1.3 Student Standards of Conduct
Each student is responsible for notice of and compliance with the provisions of the Regents’ Rules and Regulations, which are available for inspection electronically at


All students are expected and required to obey the law, to comply with the Regents’ Rules and Regulations, with System and University rules, with directives issued by an administrative official in the course of his or her authorized duties, and to observe standards of conduct appropriate for the University. A student who enrolls at the University is charged with the obligation to conduct himself/herself in a manner compatible with the University's function as an educational institution. Any student who engages in conduct that is prohibited by Regents’ Rules and Regulations, U. T. System or University rules, specific instructions issued by an administrative official or by federal, state, or local laws is subject to discipline, whether such conduct takes place on or off campus or whether civil or criminal penalties are also imposed for such conduct.

1.3.1 Scholastic Dishonesty
It is the official policy of the University that all suspected cases or acts of alleged scholastic dishonesty must be referred to the Dean of Students for investigation and appropriate disposition. It is contrary to University policy for a faculty member to assign a disciplinary grade such as an "F" or zero to an assignment, test, examination, or other course work as a sanction for admitted or suspected scholastic dishonesty in lieu of normally charging the student through the Dean of Students. Similarly, students are prohibited from proposing and/or entering into an arrangement with a faculty member to receive a grade of "F" or any reduced grade in lieu of being charged with scholastic dishonesty.

Any student who commits an act of scholastic dishonesty is subject to discipline. Scholastic dishonesty includes, but is not limited to cheating, plagiarism, collusion, the submission for credit of any work or materials that are attributable in whole or in part to another person, taking an examination for another person, any act designed to give unfair advantage to a student or the attempt to commit such acts.

Disciplinary proceedings may be initiated against any student for any of the following acts or omissions:

1.3.1.1 "cheating" includes:

a. copying from the test paper of another student, engaging in written, oral, or any other means of communication with another student during a test, or giving aid to or seeking aid from another student during a test;

b. possession and/or use during a test of materials which are not authorized by the person giving the test, such as class notes, books, or specifically designed "crib notes";

c. using, obtaining, or attempting to obtain by any means the whole or any part of non-administered test, test key, homework solution, or computer program, or using a test that has been administered in prior classes or semesters, but which will be used again either in whole or in part without permission of the instructor; or accessing a test bank without instructor permission;

d. substituting for another person, or permitting another person to substitute for one's self, to take a test; and

e. falsifying research data, laboratory reports, and/or other records or academic work offered for credit;
1.3.1.2 "plagiarism" means the appropriation, buying, receiving as a gift, or obtaining by any means another's work and the unacknowledged submission or incorporation of it in one's own academic work offered for credit, or using work in a paper or assignment for which the student had received credit in another course without direct permission of all involved instructors.
1.3.1.3 "collusion" means the unauthorized collaboration with another person in preparing academic assignments offered for credit or collaboration with another person to commit a violation of any provision of the rules on scholastic dishonesty.

1.4 Administration of Discipline
Please refer to the next section

1.4.1 Administration by the Dean of Students
The Dean of Students and/or his/her delegated representative shall have primary authority and responsibility for the administration of student discipline.

1.4.2 Faculty Senate Committee on Student Conduct

1.4.2.1 The Faculty Senate Committee on Student Conduct is composed of faculty and student members as prescribed by Faculty Senate Bylaws in Section III, Academic Affairs, Chapter 1 of this Handbook. The committee shall:
a. consult with the Dean on student disciplinary policies, rules and practices;
b. recommend to the Dean and to the University changes in student disciplinary policies rules and practices;
c. recommend to the University President a standing panel of available Hearing Officers; however, the President is permitted to select Hearing Officers without limitation to a recommended panel.

1.5 Initiation of Disciplinary Proceedings and Administrative Disposition
Please refer to the next section

1.5.1 Investigation
1.5.1.1 When the Dean receives information that a student has allegedly engaged in conduct that is prohibited by federal, state, or local laws, the Regents’ Rules and Regulations, the rules and regulations of the University, or specific instructions issued by an administrative official of the University in the course of his/her authorized duties, he/she shall investigate the alleged violation. The Dean may during the investigation:
a. dismiss the allegation as lacking merit; or
b. summon the student for a conference, and after conferring with the student, either:
   1. dismiss the allegation;
   2. proceed administratively under 1.5.3;
   3. proceed under 1.5.4; or
   4. prepare and deliver or mail to the accused student, addressed to the address of the accused student as it appears in the records of the Registrar, a statement of charges, a summary statement of the evidence supporting such charges, including a list of witnesses and brief summary of their testimony and advise the accused student that he/she is proceeding under 1.6;

1.5.1.2 In administering cases of student scholastic dishonesty, the Dean of Students shall make reasonable effort to contact the instructor prior to finding the allegation to be unfounded or that there is
insufficient evidence to pursue the matter. The instructor shall be allowed to provide additional direct or indirect evidence to establish the fact in question.

2.2.4 Harassment

2.2.4.1 No person shall make, distribute, or display on the campus any statement that constitutes verbal harassment of any other person. This section applies to all speech on the campus, including speech that is part of teaching, research, or other official functions of the University. "Verbal harassment" means hostile or offensive speech, oral, written, or symbolic, that:

a. personally describes or is personally directed to one or more specific individuals; and
b. is sufficiently severe, pervasive, or persistent to create an objectively hostile environment that interferes with or diminishes the victim’s ability to participate in or benefit from the services, activities, or privileges provided by the University; and

c. is not necessary to the expression of any idea described in paragraph 2.2.4.1.1 below.

2.2.4.1.1 To make an argument for or against the substance of any political, religious, philosophical, ideological, or academic idea is not verbal harassment, even if some listeners are offended by the argument or idea. The categories of sexually harassing speech set forth in Section V: Human Resources and Equal Opportunity of this Handbook are rarely, if ever, necessary to argue for or against the substance of any political, religious, philosophical, ideological, or academic idea.

2.2.4.1.2 Verbal harassment may consist of threats, insults, epithets, ridicule, personal attacks, or the categories of harassing sexual speech set forth in Section V: Human Resources and Equal Opportunity of this Handbook and is often based on the victim's appearance, personal characteristics, or group membership, including but not limited to race, color, religion, national origin, gender, age, disability, citizenship, veteran status, sexual orientation, ideology, political views, or political affiliation.

2.2.4.2 Harassment can also consist of nonverbal conduct, such as hazing, practical jokes, damage to property, and physical assault. In the case of sexual harassment and sexual misconduct, sexual conduct is often central to the offense. These forms of harassment are prohibited in this Handbook, Section II: Student Affairs, 1.3.8 Section V: Human Resources and Equal Opportunity Chapter 5, and in the Regents’ Rules and Regulations Series 30105. To the extent of any conflict in the definition of verbal harassment, the more detailed definition in this section controls.

2.2.4.3 The harassment that this section chapter prohibits does not exhaust the category of speech that is unnecessary and inappropriate to vigorous debate in a diverse community of educated people. An essential part of higher education is to learn to separate substantive argument from personal offense, and to express even the deepest disagreements within standards of civility that reflect mutual respect, understanding, and sensitivity among the diverse population within the University and in the larger society. These are community norms, even though they cannot be enforced by disciplinary rules.

2.2.4.4 Verbal harassment has been interpreted very narrowly by the federal courts. Many University policies on verbal harassment or hate speech have been held unconstitutional, either because they prohibited harassment only when it was based on race, sex, and similar categories, or because they failed to protect the expression of potentially offensive ideas. This policy should be interpreted as narrowly as need be to preserve its constitutionality.
2.2.4.5 Complaints about harassment may be reported as follows:
a. a student who believes he or she has been harassed should report the alleged violation to the Dean of Students;
b. a faculty member or staff member who believes he or she has been harassed should report the alleged violation to the Equal Opportunity/Affirmative Action Office;
c. alternatively, any person who believes he or she has been harassed may report the alleged violation to the Equal Opportunity/Affirmative Action Office or to any University official, administrator, or supervisor. A faculty member is not an "official, administrator, or supervisor" for this purpose unless that faculty member holds an administrative position;
d. any University official, administrator, or supervisor who receives a report of alleged harassment shall promptly refer that report and the complainant to the Equal Opportunity/Affirmative Action Office, or to the Dean of Students, as appropriate. A complainant whose report is not forwarded to Equal Opportunity/Affirmative Action Office, or to the Dean of Students, has not initiated proceedings for providing a remedy to the complainant or for imposing discipline on the alleged harasser.

2.2.4.6 Investigation of the information provided by a complainant, and any subsequent remedial or disciplinary proceedings, shall proceed under the procedures set out in the harassment policies found in Section V, Human Resources and Equal Opportunity, Chapter 5.

2.3.1 Disruption
Except as expressly authorized in 2.8.2 or by an authorized University official responsible for a program or event sponsored by an academic or administrative unit, no speech, expression, or assembly may be conducted in a way that disrupts or interferes with any:
a. teaching, research, administration, or other authorized activities on the campus;
b. free and unimpeded flow of pedestrian and vehicular traffic on the campus; or
c. signs, tables, exhibits, public assemblies, distribution of literature, guest speakers, or use of amplified sound by another person or organization acting under the rules in this chapter.

2.3.1.1 The term "disruption" and its variants, as used in this rule, are distinct from and broader than the phrase "disruptive activities," as used in the Regents’ Rules and Regulations Series 30103 and 40502. This rule is concerned not only with deliberate disruption, but also with scheduling and coordination of events to manage or minimize the inevitable conflicts between legitimate events conducted in close proximity.

2.3.1.2 Except in the most extreme cases, interference and disruption are unavoidably contextual. Intentional physical interference with other persons is nearly always disruptive in any context.

2.3.1.3 Potentially disruptive events can often proceed without disruption if participants, administrators, and law enforcement officials cooperate to avoid disruption without stopping the event. In cases of marginal or unintentional disruption, administrators and law enforcement officials should clearly state what they consider disruptive and seek voluntary compliance before stopping the event or resorting to disciplinary charges or arrest.

4.8.2 Office Hours
At the beginning of each semester or term, faculty members shall post on their office doors a schedule of regular office hours or conference periods that are convenient to students and meet departmental
needs. Each faculty member shall also inform his/her departmental office of these scheduled office hours, and is expected to be available at the times indicated. A reasonable guideline for minimum office hours is 0.7 scheduled office hours per each Teaching Load Credit for which the faculty member is formally responsible.

4.8.3 Course Syllabi

At the beginning of each semester or term, all faculty shall provide to their students a written syllabus for each course. The syllabus should include, as appropriate, a listing of assigned textbooks or other written materials, dates for submission of major assignments and administration of examinations, the time and date of the final examination as specified in the Schedule of Classes, an indication of how the final grade in the course will be determined, and any special expectations, requirements or procedural policies of the faculty member that will govern conduct of the class and student/faculty interactions.

4.8.4 Final Examinations

All final examinations are to be administered on the day and hour indicated in the Schedule of Classes for the pertinent semester or term. Any departure from the regular schedule of final examinations must have the prior approval of the Dean of the College. It is University policy that students shall not have to take more than two final examinations in a single day. In the unlikely event that the examination schedule results in a student's having three final examinations on one day, the second of the three examinations shall be rescheduled by the faculty member upon the request of the student.

4.14 Alleged Student Scholastic Dishonesty

Under the Regents' Rules and Regulations, the Dean of Students has authority and responsibility for the administration of student discipline. Specific provisions and requirements regarding student conduct and discipline at the University are contained in Section II, Student Affairs, of this Handbook, available electronically on the Internet at http://admin.utep.edu/hoop/. In most instances, the distinction between academic and disciplinary matters is clear-cut. However, this may not always be the case when possible scholastic dishonesty is involved. Accordingly, the following guidelines are provided:

a. All alleged acts of scholastic dishonesty must be reported to the Dean of Students for disposition. It is the Dean of Students' responsibility to investigate each allegation and dismiss the allegation, or proceed with disciplinary action that provides the accused student due process.

b. It is a violation of the Regents' Rules and Regulations for a faculty member to withdraw a student or to assign a grade such as an "F" or "zero" to an assignment, test, examination, or other course work as a sanction for admitted or suspected dishonesty in lieu of reporting the alleged violation to the Dean of Students. Such action is a disciplinary penalty that violates the student's right to due process and leaves the faculty member vulnerable to a student grievance petition, a civil lawsuit, and possible disciplinary action by the University. Similarly, students are prohibited from proposing an arrangement with a faculty member to receive any reduced grade in lieu of being reported to the Dean of Students for suspected scholastic dishonesty.

4.15 Grade Review Process

Any student may request a faculty member to review and re-evaluate a grade previously given the student by that faculty member. Students may also seek assistance or intervention from the
Department Chair or other appropriate academic administrator in obtaining a grade review by a faculty member. Ordinarily only the responsible faculty member may submit a change in a final course grade which has been previously submitted to the Registrar, except as provided below. The formal process outlined below is to be available in cases where a student wishes to appeal a grade assigned by a faculty member when the student contends that the grade assigned was the product of malicious, biased, capricious, or negligent determination. This process may not be used to adjudicate cases of suspected student misconduct, plagiarism, or collusion. Formal grade appeals must be initiated within six weeks of the release of grades for a given semester.

4.15.1 Any student who wishes to appeal a grade should talk first with the faculty member who assigned the grade. If agreement cannot be reached, the student may consult with and/or file a grievance with the Chair of the Student Grievance Committee of the Faculty Senate. If a grievance is to be filed, it must be presented on the form provided by the Student Grievance Committee.

4.15.2 Upon receipt of the grievance, the Chair of the Student Grievance Committee will notify the appropriate faculty member, the President of the Faculty Senate, and the Provost.

4.15.3 The Chair of the Student Grievance Committee will then appoint a conciliator or a three member conciliation committee selected from appropriate faculty sources. If the grade challenge is in a graduate course, the conciliator must be a member of the graduate faculty; in the case of a committee, at least two of the members must be members of the graduate faculty.

4.15.4 The conciliator/conciliation committee will meet with the student to investigate the validity of the charges and to ensure that they are based on the grounds given in 4.15 above. The faculty member issuing the grade must be contacted at this stage of the proceedings and given the opportunity to provide information and clarification.

4.15.5 The conciliator(s) shall make a recommendation to the Student Grievance Committee for its consideration in a timely fashion. This recommendation shall normally be made within three weeks of the date of appointment. If the conciliation process results in resolution of the issue, the Chair of the Student Grievance Committee will so notify the student, the faculty member, the President of the Faculty Senate and the Provost. Should conciliation fail, the Student Grievance Committee may continue the conciliation effort with another conciliator or conciliation committee, reject the complaint, or appoint a hearing committee.

4.15.6 If the Student Grievance Committee determines that a hearing committee should be formed to resolve the issue, the Chair shall appoint a committee after consultation with the parties involved. The committee shall consist of an appointed chair and two members of the general faculty outside the department concerned. No person involved with the conciliation effort may serve on the hearing committee. In a case involving graduate credit, the hearing committee chair and a majority of its members must be members of the graduate faculty. Immediately on formation of a hearing committee, the chair of that committee shall give written notice to the student and the faculty member involved. The student and faculty member must be given at least one week's notice prior to the first meeting of the hearing committee.

Updated: June 14, 2010
4.16 Student's Right to Privacy and Access to Records
The Family Educational Rights and Privacy Act of 1974 accords students various rights of privacy and access with regard to their educational records. These rights are detailed in Section II, Student Affairs, of this Handbook which faculty members are advised to consult. Chapter 4.1.7 of this Section of this Handbook which discusses maintenance of course records, should also be consulted. The following guidelines are provided.

4.16.1 Access to Records by Others
4.16.1.1 Unless the student has given written permission, the University generally permits access to his or her records only by appropriate University officials who have a legitimate need of access, or to others under certain specific conditions. Those conditions include providing necessary information in connection with application for or receipt of financial aid, compliance with judicial order or subpoena, compliance with Federal or State statute, conduct of educational studies on behalf of legitimate organizations, such as accrediting agencies, and for health and safety emergencies.

4.16.1.2 Faculty members must refrain from the following:
   a. Posting grades by name, social security or student identification number; or by any other personally identifiable means;
   b. Discussing grades with parents or other students, either in person or by telephone;
   c. Discussing grades with students except in private, e.g., during office hours or by appointment.

4.16.2 Access to Records by Students
With certain specific exceptions, students have the right of access to their educational records. Details concerning the definition of educational records and exceptions to the right of access are provided in Section II, Chapter 6, Student Affairs, of this Handbook.

4.17 Retention of Records by Faculty
Each academic department shall formulate and communicate to its faculty policies and procedures for the maintenance and retention of materials issued or used in the conduct of a class by a faculty member, as well as attendance records, tests and assignments or any other student submitted documents or materials used by a faculty member to determine the course grade for a student. Such documents must be retained for a minimum of 1 year after the end of an individual class to support compliance with grade appeal and review provisions, although a minimum 3-year or longer retention schedule is recommended.