronic equipment including cameras and laptops, as well as course reserves and library instruction. While the library has many resources available, we also offer interlibrary loan services. We can get many articles and books within a few days from another library. The three-story library building is centrally located near the Student Center and Alumni Plaza. In addition to providing research support from librarians and tutors, the library is an ideal study location. The CoLab on the main floor features poster printers, moveable furnishings, and several collaborative work tables. Study rooms on the second floor and in the basement are equipped with large flat screen TVs which play media and also hook up to laptops for collaborative group work. The library also offers quiet spaces on the second floor for individual study, and a laptop lab in the basement that is available for use by classes or individual students. Current students may access the library's online resources from on or off campus. Many of the library's online resources also feature mobile-friendly interfaces. The library's web site is found at <http://bulldogs.tlu.edu/library>.

**Library Policy on Late, Lost and Damaged Items**

Students are responsible for returning library materials on time. Overdue and lost item fees are charged to individual student accounts. The library assesses a late fee of \$2 per overdue item; no daily fines are charged. Both courtesy reminders prior to the due date and overdue notices after the due date are emailed to students for all library items. If items are not returned prior to semester's end, an additional handling fee of \$2 per item is assessed, as well as a lost item replacement fee for each item not returned. Late fees on equipment are assessed at \$12, due to the fact that these items are in high demand. Charges for damaged library items will be based on the extent of the damage and whether the item can be repaired or must be replaced.

**Mail Service****ASC, 372-8048**

U.S. mail is delivered daily (Monday through Friday) to the campus Post Office. All residential students are automatically assigned a campus mailbox which can be found on my.tlu.edu. Students who live off campus must request a mailbox at the TLU Post Office if they would like to have one. There is no charge for the mailboxes. The same full range of services is offered as any Post Office with the exception of C.O.D. transactions and international shipping, which are handled at the downtown Seguin Office. Incoming mail needs to be addressed to the student, TLU, 1000 W. Court St. Box #, Seguin, Texas 78155.

**Recreational Facilities**

**Fitness Center, 372-6762**

The Mabee Aquatic Center is open August through October and March through May while school is in session and the summer months of May through August. The pool is open every afternoon except Thursday. The Jones Complex houses basketball courts, racquetball courts, and an aerobics room. Open recreation hours are Sunday – Thursday 7:00-10:00 p.m. except when reserved for intercollegiate sports. The Dr. Burton E. Grossman Fitness Center is open Monday through Thursday (6:30 a.m. to 10:00 p.m.), Friday (6:30 a.m. to 7:00 p.m.), Saturday (hours vary due to home football games), and Sunday (4:00 to 10:00 p.m.). Bulldog Gym is located in the aerobic fitness room in the Jones Complex. Functional fitness classes will be offered at various times throughout the day and it will be open for individual use when the Jones Complex is open. Four tennis courts for student use and a one-kilometer jogging track are available for 24-hour use. Two lighted sand volleyball courts, an 18-hole disc golf course, and a soccer/football field located behind the fieldhouse are available as well.

[https://my.tlu.edu/ICS/Student\\_Life/Campus\\_Recreation](https://my.tlu.edu/ICS/Student_Life/Campus_Recreation)

**Registration and Records Office**

**Beck, 372-8040**

All concerns related to course offerings, registering, adding or dropping a class, reviewing degree plans, applying for graduation, and transcripts can be processed here each weekday between 8:30 a.m. to 4:30 p.m.

<https://my.tlu.edu/ICS/Public/Registrar.jnz>

**Residence Life**

**ASC, 372-8065**

The Residence Life Office administers the residential component of TLU. As a primarily residential university, the majority of our students live in campus-owned residence halls and apartments. Our residential facilities provide an informal living and learning environment in which students pursue their academic objectives, while taking advantage of opportunities for social interaction with their colleagues and peers. [https://my.tlu.edu/ICS/Student\\_Life/Residence\\_Life.jnz](https://my.tlu.edu/ICS/Student_Life/Residence_Life.jnz)

**Student Activities**

**ASC, 372-6040**

The Student Activities Office manages the campus calendar, schedules events, provides guidance to the variety of student groups, maintains full records of organizational membership lists, coordinates SGA, Campus Activities Board, and Greek Life activities, offers an annual calendar of entertainment for the campus, and looks for ways to provide all students with an enjoyable university experience.

[https://my.tlu.edu/ICS/Student\\_Life/Student\\_Activities.jnz](https://my.tlu.edu/ICS/Student_Life/Student_Activities.jnz)

**Student Financial Services**

**Beck, 372-8010**

In addition to managing student accounts, the cashier's window in the Student Financial Services Office is open from 8:30 a.m. to 4:30 p.m. so that students may cash personal checks (not to exceed \$50 per day), sign up for payroll direct deposit, and conduct business with the university. Proper identification for any transaction is required.

**Bulldog Bucks** - Every student receives a TLU ID Card. This card allows access to your residential hall and meal plan. In addition, you can add value and convenience to your TLU ID card by purchasing Bulldog Bucks. Bulldog Bucks are accepted for payment in the Bookstore, Lucky's Snack Bar, Coffee Shop at Tschoepe Hall, Post Office and Hein Dining Hall. Bulldog Bucks can be purchased online at my.tlu.edu and in the Student Financial Services Office.

**Student Government Association**

**ASC, 372-8069**

The student body expresses its voice and advocates for programs and change through its elected officers and senators. The SGA Office is located in the ASC and has posted hours.

**University Police**

**1204 W. Court Street, 372-8000**

While everyone is responsible for helping the university maintain a safe and protected environment, the university Police Department exists to protect and serve our campus community. Certified peace officers provide 24-hour coverage seven days a week; they staff the office, patrol, investigate crimes and prepare

## CAMPUS SERVICE & FACILITIES

criminal cases for prosecution with the County Attorney and District Attorney's Office. They stand ready to enforce the laws of our state and the policies of our institution. They have full arrest powers. Officers assist students whenever possible with special needs, disabled vehicles, or the investigation of stolen property. They maintain the security of our facilities and property. Students are asked to assist in this effort by locking residences and automobiles, safely storing all personal property, staying in lighted areas after dark, and reporting any suspicious activity. To reach university police, simply dial "0" from any campus phone or dial 372-8000 and the switchboard operator will connect you to the university police officer on duty. To reach off-campus emergency services, dial **911** from any campus phone or any pay telephone.

**Escort:** Students wishing to be escorted across campus late at night may ask a university police officer to escort them. The requests are honored as the officers are available.

**Vehicle assist:** Contact the university Police Department for vehicle assistance. We no longer unlock vehicles due to liability issues.

### ***Vice President and Dean of Student Life & Learning***

***ASC, 372-8060***

The Division of Student Life & Learning is under the direction of the Vice President & Dean of Students and three Associate Deans. The division consists of Academic Advising, Academic Support Services, Career Development, Counseling and Disability Services, First Year and Campus Programs, Health Services, Residence Life, Student Activities, student conduct system and Title IX compliance.

**[https://my.tlu.edu/ICS/Student\\_Life/Vice\\_President\\_and\\_Dean\\_of\\_Students\\_Office.inz](https://my.tlu.edu/ICS/Student_Life/Vice_President_and_Dean_of_Students_Office.inz)**

# THE CONSTITUTION OF THE TLU STUDENT GOVERNMENT ASSOCIATION

Revised: Spring 2015

## **PREAMBLE:**

We, the students enrolled at Texas Lutheran University (TLU), under the auspices of the Board of Regents of TLU, in order to provide a means of self-government, to promote the growth of the academic, social, and religious life at TLU, to further relations between individuals and groups both within and outside of TLU, and to manage our monies and properties, do hereby form this association and submit ourselves to be governed by this constitution and its bylaws.

## **ARTICLE I: NAME AND PURPOSE**

### **Section 1: Name**

The name of this association shall be the Student Government Association of TLU, hereafter referred to as the Student Government Association (SGA).

### **Section 2: Purpose**

The purpose of the SGA at TLU is to provide a link between students, faculty and staff while representing the student body's needs. The SGA also supports student organization activities through an allocation process.

## **ARTICLE II: AUTHORITIES AND POWERS**

### **Section 1: Establishing Authority**

The SGA of TLU is established under the authority granted by the students enrolled at TLU, under the auspices of the Board of Regents of TLU.

### **Section 2: Granted Authority and Power**

The authority and power granted to the SGA by the students enrolled at TLU shall be exercised by the officers and the senate of the SGA or by its delegation to agents or agencies established under this constitution and its bylaws.

### **Section 3: Final Authority**

Final authority on major resolutions is held by the president of TLU and/or the Board of Regents of TLU.

## **ARTICLE III: MEMBERSHIP**

All persons registered as full-time and part-time students shall be members (hereafter referred to as students) of the Texas Lutheran University Student Government Association. Students enrolled for a minimum of 12 hours of coursework may hold offices and will become active members until the end of their term. In their final semester, graduating seniors need only the number of hours necessary for graduation. All students are subject to the provisions of the constitution and bylaws.

## **ARTICLE IV: GOVERNING INDIVIDUALS AND GROUPS**

### **Section 1: The Executive Branch**

The executive branch of the SGA shall consist of a president, vice president, and comptroller. Details shall be set forth in the bylaws.

### **Section 2: The Legislative Branch**

The legislative body of the SGA shall be known as the senate. A quorum of the senate shall be two-thirds of the voting members of the senate. Unless otherwise provided in the bylaws, Robert's Rules of Order shall be the basis for conducting the parliamentary activities of the senate. Details shall be set forth in the bylaws.



## STUDENT GOVERNMENT CONSTITUTION

### **Section 3: The Judicial Branch**

All disciplinary responsibilities are referred to the disciplinary panel for the institution overseen by the Vice President and Dean of Student Life & Learning. Issues or concerns regarding SGA in particular should be brought to the attention of the advisors and ultimately the Vice President and Dean of Student Life & Learning.

### **Section 4: Appointed Officials**

Appointed officials shall consist of a paid secretary appointed by the president, and a sergeant at arms and a speaker pro-tempore elected by the senate. Details shall be set forth in the bylaws.

### **Section 5: SGA Committees**

The SGA committees shall exist to assist in the execution of the operations of the SGA. Details shall be set forth in the bylaws.

## **ARTICLE V: INITIATIVE, REFERENDUM, AND RECALL**

All members of TLU SGA shall have the rights of initiative, referendum, and recall within the SGA. Details shall be set forth in the bylaws.

## **ARTICLE VI: BYLAWS**

The bylaws of the SGA shall be the means by which the precepts of this constitution shall be implemented.

## **ARTICLE VII: INTERPRETATION OF CONSTITUTION AND BYLAWS**

Any student enrolled at TLU may make requests through the president of the SGA for an interpretation of this constitution and its bylaws.

## **ARTICLE VIII: AMENDMENTS**

### **Section 1: Placing Proposed Amendments on Ballot**

Articles of amendment or amendments to specific portions of this constitution may be placed on a SGA ballot by two-thirds vote of the senate, or by a petition containing the signatures of 15% of the current students enrolled at TLU. Figures for said percentage shall be based upon the enrollment at the Seguin campus. Such proposed amendments to this constitution shall be presented to the senate in writing.

### **Section 2: Timetable for Election**

Upon vote approval or receipt of petition by the senate, the senate shall direct the elections committee to hold an election on the proposed amendment no less than ten days or more than three weeks after being proposed.

### **Section 3: Publicizing Proposed Amendments**

Proposed amendments to this constitution shall be publicized in the official student newspaper, the Lone Star Lutheran, from the time of the senate directive for election until the time of that election.

### **Section 4: Adoption of Proposed Amendments**

Proposed amendments to this constitution, having been duly publicized, shall be adopted by a two-thirds vote of those students enrolled at TLU casting ballots on the proposal, as certified by the election committee.

### **Section 5: Implementation**

Proposed amendments to this constitution that are adopted by the students enrolled at TLU shall come into effect upon certification of passage by the election committee, and approval by the Board of Regents of TLU.

## STUDENT GOVERNMENT CONSTITUTION

### **ARTICLE IX: RECOGNITION OF STUDENT ORGANIZATIONS**

#### **Section 1: Requirements of All Organizations**

The senate of the SGA shall have the power to give temporary or full charter to any student organization voted by the senate to be in accordance with the SGA constitution. Any and all student organizations recognized by the senate shall be deemed legitimate organizations subject to the rules and regulations of the TLU SGA constitution and bylaws.

#### **Section 2: Additional Requirements for Social Greek Organizations**

Any student organization seeking to be chartered as a social Greek organization must first be approved by the Greek Council to be in accordance with the Greek Council constitution.

### **ARTICLE X: PUBLICATIONS POLICY**

#### **Section 1: Officially Recognized Publications**

The SGA of TLU recognizes the official student newspaper as being the Lone Star Lutheran, and the official school yearbook as being The Growl.

#### **Section 2: Procedure for Approval of Additional Publications**

All recognized student organizations that seek to publish and distribute a student organization publication must abide by the libel and slander laws of the state of Texas.

### **ARTICLE XI: RATIFICATION OF CONSTITUTION AND BYLAWS**

This constitution and its bylaws shall become operative upon a two-thirds vote of those students enrolled at TLU casting ballots on the proposal, as certified by the elections committee, and upon approval of the Board of Regents of TLU. Upon ratification of this document, all other constitutions and their bylaws shall become null and void. (NOTE: Copies of the by-laws are available in the Student Government Association Office in the ASC and in the Student Activities Office.)

Revised: Spring 2015

## RESOURCE DIRECTORY

FOR	SEE (Building)
Academic Information	Academic Advisor (Faculty Office)
Academic Support (study skills, tutoring, etc.)	Meadows Center (ASC)
Adding/Dropping a Course	Academic Advisor (Faculty Office)
Applying for Graduation	Registration and Records (BC)
Assignment of Academic Advisor	Student Life & Learning Deans Office (ASC)
Attendance Regulations	University Catalog/Instructor
Auditing a Course	Registration and Records (BC)
Changing a Major	Student Life & Learning Deans Office (ASC)
Transcripts	Registration and Records (BC)
Withdrawal from university	Registration and Records (BC)
Accounts-Student	Student Financial Services (BC)
ADA (Americans with Disabilities)	Counseling Center (ASC)
Admissions	Admissions Office (BC)
Re-Admission	Registration and Records (BC)
Transfer Credits	Registration and Records (BC)
Alumni Affairs	Alumni Office (BC)
Athletics	
Intercollegiate	Director of Athletics (JC)
Intramurals	Jones Complex Office (JC)
University Police	1204 W. Court Street
Catalogs of Other Universities	Registration and Records (BC)
Class Absences	Instructor
Counseling	
Academic	Academic Advisor (Faculty Office)
Career	Career Development Office (ASC)
Pastoral Care	Campus Pastor's Office (CFSL)
Personal	Counseling Center (ASC)
Employment	
On-Campus and Off-Campus Work Study	Office of Student Financial Services (BC)
Off-Campus, Part-time	Career Development Office (ASC)
Events Scheduling, Reserving Space	
ASC/Jackson Park/Party Permits	Student Activities Office (ASC)
Other Areas	Building Supervisors (various)
Financial Assistance	
Student Loans & Scholarships	Office of Student Financial Services (BC)
Health Services	Clifton Apartment
Housing Reservations/Cancellations	Residence Life Office (ASC)
Identification Cards	Registration and Records (BC)
Keys Issued or Lost	Residence Life Office (ASC)
Lost and Found	Switchboard (ASC)/Residence Life Office (ASC)
Mail: U.S., Express Mail, Special shipments	Post Office (ASC)
Parking Permit	Bubble (ASC)
Publicity	Marketing and Communications (BC)
Telephone	Information Services (BML)
Veterans Support Programs	First Year & Campus Programs (ASC)

**SOME ABBREVIATIONS**

AC .....	Area Coordinator
ASC .....	Alumni Student Center
ATT .....	AT&T Science Building
BC .....	Beck Center (Administration)
BML .....	Blumberg Memorial Library
CFSL .....	The Center for Student Leadership
(C)GPA .....	(Cumulative) Grade Point Average
CLA .....	Collaborative Learning Assistant
CWS .....	Center for Women's Studies
FA .....	(Schuech) Fine Arts
HH .....	Hahn Hall
IM .....	Intramurals
JA .....	Jackson Auditorium
JC .....	Jones Complex
KCC .....	Katie Conference Center (Hein Hall)
LH .....	Langner Hall
MASA .....	Mexican American Student Association
MS .....	Moody Science Hall
RA .....	Resident Assistant
SGA .....	Student Government Association
SI .....	Supplemental Instruction
TA .....	Teaching Assistant
TH .....	Tschoepe Hall
WLT .....	Wupperman Little Theater

# CAMPUS MAP

## TEXAS LUTHERAN UNIVERSITY

### BUILDINGS

1. Alumni Student Center  
Bookstore  
Lucky's Eatery  
Post Office  
Veteran's Lounge
2. AT&T Science Facility
3. Baldus Hall
4. Beck Center  
Admissions & Administration
5. Blumberg Memorial Library
6. Bogisch Apartments
7. Brandes Hall
8. Bulldog Concessions & Restrooms
9. CAST (Court Annex Studio Theater)
10. Centennial Hall
11. Central Plant
12. Chapel of the Abiding Presence
13. Clifton Hall  
Health Center
14. Community Music Academy Office
15. Facility Services
16. Fritz Homestead
17. Glazener Apartments
18. Grossman Fitness Center
19. Hahn Hall
20. Hein Dining Hall
21. Jones Physical Education Complex  
Memorial Gymnasium  
Tostengard Activity Center
22. Kieffer Kinesiology Lab
23. Knutson Hall
24. Kramer Hall
25. Kraushaar Hall
26. Krost Center
27. Lange Hall
28. Langner Hall  
Fiedler Museum & Rock Garden  
Mexican-American Studies Center
29. Linne Hall
30. Lutheran Ministry Center
31. Mabee Aquatic Center
32. Media  
TLU Student Media  
Studio 1015
33. Moline Center for Servant Leadership  
Campus Ministry  
Church Relations
34. Moody Science Hall
35. Nursing Complex
36. Police Department
37. President's Residence
38. Renger Hall

39. Rinn Field House
40. Schuech Fine Arts Center  
Annetta Kraushaar Gallery  
Ayers Rectical Hall  
Wupperman Little Theatre
41. Seguin Hall
42. Steger Hall
43. Strunk Hall
44. Student Activity Center at Jackson Park
45. Student Health Center
46. Trinity Hall
47. Tschoepe Hall  
Tschoepe Coffee Shop
48. Weston Center  
Jackson Auditorium  
School of Music  
Studio Theater

### LANDMARKS

- A. Alumni Park
- B. Brandes Plaza
- C. Bulldog Stadium
- D. George Kieffer Football Practice Field
- E. Golf Practice Area
- F. Gustafson Soccer Field
- G. Jackson Park
- H. Joe K. Menn Plaza
- I. Katt-Isbel Baseball Field
- J. Krost Fitness Trail
- K. Kruse Stadium/Morck Softball Field
- L. Library Lawn Stage
- M. Martin Luther Sculpture
- N. Sandlot Volleyball Courts
- O. Streg Chapel Plaza
- P. Tennis Courts
- Q. Three Graces Sculpture
- R. Water of Life Fountain
- S. Weeber Plaza

### Parking

Parking is permitted with any TLU tag in appropriate areas on University, Feller and Fritz Streets and on Oestreich and Beck Drives.

#### Designated Parking

7:30 a.m.–4:00 p.m. Monday through Friday  
(Please observe signs specifying areas within each lot)

- Visitor Lots:  
16 and designated spots in 6, 7, and outside Beck Center
- Commuter Lots:  
1, 2, 4, 5, 6, 7, 21, 22
- Resident Lots:  
9, 13, 14, 15, 17, 18, and spots by Glazener Apartments
- Faculty/Staff Lots:  
1, 3, 8, 19, 20, and designated spots by the Nursing Complex and Weston Center
- Open Lots:  
10, 11, 12, and along Fritz Street and Jackson Parkway



HOURS OF OPERATION

## HOURS OF OPERATION

**Alumni Student Center**

Open 24 hours/7 days per week

**ASC Lucky's Snack Bar**

Monday – Thursday: ..... 7:30 a.m.-11:00 p.m.  
Friday: ..... 7:30 a.m.-4:30 p.m.  
Sunday: ..... 5:00 p.m.-11:00 p.m.

**Beck Center Offices**

Monday – Friday: ..... 8:00 a.m.-5:00 p.m.

**Bookstore**

Monday – Friday: ..... 8:30 a.m.-4:30 p.m.  
Saturday: ..... 11:00 a.m.-1:00 p.m. (hours to vary with special events)

**Student Activities Office**

Monday – Friday: ..... 8:00 a.m.-5:00 p.m.

**Career Development**

Monday – Friday: ..... 8:00 a.m.-Noon/1:00 p.m.-5:00 p.m.

**Chapel**

MWF Chapel Service: ..... 10:00 a.m.-10:20 a.m.

**Counseling Office**

Monday – Friday: ..... 8:00 a.m.-5:00 p.m. by appointment (ext. 8009)

**Fitness Center**

Monday – Thursday: ..... 6:30 a.m.-10:00 p.m.  
Friday: ..... 6:30 a.m.-7:00 p.m.  
Saturday: ..... (hours vary due to home football games)  
Sunday: ..... 4:00 p.m.-10:00 p.m.

**Health Center**

Monday – Thursday: ..... 9:00 a.m.-3:30 p.m.  
Friday: ..... 9:00 a.m.–1:00 p.m.  
Doctors' hours: ..... Thursday - 1:00 p.m.-2:00 p.m., 2<sup>nd</sup> day and time TBA

**Hein Dining Hall**

Monday - Friday: Breakfast ..... 7:15 a.m.–10:30 a.m.  
Continental Breakfast ..... 10:30 a.m.–11:00 a.m.  
Lunch ..... 11:00 a.m.–1:30 p.m.  
Continental Lunch ..... 1:30 p.m.–4:30 p.m.  
Dinner ..... Monday – Thursday 4:30 p.m.–7:30 p.m.  
Friday ..... 4:30 p.m.–7:00 p.m.  
Saturday- Sunday: Breakfast ..... 9:30 a.m.–11:00 a.m.  
Brunch ..... 11:00 a.m.–1:30 p.m.  
Dinner ..... 4:30 p.m.–7:00 p.m.

**Information Technology Help Desk**

Monday – Thursday: ..... 8:00 a.m.–9:00 p.m.  
Friday: ..... 8:00 a.m.–5:00 p.m.

**Jones Complex facilities**

The complex is open Sunday – Thursday: 7:00 p.m. – 10:00 p.m. except when reserved for intercollegiate sports

Friday and Saturday the Jones complex is closed for ALL recreational use.

## HOURS OF OPERATION

### **Library**

Monday–Thursday: ..... 7:45 a.m.–12:00 midnight/Friday 7:45 a.m.-5:00 p.m.  
Saturday: ..... Closed  
Sunday: .....2:00 p.m.-12:00 midnight

### **Mabee Pool**

Check the information board at the pool for current hours.

### **Post Office**

Monday – Friday: ..... 9:00 a.m.-4:00 p.m.

### **Sandlot Volleyball Courts**

Sunday – Thursday: ..... 10:00 a.m.-Midnight  
Friday – Saturday: ..... 10:00 a.m.-1:00 a.m.

### **Student Financial Services**

Monday – Friday: ..... 8:30 a.m.-4:30 p.m.

### **Tschoepe Café in Tschoepe Hall**

Monday – Thursday: ..... 7:30 a.m.-3:00 p.m.  
Friday: ..... 7:30 a.m.-1:30 p.m.

### **University Police**

Police Officers are available 24 hours a day, year round, including weekends and holidays.

### **Writing Lab**

Sunday – Thursday: ..... 7:00 p.m.-10:00 p.m.

## APPENDIX

### **Abuse of Conduct Process Policy**

Abuse or interference with, or failure to comply in, TLU processes including, but not limited to:

- a. Falsification, distortion, or misrepresentation of information;
- b. Failure to provide, destroying or concealing information during an investigation of an alleged policy violation;
- c. Disruption or interference with the orderly conduct of a disciplinary proceeding;
- d. Attempting to discourage an individual's proper participation in, or use of, the campus disciplinary system;
- e. Harassment (verbal or physical) and/or intimidation of a member of a campus disciplinary body prior to, during, and/or following a campus disciplinary proceeding;
- f. Failure to comply with the sanction(s) imposed by the campus disciplinary system;
- g. Influencing, or attempting to influence, another person to commit an abuse of the campus disciplinary system.
- h. Attempting to influence the impartiality of a member of the university conduct system prior to, and/or during the course of, any university conduct board proceeding.
- i. Failure to obey any notice from a university conduct board or other university official to appear for a meeting or hearing as part of the student conduct system.
- j. Filing fraudulent charges or initiating a university conduct proceeding in bad faith.



## **Academic Honesty Policy**

### What is Academic Dishonesty?

The most common forms of academic dishonesty are cheating and plagiarism. Cheating includes but is not limited to:

- Submitting material that is not one's own as part of the course performance, such as copying from another student's exam, or allowing another student to copy from one's exam;
- Using information or devices not allowed by the faculty, such as cell phones and other electronic devices, calculators, head phones, or any other type of external assistance during an examination or other academic exercise;
- Obtaining and using unauthorized material, such as textbook solution manuals, test banks, or a copy of an examination before it is given;
- Fabricating information, such as data for a lab report;
- Violating procedures prescribed to protect the integrity of an assignment, test, or other evaluation;
- Collaborating with others on assignments without the instructor's consent;
- Cooperating with or helping another student in cheating;
- Other forms of dishonest behavior, such as having another person take an exam in one's place, altering exam answers and requesting the exam be re-graded; or communicating with anyone other than the proctor or instructor during an exam.

Plagiarism includes, but is not limited to:

- Directly quoting the words of others without using quotation marks or indented format to identify them; or
- Using sources (published or unpublished) without identifying them; or
- Paraphrasing material or ideas of others without identifying the sources.

Students who are unsure about something they want to do or the proper uses of material are directed to the instructor for clarification.

Students must not cheat or plagiarize, and they must not condone these behaviors nor assist others who cheat or plagiarize. Academic misconduct not only jeopardizes the career of the individual student involved, but it also undermines the scholastic achievements of all students and attacks the mission of this institution. Students are responsible for doing their own work, thereby insuring the integrity of their academic records.

### **Violations of the Academic Honesty Policy**

Violations of academic honesty involve two required reporting components and a third component at the instructor's discretion.

1. The course syllabus must be followed.
  - a. The student will be notified by the instructor regarding the nature and consequence of the academic honesty violation.
  - b. Academic sanctions for violations of academic honesty are imposed by the instructor, usually after consultation with the department chair. Sanctions may include a grade assignment, and/or credit issued for the assignment or course.
  - c. Course policies, processes and sanctions as outlined by the instructor in the syllabus will be followed; with the understanding that faculty members may determine exceptions on a case-by-case basis as warranted.
2. All Violations of Academic Honesty must be reported to the Vice President and Dean of Student Life and Learning.
  - a. In addition to whatever sanctions are assessed by the instructor, the incident must be reported to the Vice President and Dean of Student Life and Learning to be put in the student's academic record file.

## APPENDIX

- b. Faculty members must file the report electronically on my.tlu.edu by filling out the “Academic Dishonesty Form” located on the Faculty Tab Landing Page →“Links” list. The Academic Dishonesty Form contains rosters of the current semester for each individual faculty member. To report an incident from a prior semester, the faculty member should contact IT for access to previous semester rosters.
  - c. When a report of academic honesty violation is filed, the student, along with their academic advisor, will be notified of the report by the Dean of Student Life and Learning office. Records are kept on every incidence of academic honesty violation, providing a written record for every student.
  - d. Flagrant or repeated occurrences of academic dishonesty can lead to dismissal of the student from the University through the disciplinary process.
  - e. **IMPORTANT NOTE:** If a third incident of cheating is accrued, the student is automatically entered into the TLU Disciplinary System by the Dean of Student Life and Learning office. A third incidence of academic honesty violation is considered as having violated the TLU Student Code of Conduct. This requires that the student be brought before a disciplinary sanctioning panel to determine if community sanctions are warranted in addition to academic sanctions already levied in the classroom.
3. (At instructor’s discretion) A violation of academic honesty may be referred to the TLU Disciplinary System for a panel hearing by the instructor.
    - a. In addition to an academic sanction, the instructor may refer the incident to the TLU disciplinary system as a violation of the TLU Student Code of Conduct for a hearing to determine whether or not additional community sanctions may be warranted, even if it is the student’s first or second violation of academic honesty.
    - b. This disciplinary process is separate from the sanctions imposed by the instructor for academic honesty violation.

**PLEASE NOTE:** As per the TLU Catalog, students who have entered the disciplinary system and have been found responsible while classified as a junior or senior for violating the academic honesty and plagiarism policy will not be allowed to graduate with honors.

### **Disputes of Academic Honesty Violation**

In the case where the student disputes the academic honesty violation, the following process must be observed

1. If the student disputes an instructor’s overall finding of an academic honesty policy violation, he/she must attempt to resolve the incident by talking with the course instructor.
2. In the case that the student and instructor cannot resolve the issue, the student and faculty member must talk with the department chair. If the instructor is the department chair, another department chair may be involved to help resolve the dispute.
3. If a resolution is not reached in consultation with the faculty member and department chair, then the student may contact the Vice President of Academic Affairs Office for further assistance.

## Alcohol Policy

NO ONE under the age of 21 may purchase, possess, consume, or sell alcoholic beverages in accordance with the Texas State law and university policy.

- All academic buildings, athletic fields and most residence halls are alcohol free.
- The sale of alcoholic beverages on campus is prohibited, except by those with a valid liquor license and approval by the Vice President and Dean of Student Life & Learning. For complete policy and instructions regarding alcohol for student organization events, please refer to the Student Activities section of this handbook.
- The alcohol policy applies to all organizations and university-sponsored student activities on or off campus. Student organizations and their members that fail to follow the policy will be referred to the TLU disciplinary system.
- Any alcohol violation by students under 21 may result in the notification of the students' parents or guardian. A second alcohol violation will result in automatic notification. Parents may also be called when any student, regardless of age, endangers him/herself and/or others, is arrested for driving while intoxicated, or is responsible for property damage while under the influence of alcohol.
- For complete policies regarding alcohol as it pertains to residential facilities and living, please refer to the residence life section of this handbook under "housing policies."

Students who have been drinking and engage in disruptive behavior on campus or cannot care for themselves will be considered in violation of this policy and subject to disciplinary review.

### Parental Notification Policy

Texas Lutheran University is concerned about students who improperly use alcohol and other drugs and the effects such use may have on their health, academic success, interpersonal relationships, and ultimately, their future.

In accordance with the Family Educational Rights and Privacy Act (FERPA), the Vice President and Dean of Students (or designee) reserves the right to notify the parents/guardians of students under 21 years of age, and the parents/guardians of dependent students, regardless of age, of any incident in which the student is found responsible for violating the university alcohol and drug policy.



## Information Regarding the Impact of Alcohol

### Risks of Alcohol Use

The following is a partial list of the adverse effects of alcohol use on the individual and society arranged by source.

#### ***The Truth about Alcohol: Tips for Teens (U.S. Department of Health & Human Services, 2014)***

- a. *Alcohol affects your brain.*  
Drinking alcohol leads to a loss of coordination, poor judgment, slowed reflexes, distorted vision, memory lapses, and even blackouts.
- b. *Alcohol affects your body.*  
Alcohol can damage every organ in your body. It is absorbed directly into your bloodstream and can increase your risk for a variety of life-threatening diseases, including cancer.

## APPENDIX

- c. *Alcohol affects your self-control.*  
Alcohol depresses your central nervous system, lowers your inhibitions, and impairs your judgment. Drinking can lead to risky behaviors, including having unprotected sex.
- d. *Alcohol can kill you.*  
Drinking large amounts of alcohol at one time or very rapidly can cause alcohol poisoning, which can lead to coma or even death. Driving and drinking also can be deadly. In 2003, 31 percent of drivers age 15 to 20 who died in traffic accidents had been drinking alcohol.
- e. *Alcohol can hurt you--even if you're not the one drinking.*  
If you're around people who are drinking, you have an increased risk of being seriously injured, involved in car crashes, or affected by violence. At the very least, you may have to deal with people who are sick, out of control, or unable to take care of themselves.

### ***From Top Ten Myths About Alcohol (National Institute on Alcohol Abuse and Alcoholism: National Institutes of Health)***

- a. Can you hold your liquor? That is not a good thing. If you have to drink increasingly larger amounts of alcohol to get a “buzz” or get “high”, you are developing tolerance. This increases your vulnerability to many serious problems, including alcoholism.
- b. One in three 18- to 24-year-olds admitted to emergency rooms for serious injuries are intoxicated. And alcohol is also associated with homicides, suicides, and drowning.

### ***The Naked Truth: Alcohol and Your Body (FactsOnTap.org)***

- a. The amount of alcohol it takes to make you pass out is dangerously close to the amount of alcohol it takes to kill you.
- b. A hangover is caused partly by the body’s being poisoned by alcohol and partly by the body’s reaction to withdrawal from alcohol.

### ***Harmful Interactions: Mixing Alcohol with Medicines (U.S. Department of Health & Human Services)***

- a. Some medicines that you might never have suspected can react with alcohol, including many medications that can be purchased ‘over-the-counter’—that is, without a prescription. Even some herbal remedies can have harmful effects when combined with alcohol.
- b. Mixing alcohol with certain medications [both prescription and over-the-counter] can cause nausea and vomiting, headaches, drowsiness, fainting, or loss of coordination. It can also put you at risk for internal bleeding, heart problems, and difficulties in breathing. In addition to these dangers, alcohol can make a medication less effective or even useless, or it may make the medication harmful or toxic to your body.
- c. Alcohol and medicines can interact harmfully even if they are not taken at the same time.
- d. Medications are safe and effective when used appropriately. Your pharmacist or other health care provider can help you determine which medications interact harmfully with alcohol.

### ***Facts About Women and Alcohol (Texas Commission on Alcohol and Drug Abuse)***

- a. Women are more susceptible to the influence of alcohol just prior to or during their menstrual cycle than at other times during their cycle.
- b. On average, a woman weighing 120 pounds requires 2.5 hours to metabolize one [standard] drink.
- c. The course of alcohol addiction progresses at a faster rate among women than men.

## Amnesty Policy

The purpose of this policy is to facilitate access and remove barriers to students who require police, medical, or university staff assistance in alcohol/drug related emergencies and to provide the opportunity for caring, non-punitive interventions in response to such incidents. Additionally, students are eligible for amnesty from conduct violations discovered as a result of them reporting sexual assault, dating violence, stalking, or sexual harassment. In all of these incidents, the primary concern is the well-being, health, and safety of students.

The amnesty policy represents TLU' s commitment to informed decision-making and promotion of responsible behaviors when faced with alcohol and/or drug related emergencies.

### PERSON IN NEED OF EMERGENCY MEDICAL ATTENTION

This policy may apply when a student receives emergency assistance that is (a) related to the consumption of alcohol and/or drugs, and (b) sought by a person not serving in an official university capacity, or (c) are victims hesitant to report to university officials because they fear that they themselves will be accused of minor policy violations (such as underage drinking) at the time of the incident.

In order to qualify for amnesty, the student must obtain emergency medical, police, or university staff attention at the time of the incident; must meet with a representative from the Dean of Students office within 5 days of the incident; and agree to comply with the conditions set forth by the representative. If these conditions are met, there will be no disciplinary case and the incident will not become part of the student's record.

If the student does not follow these stipulations, she or he does not qualify for amnesty and is subject to the disciplinary process as provided by the Student Code of Conduct.

### OTHER INDIVIDUALS PRESENT

To encourage students to offer help and assistance to others, the amnesty policy may be applied to any student(s) or student organization(s) that help the student in need to receive medical attention. This will allow students who may also have been drinking or taking drugs to care for their friends without worry of facing a potential disciplinary process for themselves. Students and organizations that assist those in need must meet with a representative from the Dean of Students office within 5 days of the incident and may have to meet certain conditions for amnesty, which if met will result in no charges under the Student Code of Conduct. If the student(s) or student organization(s) do not follow these stipulations, they do not qualify for amnesty and are subject to the disciplinary process as provided by the Student Code of Conduct.

It is the expectation that a student or student organization uses the amnesty policy once; it is an opportunity for a student to learn from a mistake and avoid such mistakes in the future. Therefore, after the first incident, the availability of medical amnesty to the student is at the discretion of the Vice President and Dean of Student Life & Learning.

### SAFE HARBOR

TLU believes that students who have a drug and/or alcohol problem deserve help. If any student brings their own use, addiction, or dependency to the attention of university officials outside the threat of drug tests or disciplinary sanctions and seeks assistance, a conduct complaint will not be pursued. A written action plan may be used to track cooperation with the Safe Harbor program by the student. Failure to follow the action plan will nullify the Safe Harbor protection and campus disciplinary processes will be initiated.

## **Animal Policy**

### **Emotional Support Animal**

Texas Lutheran University is committed to accommodating persons with disabilities who require the assistance of emotional support animals; however, the university is also mindful of the health and

safety concerns of the campus community. Thus, the university must balance the need of the individual and his or her animal with the potential impact of such animals on other campus residents.

The ADA Coordinator in the Office of Disability Services is responsible for implementing this policy and for assisting students with disabilities to document their specific need for an accommodation. The successful implementation of the policy requires the cooperation of students, faculty, and staff.

### **Definitions**

#### ***Disability***

According to the Americans with Disabilities Act of 1990 (ADA), any person who has a physical or mental condition which substantially limits one or more life activities (such as walking, seeing, hearing, working, or learning) meets the definition of an individual with a disability. Individuals with a record of such a condition, or individuals who are regarded as having such a condition are also entitled to protection from discrimination. Acceptable documentation of a disability can be from either a medical or mental health provider.

#### ***Emotional Support Animal***

An emotional support animal is an animal selected to play an integral part of a person's treatment process that demonstrates a good temperament and reliable, predictable behavior. An emotional support animal is prescribed to an individual with a disability by a physician or mental health professional. An emotional support animal is not a service animal. **Emotional support animals are only permitted in housing, not in other campus buildings.**

#### ***Pet***

A pet is an animal kept for companionship. A pet is not considered an emotional support animal, and, therefore, is not covered by this policy. Residents are not permitted to keep pets on university property or in university housing with the exception of fish.

### **Emotional Support Animals in University Housing Requests**

Emotional support animals may not reside in university housing without expressed approval of university officials. Such requests should be processed as follows:

- A student requesting an emotional support animal must provide the ADA Coordinator with appropriate documentation at least 60 days before prospective housing will be needed.
- A student desiring the assistance of an emotional support animal must provide documentation of the need for an emotional support animal. Please contact Counseling Services for required paper work.

**The request to have an emotional support animal reside in campus housing must be submitted each academic year.**

### **Registration**

The following information will be needed after the emotional support animal is approved and at least seven days before the animal moves in.

**Vaccination Certificate/Shot Record and Current Color Picture of Animal**

As a student who has been approved for an emotional support animal, they have the responsibility to keep their animal in a healthy and sanitary condition at all times. The student understands that this agreement could be withdrawn if they fail to abide by responsibilities listed below.

**Animal Care & Guidelines**

The animal must wear a collar with current rabies tags at all times. The student must properly maintain the hygiene, health, and vaccinations for the animal. The student must have their animal on a leash whenever the animal is not inside the apartment/residence hall (i.e., when transitioning the animal to a vehicle). The animal must be fed and watered inside the apartment/residence hall. Food and water is not left outside the apartment/residence hall at any time. The animal must not be left unattended for more than 7-8 hours. The student must have the animal in a kennel when they are away from their apartment/residence.

**Damages/Cleaning**

Any damage to or requested renovations to apartment/residence hall (due to damage or neglect as result of animals) will be the sole responsibility of the student. Damage to TLU property discovered or reported during the year and caused by the animal must be rectified within one month. An inventory and condition inspection of the residence will be conducted prior to the animal's arrival. The student will receive customary cleaning treatment by Custodial Services when the animal owner moves out. Additional cleaning/repair charges resulting from the animal will be taken from the animal deposit. All additional charges are the sole responsibility of the student.

**Outdoor Guidelines**

The animal owner is required to properly dispose of solid waste with a pooper scooper and plastic bag and dispose of the excrement in a dumpster. The Custodial staff will not be responsible for cleaning any excrement.

**Animal Liability**

The university shall not, under any circumstances, be held liable for any personal injury or damages caused by the emotional support animal. The student hereby agrees to indemnify and hold Texas Lutheran University harmless from all property or injuries to persons caused wholly or in part by, or resulting from the animal which will be living with them in their assigned TLU residence.

**Areas Off Limits to Emotional Support Animals**

As previously stated, emotional support animals are permitted in university residence halls and apartments only.

**Denial Process**

- Individual does not meet the definition of a disability.
- Relationship between the disability and the need for assistance provided by the animal is not adequately established.
- Animal does not meet all requirements for health, vaccination, and/or licensing.
- Presence of animal will fundamentally alter the nature of the housing program or service.

The student must notify Residence Life in writing if the animal is no longer needed as an emotional support animal or is no longer in residence. In order to substitute one animal with a different animal, the student must file a new request with Counseling Services.

**Removal of Service or Emotional Support Animal**

- The university may remove a service or support animal for the following reasons:
- Poses a direct threat to the health or safety of others
- Is unruly or disruptive (barking, jumping up on people, running around)
- In ill health

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- Excessively unclean (e.g., flea-infested, foul-smelling, shedding excessively)
- Exhibits aggressive behavior

If suspension of animal-owning privileges is implemented, the student will need to find an immediate alternative placement of the animal. The student is responsible for the removal of the animal, and if the student refuses, TLU will contact Animal Control.

### **Conflicting Disabilities**

Residence Life will make a reasonable effort (e.g., sign on door stating animal in residence) to notify residents in the residence building where the animal will be located.

Students with medical condition(s) who are affected by animals (respiratory diseases, asthma, severe allergies) are asked to contact Residence Life and/or the ADA Coordinator if they have a health or safety-related concern about exposure to an emotional support animal. The individual will be asked to provide medical documentation that identifies the condition(s), and will allow determination to be made as to whether the condition is disabling and whether there is a need for an accommodation.

Residence Life will resolve any conflict in a timely manner. Staff members will consider the conflicting needs and/or accommodations of all persons involved. The TLU University Student Health Center may be used as a resource for information on health issues.

### **Questions**

Questions or concerns related to this policy should be addressed to the Counseling Services/ADA Coordinator:

Texas Lutheran University  
Counseling Services/ADA Coordinator  
1000 W. Court St.  
Seguin, Texas 78155  
(830) 372-8009  
(830) 372-6585 fax

### **Service Animal Policy**

Texas Lutheran University is committed to accommodating persons with disabilities who require the assistance of service animals; however, the university is also mindful of the health and safety concerns of the campus community. Thus, the university must balance the need of the individual, and his or her, with the disability with the potential impact of such animals on other campus residents.

The ADA Coordinator in the office of Disability Services is responsible for implementing this policy and for assisting students with disabilities to document their specific need for an accommodation. The successful implementation of the policy requires the cooperation of students, faculty, and staff.

### **Definitions**

#### **Disability**

According to the Americans with Disabilities Act of 1990 (ADA), any person who has a physical or mental condition which substantially limits one or more life activities (such as walking, seeing, hearing, working, or learning) meets the definition of an individual with a disability. Individuals with a record of such a condition, or individuals who are regarded as having such a condition are also entitled to protection from discrimination. Acceptable documentation of a disability can be from either a medical or mental health provider.

#### **Service Animal**

ADA defines a service animal as any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including but not limited to, guiding individuals with impaired vision, alerting individuals who are hearing impaired to intruders



or sounds, providing minimal protection or rescue work, pulling a wheelchair or fetching dropped items.

### **Service Animals in University Housing Requests**

Service animals may not reside in University housing without expressed approval of university officials. Such requests should be processed as follows:

A person requesting a service animal must provide the ADA Coordinator with appropriate documentation at least 30 days before prospective housing will be needed. Please contact the ADA Coordinator for the Verification of Disability form for Service Animals.

### **Service Animals in Training**

Individuals who desire an accommodation for a service animal in training must demonstrate that there is a proper training plan designed to work for the benefit of an individual with a disability. They must also abide by all relevant provisions of this policy. An animal being trained to be a service animal has all the same rights as a fully trained animal when accompanied by a trainer and identified as such.

### **Registration**

The following information is needed at least 7 days before the animal moves in.

- Vaccination certificate/Shot Record
- Current Color Picture of Animal

As a person who has been approved for a Service animal, you have the responsibility to keep your animal in a healthy and sanitary condition at all times. You understand that this agreement could be withdrawn if you fail to abide by responsibilities listed below.

### **Animal Care & Guidelines**

The animal must wear a collar with current rabies tags at all times. You must properly maintain the hygiene, health, & vaccinations for the animal. The owner must have their animal on a leash whenever the animal not inside the apartment/residence hall (i.e., when transitioning the animal to a vehicle). The animal must be fed and watered inside the apartment/residence hall. Food and water is not left outside the apartment/residence hall at any time.

#### **Damages/Cleaning**

Any damage to or requested renovations to apartment/residence hall (due to damage or neglect as result of animals) will be sole responsibility of the student. Damage to TLU property discovered or reported during the year, and caused by the animal, must be rectified within one month. An inventory and condition inspection of the residence will be conducted prior to the animal's arrival. The residence will receive customary cleaning treatment by Custodial Services when the animal owner moves out. Additional cleaning/repair charges resulting from the animal are the sole responsibility of the student.

#### **Outdoor Guidelines**

The animal owner is required to properly dispose of solid waste with a pooper scooper and plastic bag and dispose of the excrement in a dumpster. The Custodial staff will not be responsible for cleaning any excrement.

#### **Animal Liability**

The University shall not, under any circumstances, be held liable for any personal injury or damages caused by your animal. You hereby agree to indemnify and hold Texas Lutheran University harmless from all property or injuries to persons caused wholly or in part by, or resulting from your animal which will be living with you in your assigned residence at Texas Lutheran University. The University suggests that the student purchase renter's insurance.

### **Failure to observe care guidelines will result in reassessment of the service animal accommodation.**

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### **Denial Process**

- Individual does not meet the definition of a disability.
- Relationship between the disability and service provided by the animal is not adequately established.
- Animal does not meet all requirements for health, vaccination, and/or licensing.

The student must notify Residence Life and the ADA Coordinator in writing if the service animal is no longer in residence. In order to substitute one animal with a different animal, the student must file a new request.

### **Removal of Service**

The University may remove a service animal for the following reasons:

- Poses a direct threat to the health or safety of others
- Is unruly or disruptive (barking, jumping up on people, running around)
- In ill health
- Excessively unclean (e.g., flea-infested, foul-smelling, shedding excessively)
- Exhibits aggressive behavior

### **Conflicting Disabilities**

Residence Life staff will make a reasonable effort (e.g., sign on door stating animal in residence) to notify residents in the residence building where the animal will be located.

Students with medical condition(s) who are affected by animals (respiratory diseases, asthma, severe allergies) are asked to contact the Residence Life office if they have a health or safety related concern about exposure to a service animal. The individual will be asked to provide medical documentation that identifies the condition(s), and will allow determination to be made as to whether the condition is disabling and whether there is a need for an accommodation.

Residence Life and the ADA Coordinator will resolve any conflict in a timely manner. Conflicting needs and/or accommodations of all persons involved will be taken into consideration.

### **Questions**

Questions or concerns related to this policy should be addressed to the ADA Coordinator:

Texas Lutheran University  
ADA Coordinator  
1000 W. Court St.  
Seguin, Texas 78155  
(830) 372-8009  
mmoriarity@tlu.edu

## **Arrest Policy**

Failure of any student to accurately report an off-campus arrest by any law enforcement agency for any crime (including non-custodial or field arrests) to the Dean of Students Office within 72 hours of release will result in a disciplinary hearing.

Students are responsible to civil authorities for any violation of civil law, which includes local, state and federal laws. When civil law has been violated, the university may take disciplinary action when it is determined that the university's principles or interests have been compromised as well. If a student commits a felony on the campus, the university reserves the right to take disciplinary action if its own interests are affected. This may be in addition to whatever actions are taken by civil authorities. The university does not attempt to protect the student from the law by substituting its own disciplinary action for that of the states. Law enforcement officials are notified whenever evidence of a possible violation of civil law has been found.

## **Bullying and Cyberbullying Policy**

Bullying and cyberbullying are repeated and/or severe, aggressive behaviors that are intended to intimidate, harm or control another person physically or emotionally, or that result in such intimidation, harm or control. Bullying and cyberbullying are not protected by freedom of expression.

Cyberbullying means engaging in a course of conduct to communicate or cause to be communicated, words, images, or language by or through the use of a computer, electronic mail, or electronic communication; directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose. This includes online harassment as defined by sections 33.07 and 42.07 of the laws of the State of Texas.

## **Careless Conduct Policy**

Careless conduct which, by its nature, creates an unnecessary risk of physical harm including but not limited to:

1. Riding on the top of an elevator
2. Climbing or rappelling from walls or other physical structures
3. Unauthorized entry into the campus steam tunnels, air handling ducts, plumbing, electrical, or other utilities conduit systems
4. Unauthorized access to rooftops, closed sections of buildings, or other restricted access areas
5. Failure to obey posted traffic control signs when operating a motor vehicle on campus
6. Class and/or lab behavior which endangers self or others

## **Collusion Policy**

Action or inaction with another or others to violate the student code of conduct.

## **Computing & Telecommunications Policy**

Misuse or abuse of the university's computing systems, networks or telephone system is prohibited. For detailed information about Information Technology policies, procedures, and regulations, read the "Campus Computing Policies" page under the IT tab on MyTLU. *Texas Lutheran University supports strict compliance with the federal statutes regarding copyright infringement. It is illegal to make, use, share, or pass along unauthorized copies of software, video, music or any other creative art or intellectual property for class-related or personal use. Anyone who engages in illegal copying shall be subject to disciplinary action under the university's policies and, in addition, shall be subject to criminal prosecution under state and federal statutes.* All computers on the TLU network **must** have current anti-virus software. Any contaminated personal computer will be removed from the network until it is cleaned and verified by the Information Technology staff.

## **Consensual Relationships Policy**

Texas Lutheran University is committed to the principle that a positive learning environment is fostered by professionalism, respect, and trust. Students must encounter a university community that is free from exploitation, harassment, or discrimination of any kind (affirmed by American Association of University Professors' Code of Professional Ethics). To this end, Texas Lutheran University deems unethical and inappropriate, amorous relationships, consensual or otherwise, between university employees and students. The university reserves the right to take disciplinary action, including termination, against any employee who engages in such a relationship.



## **Damage and Destruction Policy**

Students are prohibited from damaging, defacing and/or destroying, intentionally or accidentally, university property or the property of another resident or guest. Students will be held responsible for the restitution of any damages they, or their guests, cause. Students may also face disciplinary action.

Students may be held accountable for damages associated with the property of other students or university property. Students may be held responsible for damages they cause intentionally or accidentally. For example, this could include damages resulting from a cooking fire, playing hall sports, or setting off the sprinkler system. If your negligence results in damage to the property of others or to the university, you may be held responsible for the subsequent damages. A \$50.00 administrative fee will be assessed in addition to the actual damage, cleaning charges, etc.

## **Dishonesty Policy**

Any form of dishonesty is a violation of personal integrity and unworthy of an academic community. Such dishonesty includes cheating; lying; plagiarism; forgery; falsification of university records; supplying false information; unauthorized possession of university property; unauthorized possession and/or publication of university lists, records, or information protected through confidentiality agreements and/or laws; unauthorized entry into facilities; the misuse of student identification cards; misrepresentation of one's self. Violations of this policy will result in disciplinary action and may result in suspension or expulsion from the university.

## **Disruptive Behavior Policy**

Substantial disruption of TLU operations including obstruction of teaching, research, administration, other TLU activities, and/or other authorized non-university activities which occur on campus. Students have the right to freedom of speech, including the right to dissent or protest, but this expression may not interfere with the rights of others or disrupt the university's activities. Prohibited behavior includes: Disruption or obstruction of teaching, research, administration, disciplinary proceedings, other university activities, including its public service functions on or off campus, or of other authorized non-university activities when the conduct occurs on university premises or is directed toward community members by any means including use of telephone, computer, or some other medium.

## **Disruptive Classroom Conduct Policy**

The classroom is the heart of the educational experience at TLU because it provides a formal setting for important exchanges among students and faculty. TLU affirms the rights of all students and their faculty to an environment that is conducive to teaching and learning. Therefore, the university does not condone behavior that, in the judgment of the instructor and/or the university interrupts, obstructs, or inhibits the teaching and learning process. Disruptive classroom conduct means engaging in behavior that substantially or repeatedly interrupts either the instructor's ability to teach or student learning. The classroom extends to any setting where a student is engaged in work toward academic credit or satisfaction of program based requirements or related activities. Disruptive behavior may include, but is not limited to, verbal attacks, intimidating, shouting, inappropriate gestures, attending class under the influence of drugs or alcohol, unauthorized use of electronic devices, consistently coming to class late or leaving early, sleeping during class, threatening or harassing comments, bullying, profanity, incessantly whispering/talking in class, or other similarly intrusive or disrespectful behavior. Disruptive behavior may also include other behavior that appears attention seeking in nature, monopolizing of class time, interrupting the instructor or classmates, or creating an uncomfortable class environment for other students. Students who engage in behavior that results in the disruption of a class may be directed by the faculty member to leave the class for the remainder of the class period.

Ongoing disruptive behavior may result in the student being dropped from the course with a grade of "W." The faculty member must have the department chair (or Vice President of Academic Affairs if the faculty member is the department chair) approve the "W" form and submit the form to the Registration and Records Office. The student will be notified by the Registration and Records Office that they have been dropped from the class and may no longer attend. It must be emphasized that this provision is not designed to be used as a means to punish classroom dissent. The lawful expression of disagreement with the instructor is not in itself disruptive behavior.

## Drug Policy

To comply with the Drug Free Schools and Communities Act of 1989 (DFSCA) and subsequent amendments, students of Texas Lutheran University are informed that strictly enforced policies are in place which prohibit the possession, use or distribution of any illicit drugs, including alcohol, on Texas Lutheran University property or as part of any TLU-sponsored activity unless event-specific permission is given for of-age students to consume alcohol moderately. Students are also subject to all applicable legal sanctions under local, state and federal law for any offenses involving illicit drugs on Texas Lutheran University property or at TLU-sponsored activities.

Texas Lutheran University affirms that illegal drug use is unlawful and harmful. The use of illegal drugs and alcohol abuse by students could result in cognitive deficits, loss of productivity, and other health risks. These risks include an increased risk of accidents, which may result in death or permanent injury. Free, confidential counseling for alcohol and other drug abuse issues is available to students through the TLU Counseling and Disability Services. Other resources may include assessment, individual counseling, educational programs, materials, and referral to community agencies, all of which might include a fee.

Students exhibiting signs of excessive alcohol consumption will be transported via Emergency Medical Services (EMS) at the student's expense for medical attention. Refusal to cooperate with EMS personnel may result in arrest by the TLU Police Department in order to ensure the student's health and safety and/or a conduct complaint for disorderly conduct and/or failure to comply.

The following sections describe Texas Lutheran University's policy regarding the sale, manufacture, distribution, possession and use of illegal drugs on or off TLU property or at TLU-sponsored events or programs in accordance with federal, state and local laws. Examples of violations include:

- Misuse of over-the-counter drugs.
- Misuse or sharing of prescription drugs.
- Possessing, using, being under the influence of, distributing, or manufacturing any form of illegal or synthetic drug (i.e. Spice, K2, Bath Salts, etc.).
- Possessing paraphernalia (i.e., rolling papers, pipes, bongs, etc.) for intended or implied use of any form of illegal drug.
- Possessing paraphernalia that contains or appears to contain illegal drug residue.
- Purchasing or passing illegal drugs from one person to another.
- Using mail services to purchase, pass, or distribute illegal drugs.

This policy provides flexibility for Texas Lutheran University in addressing drug-related offenses which occur on or off campus. Moreover, it permits TLU to address its fundamental mission of holistic education and the development of human potential. While recognizing that there is a need to address violations related to the use or possession of controlled substances, the university must address the education and well-being of all its students. In addition to university-imposed sanctions, students are subject to all legal sanctions under federal, state and local law for any offenses involving illegal drugs on university property or at university activities.

### Parental Notification Policy

Texas Lutheran University is concerned about students who improperly use alcohol and other drugs and the effects such use may have on their health, academic success, interpersonal relationships, and ultimately, their future.

In accordance with the Family Educational Rights and Privacy Act (FERPA), the Vice President and Dean of Students (or designee) reserves the right to notify the parents/guardians of students under 21 years of age, and the parents/guardians of dependent students, regardless of age, of any incident in which the student is found responsible for violating the university alcohol and drug policy.



## Risks of Drug Use

The following is a partial list of the adverse effects of drug use on the individual and society arranged by source.

### ***Marijuana...It Can Leave You Breathless! (Texas Commission on Alcohol and Drug Abuse)***

- a. Marijuana contains over 400 different chemicals including THC.
- b. "THC, the active ingredient in marijuana, remains in the fat cells of the body from 14 – 30 days."
- c. Marijuana use...
  1. Slows reaction time;
  2. Impairs thinking;
  3. Interferes with coordination;
  4. Impairs comprehension skills;
  5. Impairs mathematical skills;
  6. Impairs reading skills;
  7. Impairs verbal skills; and
  8. Can lead to psychological dependency.
- d. Long term, regular use of marijuana can have a permanent, negative effect on attention span, concentration, memory, judgment and logical thought.
- e. Smoking one marijuana cigarette is as harmful to the lungs as smoking approximately 4 - 5 regular cigarettes. Smoking both greatly increases the risk of developing emphysema, cancer and other lung diseases.
- f. Regular use of marijuana can affect fertility in males as it can suppress testosterone production.

### ***Drugs & Pregnancy...No Way to Start a Life! and Drug Abuse & Pregnancy (Texas Commission on Alcohol and Drug Abuse)***

- a. The use of marijuana during pregnancy may result in low birth weight and smaller length and head circumference in babies.
- b. Babies whose mothers smoked marijuana during pregnancy may have vision problems and shorter attention spans. Also, THC, the ingredient in marijuana that causes the 'high,' accumulates in the mother's milk and transfers to nursing infants where it could cause harm to the baby's development.
- c. The use of cocaine during pregnancy increases the risk of hemorrhage and premature delivery. Chronic use of cocaine causes increased risk of spontaneous abortion.
- d. Nursing babies of cocaine abusers can also receive doses of cocaine through their mother's milk.
- e. Mental retardation and abnormal facial features have been seen in babies whose mothers used inhalants or solvents in combination with alcohol while they were pregnant.
- f. The use of solvents during pregnancy has also been linked to central nervous system defects in newborns.

- g. Heroin use during pregnancy increases the likelihood of stillbirths and neonatal deaths, and babies born to opiate-addicted mothers experience withdrawal symptoms such as restlessness, tremulousness [tremors], sweating, vomiting, diarrhea, high-pitched crying, frantic fist sucking and seizures.

***Inhalants...Deadly Fumes! (Texas Commission on Alcohol and Drug Abuse)***

- a. Products such as spray paint, glues, felt-tip markers, typewriter correction fluid, poppers and RUSH are considered inhalants.
- b. The immediate effects of sniffing inhalants are disorientation, confusion, feelings of drunkenness, possible hallucinations, incoherence and loss of memory.
- c. Sniffing inhalants can cause unpredictable or violent behavior in some persons. In other cases, it may cause someone to become withdrawn and isolated.
- d. Inhalant abuse can cause permanent brain, liver, heart and lung damage.

***Amphetamines...A Dead End Street! (Texas Commission on Alcohol and Drug Abuse)***

- a. Amphetamines are used to treat some forms of Attention Deficit Disorder (ADD) and narcolepsy.
- b. The term amphetamine refers to three related drugs: amphetamine, dextroamphetamine and methamphetamine.
- c. Street names for amphetamines include: speed, white crosses, uppers, and crystal.
- d. Health risks associated with amphetamine use:
  1. Brain Damage;
  2. Skin Disorders;
  3. Lung Disease;
  4. Delusions;
  5. Paranoia;
  6. Malnutrition;
  7. Ulcers;
  8. Heart Disease; and
  9. Hallucinations.

***Steroids (Texas Commission on Alcohol and Drug Abuse)***

- a. Synthetic anabolic steroids are drugs which act like the male hormone, testosterone...Some athletes use steroids to increase their strength, muscle mass, and endurance. While not all athletes use steroids, many weight lifters and body builders do...Also, some non-athletes who want well-defined muscular shape and attractive over-all body appearance use steroids.
- b. A partial list of the adverse side-effects experienced by male users includes:
  1. Enlarged breasts;
  2. Permanent premature hair loss;
  3. Shrinkage of the testicles;
  4. Risk of heart and blood vessel disease; and
  5. Sterility.
- c. A partial list of the adverse side-effects experienced by female users includes:
  1. Male-sounding voice;
  2. Growth of permanent facial hair;
  3. Reduction in breast size;
  4. Male-like muscle growth;
  5. Increased sex drive; and
  6. Permanent sterility.

## APPENDIX

- d. A partial list of the adverse side-effects shared by male and female users includes:
  1. Pimples & skin blemishes;
  2. Inability to release body heat through sweating;
  3. Abnormal blood clotting;
  4. Unusually aggressive behavior;
  5. Violent rages;
  6. High blood pressure;
  7. Liver dysfunction;
  8. Depression and frustration;
  9. Drug dependency; and
  10. Liver cancer.



## **Failure to Comply Policy**

All students must comply with reasonable directives of TLU officials or law enforcement officers during the performance of their duties, and/or identify themselves to these persons when requested to do so. Failure to observe this policy may result in disciplinary action.

## **False Reports Policy**

Making a false threat at any Texas higher education institution is now considered a state jail felony, not a Class A Misdemeanor, according to a new law passed this summer by the Texas Legislature. House Bill 1284 was enacted in response to several threats this past year at several universities across the U.S. that disrupted classes and prompted evacuation of campus property, even though the reports turned out to be a hoax.

The Texas bill relates to the offense of making or causing a false alarm or report involving a public or private institution of higher education. A person commits an offense under Section 42.06, Texas Penal Code, if he or she knowingly initiates, communicates or circulates a report of a present, past, or future bombing, fire, offense, or other emergency that he or she knows is false or baseless and that would ordinarily:

1. Cause action by an official or volunteer agency organized to deal with emergencies;
2. Place a person in fear of imminent serious bodily injury; or
3. Prevent or interrupt the occupation of a building, room, place of assembly, place to which the public has access, or aircraft, automobile, or other mode of conveyance.

An individual adjudged guilty of a state jail felony shall be punished by confinement in a state jail for any term of not more than two years or less than 180 days and, in addition to confinement, may be punished by a fine not to exceed \$10,000.

TLU students should be aware that the State of Texas takes these threats seriously, and the legal consequences, which are severe, go beyond anything that the university's disciplinary committee can address.

## **Falsification Policy**

A student is prohibited from knowingly furnishing or possessing false, falsified, or forged materials, documents, accounts, records, identification, or financial instruments.

## **Financial Responsibility Policy**

Students must meet all of their financial obligations to the university in accordance with the payment deadlines established by the Business Office. All charges assessed to the student's account are ultimately the students' responsibility. A student who is delinquent in any financial obligation to TLU may be subject to exclusion from any or all of the privileges as a student of the university. Graduation may be denied, and his/her academic record will not be released until the outstanding balance is paid in full. If the student defaults on payments, TLU may disclose this fact, along with other relevant information, to various credit bureau organizations. Should the student's account become delinquent, the student is liable for all attorney fees and other reasonable collections costs and charges necessary for the collection of any outstanding amount due.

Failure to promptly meet financial responsibilities to the institution, including but not limited to, knowingly passing a worthless check, money order or other monetary transaction in payment to the institution or to an official of the institution acting in an official capacity will result in disciplinary action.

## Fire Safety Policy

Due to the extreme dangers presented by fire hazards in student rooms, the university will continually monitor all living areas through Residence Life staff visits and formal, announced inspections by representatives of the Residence Life staff. Each semester one drill is performed per residence hall. These drills are completed within 30 days of the semester beginning.

Fire extinguishers, smoke and heat detectors, fire alarm bells, and pull stations are critical to life safety and should never be damaged, vandalized, or misused. State and Federal laws require stiff penalties for the abuse of these items. All hall occupants (residents and guests) must immediately evacuate the building when the fire alarms sound. Students should report immediately to the designated gathering point for the housing area and report to the Residence Life staff on site.

Burning any substance and/or setting fires in the housing areas, including igniting flyers, decorations, or other posted materials, is not permitted under any circumstances. Violations of fire safety regulations will result in disciplinary sanctions, including fines.

### Evacuation

If you are in the building when an alarm goes off, please contact the Texas Lutheran University Campus Police Department at 372-8000 or call 911. All people must clear the building and be at least 100 feet away. Each residential building or group of buildings has a designated area to report to so Residence Life staff can take roll.

- Knutson Hall and Hahn Hall goes to grass area near Hein Dining Hall patio
- Centennial Hall goes across the sidewalk toward South Apartments
- Seguin Hall goes to the Nursing building on the East side of the building
- Baldus, Clifton, and Trinity Halls go to the Chapel lawn
- Linne, Renger, and Strunk Apartments go to the soccer field
- Brandes, Kramer, Lange, and Steger Apartments go to the area across the parking lot toward Seguin Hall
- Bogisch Apartment will evacuate across the street to the Fritz House
- Glazener Apartment will evacuate across the street to the grass by the Fine Arts Building

### Fire Alarms

All hall occupants (residents and guests) must immediately evacuate the building when the fire alarms sound. Students should report immediately to the designated gathering point for the housing area and report to the Residence Life staff on site. The setting of false fire alarms and/or the improper and unauthorized use of fire safety equipment (fire extinguishers, smoke detectors, exit signs, etc.) compromises the safety of all residents and is prohibited. Burning any substance and/or setting fires in the housing areas, including igniting flyers, decorations, or other posted materials, is not permitted under any circumstances. Violations of fire safety regulations will result in disciplinary sanctions, including fines.

### Fire Exits

Fire exits may be used only in cases of emergency. Use of fire exits at any other time will result in disciplinary action, including fines.

### Fire Equipment, Alarms and Extinguishers

Tampering with fire protection equipment and systems is a felony punishable by fine and/or imprisonment. Violators may also face prosecution, suspension, and/or expulsion from the university. The cost of re-charging discharged extinguishers and replacing damaged equipment may be split among all residents if the individual(s) involved in discharging or damaging them are not identified. Residents found to be disabling smoke detectors will be subject to fines and disciplinary sanctions.

## APPENDIX

### Prohibited Cooking Devices

- Electric skillets, broilers, toaster ovens and anything with an open flame or exposed heating coil
- Cooking is not allowed in residence hall or suite rooms, or in areas other than the kitchens of apartments or the community kitchens in designated residence halls

### Prohibited Room Heating Devices

Room heating devices not issued by the Residence Life or Facilities Maintenance is prohibited in all housing areas. This includes all space heaters.

### Prohibited Decorations

- Oil lamps, candles, and incense are expressly prohibited in all residence areas.
- Large flags, fish netting, tapestries, or large cloth hangings are not permitted on walls.
- Do not attach anything to the ceiling light fixture or ceiling mounted sprinklers and/or smoke detectors.

### Other Prohibitions

- No flammable liquids such as paint thinner, oil-based paint, dry cleaning fluid, etc. shall be stored in any resident rooms or areas not specifically approved for such storage.
- No motorcycle, moped, or gasoline engine shall be permitted within any residence building.
- Fireworks and sparklers are prohibited in all residence halls, apartments, or suites.
- Barbecue grills are not allowed in or on apartment facilities (including balconies and patios). However, there are some built-in barbeque pits around campus for public use.
- Extension cords (only surge protectors are permitted).
- Halogen lamps
- Incense
- Candles with wicks are strictly prohibited in residence halls and apartments. Removing the wick is permitted. The use of Scentsy products is permitted.

## **Fireworks and Hazardous Substances Policy**

Possession and/or use of fireworks (including sparklers), or explosives of any kind is prohibited on campus. Flammable liquids and solvents (gasoline, kerosene, lighter fluid, propane, etc.) and other hazardous chemicals are prohibited on campus (except by authorized personnel such as Maintenance).

## **Gambling Policy**

Students are expected to abide by the federal laws and the laws of Texas prohibiting illegal gambling, including online gaming. Gambling for money or other things of value on campus or at university-sponsored activities is prohibited except as permitted by law. Such prohibited activity includes, but is not limited to: betting on, wagering on, or selling pools on any university athletic event; possessing on one's person or premises (e.g., room, residence unit, car) any card, book or other device for registering bets; knowingly permitting the use of one's premises or one's phone or other electronic communications device for illegal gambling; knowingly receiving or delivering a letter, package or parcel related to illegal gambling; offering, soliciting or accepting a bribe to influence the outcome of an athletic event; and involvement in bookmaking or wagering pools with respect to athletic events.



## **Harassment Policy**

The university will not tolerate any form of harassment which is considered any unwelcome conduct based on actual or perceived status including: sex, gender, race, color, age, creed, national or ethnic origin, physical or mental disability, veteran status, pregnancy status, religion, sexual orientation or other protected status. The term harassment includes, but is not limited to, slurs, jokes, or unwelcome verbal, written, graphic, electronic or physical conduct. Violations of this policy will result in disciplinary action and may result in suspension or expulsion. Please refer to the Student Code of Conduct for more information (pg. 83).

## **Harm to Persons Policy**

Intentionally or recklessly causing physical harm or endangering the health or safety of any person. . A violation may include physical abuse, threats, intimidation, and/or other conduct which threatens or endangers the health or safety of any person, including one's self.

## Hazing Policy

All acts of hazing, as defined by this policy, by any individual student or sanctioned or promoted by any Texas Lutheran University registered student club or organization and any of its members or alumni are prohibited. Students are entitled to be treated with consideration and respect, and no individual may perform an act that is likely to cause physical or psychological harm to any other person within the university community. Accordingly, any such behavior is expressly forbidden when related to the admission, initiation, pledging, joining, or any other group-affiliation activity.

Any student or organization found to be involved in any hazing activity will face conduct action and may be subjected to suspension or expulsion from the university. A violation of this policy may exist irrespective of any alleged voluntary or consensual participation in the activity by the person(s) being abused.

### Examples:

- a. Ella was inducted into an unrecognized club that was made up of some members of the university marching band. As part of the induction activities, Ella was asked to do calisthenics half-naked in extreme heat at the request of club leaders. Ella was told she did not have to do them, but that all members did them and it improved their on-field stamina. Ella voluntarily engaged in the calisthenics. This type of behavior violates the hazing policy, regardless of the "voluntariness" of Ella's decision.
  
- b. Rick joined Omega Pi Lambda, a fraternity. His pledge class took an oath not to haze, and was repeatedly warned of the fraternity's anti-hazing policy by current members. Rick's pledge class had heard of the long history of hazing that had gone on in their fraternity before they joined, and they felt like they were missing out. All the members had earned their stripes, but Rick's class was under new rules. They wanted to prove themselves to their brothers, so one night Rick and his pledge class secretly invaded Rho Mu Alpha, and stole their flag. The following Sunday, in a solemn presentation, Rick and his cohorts presented the flag of their rival to their chapter leaders, who accepted it with honor and much conversation about how the covert mission was accomplished. The leaders of Omega Pi Lambda faced accusations of violating the university's abusive affiliation policy. They argued that they did not take the flag, and expressly told the new initiates not to haze. *The university found them in violation for encouraging the activity by accepting the flag, glamorizing its theft, and failing to report the behavior to university officials once they were aware of it.*

For the community's information, below is part of the Texas Hazing law:

**Texas Hazing Laws**

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

**Texas Education Code, Chapter 37:**

**SUBCHAPTER F. HAZING**

**Sec. 37.151. DEFINITIONS. In this subchapter:**

- (1) "Educational institution" includes a public or private high school.
- (2) "Pledge" means any person who has been accepted by, is considering an offer of membership from, or is in the process of qualifying for membership in an organization.
- (3) "Pledging" means any action or activity related to becoming a member of an organization.
- (4) "Student" means any person who:
  - (A) is registered in or in attendance at an educational institution;
  - (B) has been accepted for admission at the educational institution where the hazing incident occurs; or

(C) intends to attend an educational institution during any of its regular sessions after a period of scheduled vacation.

(5) "Organization" means a fraternity, sorority, association, corporation, order, society, corps, club, or service, social, or similar group, whose members are primarily students.

(6) "Hazing" means any intentional, knowing, or reckless act, occurring on or off the 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 into, affiliating with, holding office in, or maintaining membership in an organization. The term includes:

(A) any type of physical brutality, such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body, or similar activity;

(B) any type of physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;

(C) any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;

(D) any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, shame, or humiliation, that adversely affects the mental health or dignity of the student or discourages the student from entering or remaining registered in an educational institution, or that may reasonably be expected to cause a student to leave the organization or the institution rather than submit to acts described in this subdivision; and

(E) any activity that induces, causes, or requires the student to perform a duty or task that involves a violation of the Penal Code.

**Sec. 37.152. PERSONAL HAZING OFFENSE.**

(a) A person commits an offense if the person:

(1) engages in hazing;

(2) solicits, encourages, directs, aids, or attempts to aid another in engaging in hazing;

(3) recklessly permits hazing to occur; or

(4) has firsthand knowledge of the planning of a specific hazing incident involving a student in an educational institution, or has firsthand knowledge that a specific hazing incident has occurred, and knowingly fails to report that knowledge in writing to the dean of students or other appropriate official of the institution.

(b) The offense of failing to report is a Class B misdemeanor.

(c) Any other offense under this section that does not cause serious bodily injury to another is a Class B misdemeanor.

(d) Any other offense under this section that causes serious bodily injury to another is a Class A misdemeanor.

(e) Any other offense under this section that causes the death of another is a state jail felony.

(f) Except if an offense causes the death of a student, in sentencing a person convicted of an offense under this section, the court may require the person to perform community service, subject to the same conditions imposed on a person placed on community supervision under Section 11, Article 42.12, Code of Criminal Procedure, for an appropriate period of time in lieu of confinement in county jail or in lieu of a part of the time the person is sentenced to confinement in county jail.

**Sec. 37.153. ORGANIZATION HAZING OFFENSE.** (a) An organization commits an offense if the organization condones or encourages hazing or if an officer or any combination of members, pledges, or alumni of the organization commits or assists in the commission of hazing.

(b) An offense under this section is a misdemeanor punishable by:

(1) a fine of not less than \$5,000 nor more than \$10,000; or

(2) if the court finds that the offense caused personal injury, property damage, or other loss, a fine of not less than \$5,000 nor more than double the amount lost or expenses incurred because of the injury, damage, or loss.

**Sec. 37.154. CONSENT NOT A DEFENSE.** It is not a defense to prosecution of an offense under this subchapter that the person against whom the hazing was directed consented to or acquiesced in the hazing activity.

**Sec. 37.155. IMMUNITY FROM PROSECUTION AVAILABLE.** In the prosecution of an offense under this subchapter, the court may grant immunity from prosecution for the offense to each person who is subpoenaed to testify for the prosecution and who does testify for the prosecution. Any person reporting a specific hazing incident involving a student in an educational institution to the dean of students or other appropriate official of the institution is immune from civil or criminal liability that might otherwise be incurred or imposed as a result of the report. Immunity extends to participation in any judicial proceeding resulting from the report. A person reporting in bad faith or with malice is not protected by this section.

**Sec. 37.156. OFFENSES IN ADDITION TO OTHER PENAL PROVISIONS.** This subchapter does not affect or repeal any penal law of this state. This subchapter does not limit or affect the right of an educational institution to enforce its own penalties against hazing.

**Sec. 37.157. REPORTING BY MEDICAL AUTHORITIES.** A doctor or other medical practitioner who treats a student who may have been subjected to hazing activities:

(1) may report the suspected hazing activities to police or other law enforcement officials; and

(2) is immune from civil or other liability that might otherwise be imposed or incurred as a result of the report, unless the report is made in bad faith or with malice.

## Texas Education Code, Chapter 51:

### Subchapter Z. Miscellaneous Provisions

**Sec. 51.936. HAZING.** (a) Subchapter F, Chapter 37, applies to a postsecondary educational institution under this section in the same manner as that subchapter applies to a public or private high school.

(b) For purposes of this section, "postsecondary educational institution" means:

(1) an institution of higher education as defined by Section 61.003;

(2) a private or independent institution of higher education as defined by Section 61.003;

or

(3) a private postsecondary educational institution as defined by Section 61.302.

(c) Each postsecondary educational institution shall distribute to each student during the first three weeks of each semester:

(1) a summary of the provisions of Subchapter F, Chapter 37; and

(2) a list of organizations that have been disciplined for hazing or convicted for hazing on or off the campus of the institution during the preceding three years.

(d) If the institution publishes a general catalogue, student handbook, or similar publication, it shall publish a summary of the provisions of Subchapter F, Chapter 37, in each edition of the publication.

(e) Section 1.001(a) does not limit the application of this section to postsecondary educational institutions supported in whole or in part by state tax funds.

Copies of the entire hazing law enacted by the Texas legislature may be viewed in its entirety at the "Texas Legislature Online" Web site at: <http://www.legis.state.tx.us/> and select the "Statute" search. Information about hazing may be found in the Texas Education Code, Chapter 37, sections 37.151 through 37.157 and Chapter 51, section 51.936. Official Directives

If asked to report to a university official, a student is expected to respond immediately. When asked, students are expected to identify themselves through the presentation of their TLU ID card, to leave a crowd, or to respond to any reasonable directive of university personnel acting in an official capacity. university personnel are all regular employees of TLU including student staff members such as resident assistants.

## **Health and Safety Policy**

During each semester, preventative safety inspections are scheduled for each student room/apartment. During these inspections, Residence Life staff enters the students' rooms/apartments and looks for items or conditions that might pose safety or health hazards to students or the university. Inspections are conducted by two Resident Assistants assigned to the specific area. The inspections are conducted at least two times (one before fall/spring breaks and one after fall/spring breaks) but no more than one per month during the semester. Notices are posted at least 48 hours prior to the first day of inspections. If a resident is not home during inspection time, the AC of that area will return at a later time. At no time will a staff member enter a room when a resident is not home to do an inspection. An inspection receipt will be completed and left in all rooms that do not meet TLU standards. It is important to note Health and Safety Inspections are different than a Room Search.

## **Hoverboard Policy**

Due to safety concerns associated with hoverboards that have been raised by the Consumer Product Safety Commission (CPSC) and the potential impact to the safety of our community, Texas Lutheran University has decided to institute a temporary ban on these devices. Effective immediately, and until further notice, hoverboards, also known as self-balancing scooters and hands-free segways will not be permitted on campus or in any TLU building.

**Ineligible Pledging or Association Policy**

Pledging, underground pledging, or associating with a student organization without having met eligibility requirements established by the university.



## **Non-Discrimination Policy**

Texas Lutheran University (TLU) prohibits discrimination based on age, sex, race, color, religion, national origin, veteran status, disability, or sexual orientation in employment, education programs, and activities both on and off campus. This policy applies to all students and employees and to conduct on school grounds, off campus, at school-sponsored activities, and through technology resources, including those provided by or used at TLU.

TLU will provide reasonable accommodations for students, staff and faculty with disabilities when such accommodations do not impose an undue hardship on the institution.

## **Obstruction Policy**

Intentional obstruction which unreasonably interferes with freedom of movement, either pedestrian or vehicular, on campus.

Disruptive or coercive actions and interference with the normal activities of the university are treated as serious violations of this policy.

## **Parking and Streets Policy**

Students are to follow all parking and street regulations. For parking locations and information, go to: <http://www.tlu.edu/about/maps-directions/parking-map/>. Tickets will be issued and fines assessed as appropriate, especially for parking in restricted areas or specially designated parking spaces (i.e. handicap, university-owned, or area coordinator spaces). Individuals who accrue three or more tickets are subject to get their vehicle booted. The boot will not be removed until the student takes care of any outstanding parking violation fines. The university reserves the right to revoke parking privileges and to enforce towing policies for violations of the parking policy. . (For questions regarding Students with Disabilities parking, see [Accommodations for Students with Disabilities section](#).)

## **Personal Behavior Policy**

Disciplinary action is taken for personal conduct which is considered (a) indecent, lewd, or obscene, (b) dangerous to the physical or mental well-being of themselves or others, (c) destructive to property, (d) malicious, mischievous, or disruptive in nature, (e) lacking in respect for the rights and dignity of others, and/or (f) in violation of civil law.

Individuals who are present in their own or any other residence hall room or area where university policies are being violated are subject to the same disciplinary action as the host of that room and/or the sponsor of the event.

## **Public Exposure Policy**

Includes but is not limited to deliberately and publicly exposing one's intimate body parts, public urination, defecation, and public sex acts.

## **Recognized Student Organization Conduct Policy**

Sororities, fraternities, athletic teams, and recognized student organizations shall comply with the same standards of conduct for students and with university policies. When a member or members violates the standards of conduct for students, the organization and/or individual members may be subject to appropriate sanctions.

## **Responsible Bystander Policy**

Complicity with or failure of any student and/or organized group to appropriately address known or obvious violations of the Student Code of Conduct or of the law.

## **Retaliatory Discrimination or Harassment Policy**

Adverse educational or employment consequences, including workplace conduct or other conduct that adversely affects the academic, employment or other institutional status of a student or employee of the university, visitor, applicant for admission to or employment with the university, because an individual has brought a complaint under the discrimination or harassment policy, opposed an unlawful practice, participated in an investigation, or requested accommodations.

Examples of retaliation include but are not limited to: unfair grades, denial of promotion, non-selection/refusal to hire, denial of job benefits, demotion, suspension, discharge, threats, reprimands, negative evaluations, harassment, or other adverse treatment that is likely to deter a reasonable student or employee from pursuing his or her rights. Retaliation is strictly prohibited.



## **Rioting Policy**

Causing, inciting, or participating in any disturbances that present a clear and present danger to self or others, causes physical harm to others, or damages and/or causes destruction of property.

## **Sales and Solicitation Policy**

Canvassing or solicitation for funds, sales, or subscriptions is prohibited on campus or in university buildings unless written permission has been granted by the Dean of Students (or designee). Additionally, outside and for-profit groups are not allowed to sell items or solicit members of the university community on campus without prior approval from the Dean of Students (or designee).

Posters, flyers and other event advertisements pertaining to sales and solicitation for funds, sales or subscriptions must be approved by the Office of the Dean of Students (or designee) prior to posting or distribution.

The sale of merchandise, or publications or service on university property, other than by contracted vendors, authorized stores, restaurants, departments or divisions of the university, is likewise prohibited except upon written permission of the Dean of Students (or designee).

## **Student Elections Policy**

TLU Student Government Association outlines campaigning guidelines and handles minor violations including appeals within the election of any university-recognized student organization in addition to referendum placed on ballots for student vote.

## **Theft Policy**

Individuals found to have attempted or completed theft of property or who are in unauthorized possession will be subject to disciplinary and possibly criminal charges.

## **Threatening Behaviors Policy**

- a. Threat. Written or verbal conduct that causes a reasonable expectation of injury to the health or safety of any person or damage to any property.
- b. Intimidation. Intimidation defined as implied threats or acts that cause a reasonable fear of harm in another.

## **Tobacco Use Policy**

### **Policy:**

Texas Lutheran University recognizes its social responsibility to promote the health, well-being, and safety of TLU students, faculty, staff and visitors. For this reason, TLU has adopted a tobacco use policy. Smoking and the use of tobacco or tobacco products will be prohibited in and on all University-Owned and leased property to include buildings, grounds, athletic fields and facilities, resident and housing areas, green space, sidewalks and walkways (with exceptions delineated below).

TLU also supports the NCAA tobacco rules prohibiting the use of any tobacco product by all game personnel\* and all student-athletes\*\* during practice and competition.

Sale, distribution, marketing, promotion and/or advertisement of tobacco products prohibited on campus.

### **Definitions:**

Tobacco – Any lighted or unlighted cigarette (clove, bidis, kreteks), e-cigarettes (electronic nicotine delivery systems), cigars, cigarillos, pipes, hookahs; and any smokeless, spit or spitless, dissolvable, or inhaled tobacco products, including but not limited to dip, chew, snuff or snus.

University Owned and Leased Property-real estate, land, buildings, facilities and green space that the University has a legal title of ownership, a contract to use, a lease to occupy, or a right to exercise control over in order to conduct University business, including all University owned vehicles.

### **Exceptions:**

Smoking and tobacco use will be allowed inside of one's personal vehicle, in parking lots, and in non-student rental housing.

### **Enforcement:**

It is the shared responsibility of all members of the campus community to respect and abide by this University policy.

### **Signage:**

No Smoking/No Tobacco Use signs will be posted at the entrances to all University owned/leased properties.

**Cessation Support:** Quitline # 1-800-QUIT-NOW for free cessation resources and counseling.

\* NCAA Bylaw 11.1.5 Use of Tobacco Products

The use of tobacco products is prohibited by all game personnel (e.g., coaches, trainers, managers and game officials) in all sports during practice and competition.

\*\* NCAA Bylaw 17.1.8 Use of Tobacco Products

The use of tobacco products by a student-athlete is prohibited during practice and competition. A student-athlete who uses tobacco during a practice or competition shall be disqualified for the remainder of that practice or competition.

## **Trademark Policy**

Unauthorized or inappropriate use of the university name or logo, or the names or likenesses of identifiable organizations or features of Texas Lutheran University. These include, but are not limited to, the names or logos of university athletic teams or organizations; recognized student organizations, residence halls and other campus buildings; and images and descriptions from university publications.

Inappropriate use includes, but is not limited to:

- a. Use of university names and images for commercial purposes without permission.
- b. Use of university names and images not recognized by TLU.
- c. Use of university names and images in conjunction with activities not in accordance with TLU policies.

## **Unauthorized Access Policy**

Unauthorized access to any university building (i.e. keys, cards, etc.) or unauthorized possession, duplication or use of means of access to any TLU building or failing to timely report a lost TLU ID card, or key.



## **Unauthorized Entry Policy**

Misuse of access privileges to TLU premises or unauthorized entry to or use of buildings, including trespassing, propping or unauthorized use of alarmed doors for entry into and exit from a university building.

## **University Resources Policy**

It is illegal to possess or make copies of university keys for an unauthorized purpose. Unauthorized entry into or use of TLU buildings, facilities, equipment or resources is also prohibited. Violation of this policy will result in disciplinary action and possibly criminal charges.

## **Violation of Law Policy**

Students lose neither their rights nor their responsibilities of citizenship when they enroll in the university and are therefore expected to exercise mature conduct both on and off campus. Evidence of violation of federal, state or local law on (a) any university premises or at any university-sponsored or supervised activity that occurs off campus; and/or (b) is substantiated through the university's disciplinary process is a violation of the student code of conduct.

Students are responsible to civil authorities for any violation of civil law, which includes local, state and federal laws. When civil law has been violated, the university may take disciplinary action when it is determined that the university's principles or interests have been compromised as well. If a student commits a felony on the campus, the university reserves the right to take disciplinary action if its own interests are affected. This may be in addition to whatever actions are taken by civil authorities. The university does not attempt to protect the student from the law by substituting its own disciplinary action for that of the states. Law enforcement officials are notified whenever evidence of a possible violation of civil law has been found.

## **Weapons and Firearms Policy**

Possession or use of weapons or ammunition is not permitted on campus. This includes, but is not limited to, firearms, rifles, stun guns, BB guns, paintball guns, bow and arrows, switch blades, knives (except a common pocket knife with a blade less than 3.5 inches in length), nun chucks, martial arts or medieval weapons, blow guns and sling shots. However, any object used as a weapon will be considered a weapon. Students who reside on campus that would like to transport their hunting and target firearms need to contact the TLU Police Department. The campus carry legislation, passed by the State of Texas during the 2015 legislative session allowing the carrying of concealed handguns on colleges and university campuses, included an "opt out" provision for private institutions. Texas Lutheran University, as a private institution, has chosen to "opt out" of this legislation and therefore prohibits the carrying of handguns on campus.

Any object which could potentially inflict injury or cause harm when used in a threatening, careless, or aggressive manner and shoots a projectile will be considered a weapon. Possession of weapons of any type, including but not limited to firearms, ammunition, air guns, BB guns, paintball guns, gun replicas, bows, incendiary and/or explosive devices, slingshots, knives, razors, swords, and martial arts or medieval weapons, are prohibited. Possession and/or use of fireworks, including sparklers, are prohibited. Possession and/or use will result in immediate confiscation of the item(s) and disciplinary action.

## **Wheeled Devices Policy**

Skateboards, roller blades, roller skates, bicycles and similar wheeled devices are not permitted inside TLU buildings, residence halls or on tennis courts. Additionally, skateboards and other wheeled items may not be ridden on railings, curbs, benches, or any such fixtures that may be damaged by these activities, and individuals may be liable for damage to university property caused by these activities.

Updated August 2017

