General Regulations

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Detailed policies and procedures affecting student life are printed in the Handbook of Operating Procedures (HOP) student section and are available on the Internet at http://hoop.utep.edu. The handbook supplements the rules and regulations of the Board of Regents and covers student conduct and discipline, use of University facilities, student organizations, educational records, and student publications. The Rules and Regulations of the Board of Regents of The University of Texas System are at http://www.utsystem.edu/bor/rules.htm. The President has delegated responsibility for the administration of student discipline (academic dishonesty and general misconduct) to the Office of Student Conduct and Conflict Resolution.

Student Conduct

While enrolled at the University, a student neither loses the rights nor escapes the responsibilities of citizenship. Any student who engages in conduct that is prohibited by the Board of Regents’ Rules and Regulations or University rules, or by federal, state, or local law is subject to discipline whether such conduct takes place on or off campus or whether civil or criminal penalties are also imposed for such conduct. All students are expected and required to obey the law, to show respect for properly constituted authority, and to observe correct standards of conduct.

The University of Texas at El Paso administers student discipline according to established procedures of due process. Procedures are defined and described in the Rules and Regulations of the Board of Regents, Rule 50101, and in the Handbook of Operating Procedures (HOP).

Students should check with appropriate departments whose policy or regulation is of concern. If necessary, students need to refer to the Regents’ Rules and the HOP. The Office of Student Life can assist with such matters.

Other Prohibited Conduct

Computer usage violations, use of alcoholic beverages, dishonesty, gambling, defacing of property, endangering the health or safety of others, use of obscene and threatening language, altering of records, possession or use of firearms, and failure to respond promptly to official notices and other incidents, are among the behaviors that will subject the student to disciplinary action.

Sanctions, which might be imposed in conjunction with the approved disciplinary procedures, include but are not limited to: a written warning, disciplinary probation, withholding of grades, withholding of official transcript or degree, restitution, failing grade, denial of degree, suspension and expulsion, revocation of degree and withdrawal of diploma, or other sanction as deemed appropriate under the circumstances. In addition, certain privileges can be withdrawn consistent with the severity of the offense and the rehabilitation of the student. These penalties can be imposed singularly or in any combination upon individuals, groups, or organizations.

Unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, can subject students to civil and criminal liabilities. UTEP’s policy on Peer-to-Peer Sharing can be found at http://admin.utep.edu/Default.aspx?tabid=63689 (http://admin.utep.edu/Default.aspx?tabid=63689/). Penalties for copyrighted violations can be found at: http://www.copyright.gov/title17/92chap5.html. Additionally, students can be subjected to disciplinary action as described in this section.

A person commits an offense under Section 42.06, Texas Penal Code, if he knowingly initiates, communicates or circulates a report of a present, past, or future bombing, fire, offense, or other emergency that he 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. The offense under Section 42.06, Texas Penal Code, of making such a false alarm or report involving a public or private institution of higher education is a state jail felony. 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, an individual adjudged guilty of a state jail felony may be punished by a fine not to exceed $10,000.

**Gang-Free Zone**

A gang free zone is a designated area around a specific location where certain gang related activity is prohibited and is subject to increased penalty under Texas Law. There are many such locations designated in Texas including the property belonging to institutions of higher education. Premises owned, rented, or leased by The University of Texas at El Paso and areas within 1,000 feet of the premises are designated as "gang-free" zones. Certain criminal offenses, including those involving gang-related crimes, will be enhanced to the next highest category of offense if committed in a gang-free zone by an individual 17 years or older. See Texas Penal Code, Section 71.028.

**Illegal Substances Policy**

The use, possession, or sale of any illegal drugs or narcotics, including any amount of marijuana, on the campus of the University is a violation of Regents’ Rules and Regulations and of University policies governing student conduct, as well as a violation of state law. Any student who is found responsible for the illegal use, possession and/or sale of a drug or narcotic is subject to discipline. If a student is found responsible for the illegal use, possession, and/or sale of a drug or narcotic on campus, the minimum sanction assessed shall be suspension from the University for a specified period of time and/or suspension of rights and privileges.

**Disruptive Acts Policy**

Any student who, acting singly or in concert with others, obstructs, disrupts, or interferes with any teaching, educational, research, administrative, disciplinary, public service, or other activity or public performance authorized to be held or conducted on campus or on property or in a building or facility owned or controlled by the U.T. System or institution is subject to discipline. Obstruction or disruption includes but is not limited to any act that interrupts, modifies, or damages utility service or equipment, communication service or equipment, university computers, computer programs, computer records or computer networks accessible through the university’s computer resources.

**Hazing Policy**

Any student who, acting singly or in concert with others, engages in hazing is subject to discipline. Hazing in State educational institutions is prohibited by state law (Texas Education Code Section 51.936 and Sections 37.151-37.157). Hazing with or without the consent of a student whether on or off campus is prohibited, and a violation of that prohibition renders both the person inflicting the hazing and the person submitting to the hazing subject to discipline. Knowingly failing to report hazing can subject one to discipline. Initiations or activities of organizations may include no feature that is dangerous, harmful, or degrading to the student, and a violation of this prohibition renders both the organization and participating individuals subject to discipline.

Individuals or organizations engaging in hazing could be subject to fines and charged with criminal offenses. Additionally, the law does not affect or in any way restrict the right of the University to enforce its own rules against hazing.

The law defines hazing as 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 any organization whose members are or include students at 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 subsection.

1. Any type of physical brutality, such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body, or similar activity;
2. 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 or harm or that adversely affects the mental or physical health or safety of the student;
3. Any activity involving consumption of food, liquid, alcoholic beverage, liquor, drug, or other substance which subjects the student to an unreasonable risk or harm or which adversely affects the mental or physical health of the student;
4. Any activity that intimidates or threatens the student with ostracism; that subjects the student to extreme mental stress, shame, or humiliation; or 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 subsection;
5. Any activity that induces, causes, or requires the student to perform a duty or task which involves a violation of the Penal Code.

Activities which under certain conditions constitute acts that are dangerous, harmful, or degrading, in violation of Rules include but are not limited to:

- calisthenics, such as sit-ups, push-ups, or any other form of physical exercise;
- total or partial nudity at any time;
- the eating or ingesting of unwanted substance;
- the wearing or carrying of any obscene or physically burdensome article;
- paddle swats, including the trading of swats;
• pushing, shoving, tackling, or any other physical contact;
• throwing oil, syrup, flour, or any other harmful substance on a person;
• rat court, kangaroo court, or other individual interrogation;
• forced consumption of alcoholic beverages either by threats or peer pressure;
• lineups intended to demean or intimidate;
• transportation and abandonment (road trips, kidnaps, walks, rides, drops);
• confining individuals in an area that is uncomfortable or dangerous (hot-box effect, high temperature, too small);
• any type of personal servitude that is demeaning or of personal benefit to the individual members;
• wearing of embarrassing or uncomfortable clothing;
• assigning pranks such as stealing, painting objects, harassing other organizations;
• intentionally messing up the house or room for clean up;
• demeaning names;
• yelling and screaming; and
• requiring boxing matches or fights for entertainment.

The University regards any form of hazing as a major violation, and any individual and/or registered student organization participating in such activities will be held responsible for those actions. According to the law, a person can commit a hazing offense not only by engaging in a hazing activity, but also by soliciting, directing, encouraging, aiding, or attempting to aid another engaging in hazing; by intentionally, knowingly, or recklessly allowing hazing to occur; or by failing to report first-hand knowledge that a hazing incident is planned or has occurred in writing to the Office of Student Life or other appropriate University officials. The fact that a person consented to or acquiesced in a hazing activity is not a defense to prosecution for hazing under this law.

An organization can commit a hazing 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.

In an effort to encourage reporting of hazing incidents, the law grants immunity from civil or criminal liability to any person who reports a specific hazing event in good faith and without malice to the Office of Student Life or other appropriate University Officials, and it immunizes a person from participation in any judicial proceeding resulting from that report.

Solicitation

In general, solicitation is prohibited in any building, structure, or facility of the UTEP campus. Certain university activities are permitted as defined in the Handbook of Operating Procedures. This handbook is available electronically at http://admin.utep.edu/hoop/.

Student Travel Policy

Purpose

It is the policy of UTEP to promote safe travel by students who participate in certain University-organized and -sponsored activities or events.

Policy and Procedure

1. This policy is applicable to student travel undertaken by one or more currently enrolled students to reach an activity or event that meets all of the following criteria:
   a. An activity or event organized and sponsored by the University. An activity or event is considered to be organized and sponsored if it has been planned and funded by the University and approved in writing by the designated administrator. The types of activities and events covered by this policy include course-related field trips, recreational sports club trips, departmental-sponsored trips, the activities of sponsored student organizations, and meetings of academic organizations where a student is officially representing the university; and
   b. The activity or event is located more than 25 miles from the University; and
      i. Travel to the activity or event is funded and undertaken using a vehicle owned or leased by the University; or
      ii. Attendance at the activity or event is required by a registered student organization and approved in accordance with this policy.

2. Registered student organizations that require their members to travel 25 miles or more from the University to attend an activity or event covered by this policy must obtain prior written approval by the designated administrator for the proposed travel.

3. The following provisions will apply to all travel covered by this policy:
   a. All Motor Vehicle Travel.
      Seat Belts:
      Occupants of motor vehicles shall use seat belts or other approved safety-restraint devices required by law or regulation at all times when the vehicle is in operation.
      Alcohol and Illegal Substances Prohibited:
      Occupants of motor vehicles shall not consume, possess, or transport any alcoholic beverages or illegal substances.
      Passenger Capacity:
The total number of passengers in any vehicle at any time it is in operation shall not exceed the manufacturer’s recommended capacity or the number specified in applicable federal or state law or regulations, whichever is lower. Where applicable, all travel participants are required to comply with The University of Texas System Business Procedure Memorandum 16-05-02, including but not limited to provisions concerning vehicle passenger capacity.

License and Training:
Each operator of a motor vehicle shall have a valid operator’s license and be trained as required by law to drive the vehicle that will be used.

Proof of Insurance, Inspection, and Safety Devices:
Each motor vehicle must have a current proof of liability insurance card and state inspection certification; be equipped with all safety devices or equipment required by federal or state law or regulation; and comply with all other applicable requirements of federal or state law or regulations.

Legal Operation of Vehicle and Driving Schedule:
Operators of motor vehicles shall comply with all laws, regulations, and posted signs regarding speed and traffic control and shall not operate the vehicle for a continuous period that is longer than the maximum provided by federal or state law or regulations or guidelines promulgated by the University, whichever is lower, without scheduled rest stops or overnight stops.

b. Travel Using a Vehicle Owned or Leased by the University.

Service and Maintenance:
In addition to those provisions in Item 3.a., each vehicle owned or leased by the University must be subject to scheduled periodic service and maintenance by qualified persons and comply with all applicable requirements of The University of Texas System Business Procedure Memorandum 16-05-02.

Operators of Vehicles:
All operators of vehicles owned or leased by the University shall be employees of the University and shall have a valid operator’s license for the operation of the particular vehicle. In addition, operators shall have a current Motor Vehicle Record on file with the designated office of the University.

c. Travel Using Rented Vehicles.

In addition to those provisions specified in Item 3.a., the rental, use, and operation of all rented vehicles shall comply, where applicable, with the state contracts for rental cars and all applicable requirements of The University of Texas System Business Procedure Memorandum 16-05-02.

d. Travel by Common Carrier.

When a common carrier (bus, airline, etc.) is used for student travel covered by this policy, all reasonable steps will be taken to assure that the travel be undertaken in conformance with this policy and all applicable federal, state, local, and University regulations.

4. Students are responsible for abiding by the rules and regulations contained in the UTEP Handbook of Operating Procedures while they are traveling. The sponsoring department can promulgate additional rules concerning expectations of students while on the trip.

5. As part of the approval process, all participants must sign an appropriate Release and Indemnification Agreement. All persons driving personal vehicles for travel covered by this policy must agree to comply with the requirements of 3.a. and produce a valid operator’s license for the vehicle to be used, current proof of liability insurance and Texas State Inspection Certificate.

Compulsory Inspection of Vehicle

It is mandatory for all students enrolled in public institutions of higher education in the State of Texas to be in compliance with Vehicle Emissions Testing Laws before privileges can be granted to park or drive on institutional property a motor vehicle that is not registered in this state.

For further details, please consult the Transportation Code, Chapter 548, Subchapter F: “Motor Vehicle Emissions Inspection and Maintenance.” A full copy of the legislation is available in the University’s Parking Rules and Regulations.

Immunization Requirement

The health and safety of students is paramount to the University. Although certain immunizations are required only of students enrolled in specific health-related courses and programs, all students are strongly encouraged to obtain them for their own protection. Students can obtain information regarding the consequences of outdated immunizations for certain diseases, the age groups most vulnerable to these vaccine preventable diseases, and local providers of immunization services from the Student Health Center located on campus. Immunizations are available at the Student Health Center. To obtain information, call 915.747.5624. Students are responsible for the full cost of any immunizations for which a fee is charged.

In accordance with state law, the following immunizations are required for all students enrolled in health related courses which will involve direct patient contact in medical or dental care facilities or who might come into contact with human or animal biological fluids or tissue. Students enrolled at UTEP will assume the cost of all vaccinations.

- **Measles**: proof of two doses of measles vaccine administered on or after the first birthday and at least 30 days apart or proof of immunity;
- **Mumps**: proof of one dose of mumps vaccine administered on or after the first birthday or proof of immunity;
- **Rubella**: proof of one dose administered on or after the first birthday or proof of immunity;
- **Tetanus/diphtheria**: proof of one “booster” dose of tetanus/diphtheria (within 10 years);
- **Hepatitis B virus (HBV)**: proof of serologic immunity to HBV or certification of immunization with a complete series of Hepatitis B vaccine. Students will be required to present a letter or other suitable written certification.
A form on which the required immunizations can be documented is available from the Admissions Office or the Student Health Center. Since most secondary schools are required by law to maintain similar records, a copy of the high school immunization record can be submitted.

The Student Health Center is responsible for maintaining a record of those students who comply with these requirements and might recommend the placement of an administrative hold on records if these requirements have not been met. The Student Health Center provides the required immunizations for all academic programs; however, no X-ray screening is available. The HB vaccine is also available for a nominal charge for students enrolled in medical-related programs.

AIDS, HIV, and Hepatitis B Infection Policy

The University of Texas at El Paso recognizes Acquired Immune Deficiency Syndrome (AIDS), Human Immunodeficiency Virus (HIV), and Hepatitis B Virus (HBV) as serious public health threats and is committed to encouraging an informed and educated response to issues and questions concerning AIDS, HIV, and HBV. To demonstrate its commitment, UTEP has adopted a policy and procedural steps to protect both the rights and well-being of students, employees, and patients who might be infected with HIV or HBV as well as to prevent the spread of infection. No individual with HIV or HBV infection will be discriminated against in employment, admission to academic programs, health benefits, or access to facilities. Students with HIV or HBV infection can attend all classes without restriction, as long as they are physically and mentally able to participate and perform assigned work and pose no health risks to others. All information regarding the medical status of UTEP, faculty, staff, and students is confidential.

A complete copy of the “AIDS, HIV and Hepatitis B Infection Policy” policy can be found in the institutional Handbook of Operating Procedures (HOP) available in the Office of Student Life, the Library, and the Student Health Center. This policy is applicable to all students of UTEP as they pursue their academic and clinical endeavors. Additionally, an educational pamphlet on HIV infection developed by the U.S. Department of Health and Human Services and the Public Health Service is available in the Student Health Center.

Bacterial Meningitis

About SB 1107

Effective January 1, 2012, a Bacterial Meningitis Vaccination is required for all entering students under age 22. The term entering student includes new students to UTEP, transfer students from other colleges or universities, and returning UTEP students that have taken the most recent long semester off from college.

All first-time students, transfer students, and students who have taken a leave of absence from school in either a fall or spring semester must have received this vaccination during the five-year period immediately preceding the start of classes and at least 10 days prior to the first day of the semester enrolled.

The following evidence must be provided to either the Graduate School (by a new graduate student), the Office of Admissions and Recruitment (by a new undergraduate student), or the Registrar’s Office (by a continuing student who has stopped out):

1. Certification from a physician, clinic or previous school demonstrating that the student has been vaccinated during the five-year period immediately preceding and at least 10 days prior to the first day of class. Or,
2. A letter from a licensed medical physician certifying that in the opinion of the physician the required meningococcal vaccination would be injurious to the health and well-being of the student. Or,
3. An official exemption affidavit issued by the Texas Department of State Health Services approving exception for reasons of conscience. The exemption affidavit may be requested via the Texas Department of State Health Services (https://dshs.texas.gov/).

In order to avoid course enrollment delays, entering students are strongly encouraged to receive the appropriate vaccinations early.

For more information regarding the State of Texas requirements please visit the appropriate office (Graduate School, Office of Admissions and Recruitment, or the Registrar's Office) located in the Academic Services Building, call 915-747-6094, or visit www.utep.edu/sb1107 (http://www.utep.edu/sb1107/).

What is Bacterial Meningitis?

Bacterial meningitis is a serious, potentially deadly disease that can progress rapidly. Students are urged to take utmost caution. This is an inflammation of the membranes that surround the brain and spinal cord. The bacterium that causes meningitis can also infect the blood. This disease strikes about 3,000 Americans each year, including 100-125 on college campuses, leading to five to 15 deaths among college students every year. There is a treatment, but those who survive might develop severe health problems or disabilities.
What are the symptoms?

• High fever
• Rash or purple patches on skin
• Sensitivity to light
• Confusion and sleepiness
• Lethargy
• Severe headache
• Vomiting
• Stiff neck
• Nausea
• Seizures

There might be a rash of tiny, red-purple spots caused by bleeding under the skin. These can occur anywhere on the body.

The more symptoms, the higher the risk, so when these symptoms appear, seek immediate medical attention.

How is Bacterial Meningitis diagnosed?

• Diagnosis is made by a medical provider and is usually based on a combination of clinical symptoms and laboratory results from spinal fluid and blood tests.
• Early diagnosis and treatment can greatly improve the likelihood of recovery.

How is the disease transmitted?

• The disease is transmitted when people exchange saliva (such as by kissing, or by sharing drinking containers, utensils, cigarettes, toothbrushes, etc.) or come in contact with respiratory or throat secretions.

How does one increase the risk of getting bacterial meningitis?

• Exposure to saliva by sharing cigarettes, water bottles, eating utensils, food, kissing, etc.
• Living in close conditions (such as sharing a room or suite in a dorm or group home).

What are the possible consequences of the disease?

• Death (in 8 to 24 hours from perfectly well to dead)
• Permanent brain damage
• Kidney failure
• Learning disability
• Hearing loss or blindness
• Limb damage (fingers, toes, arms, legs) requiring amputation
• Gangrene
• Coma
• Convulsions

Can the disease be treated?

• Antibiotic treatment, if received early, can save lives and chances of recovery are increased. However, permanent disability or death can still occur.
• Vaccinations are available and should be considered for:
  • Those living in close quarters
  • College students 25 years old or younger
• Vaccinations are effective against four of the five most common bacterial types that cause 70% of the disease in the U.S. but do not protect against all types of meningitis.
• Vaccinations take seven to 10 days to become effective, with protections lasting a minimum of eight years.
• The cost of the vaccine varies; health care providers have more information.
• Vaccination is very safe. The most common side effects are redness and minor pain at the injection site for up to two days.
• Vaccination is available at the UTEP Student Health Center, on a walk-in basis.
• Contact the City County Health Department, Immunization Outreach at 915.591.2050
• Contact the Pro Action-Tillman Health Center at 915.533.3414
How can I find out more information?

- Contact your own health care provider.
- Contact your Student Health Center at 915.747.5624.
- Contact your local or regional Texas Department of Health Office at 915.834.7853.

Requirement to obtain information on Bacterial Meningitis

- All incoming undergraduate and graduate students are required to obtain information about bacterial meningitis and sign an acknowledgement form with the Records Office, located in the Academic Services Building.

In addition, The University of Texas at El Paso complies with Texas Education Code, sec. 51.9192, “the Jamie Schanbaum Act,” which requires first time students and transfer students at a Texas institution of higher education (undergraduate and graduate) residing in on-campus housing to show evidence of immunization for bacterial meningitis. The student must have received the vaccination at least 10 days prior to the student taking up residence in on-campus housing. Detailed information pertaining to the requirements of Texas Education Code 51.9191 can be obtained by calling the Student Health Center at (915) 747-5624.

Student Right-to-Know and Campus Security Act

In compliance with the Jeanne Clery Disclosure of Campus Security Police and Campus Crime Statistics Act, The University of Texas at El Paso collects specified information on campus crime statistics, campus security policies, and institutional completion or graduation rates. Pursuant to the federal law, alleged victims of violent crime are entitled to know the results of campus student disciplinary proceedings concerning the alleged perpetrators.

UTEPE makes timely reports to the campus community on crimes considered to be a threat to students and employees, and crimes are reported to campus police or local police agencies.

Every October, UTEP publishes and distributes to all current students and employees an annual report of campus security policies and crime statistics, provides copies of the report to applicants for enrollment or employment upon request, and submits a copy of the report to the Secretary of Education upon request. The annual campus crime statistics report references crimes which occur on the campus property owned or controlled by UTEP or unobstructed public areas immediately adjacent to or running through the campus. Statistics for off-campus buildings or property owned by the University also reported when such statistics are available from local police departments.

In addition, UTEP publishes in the annual security report its policy regarding sex-related offenses, including sexual-assault prevention programs, education programs to promote awareness of sex offenses, administrative disciplinary procedures and sanctions for offenders, missing person statistics, counseling and student services for victims, and fire statistics. For crime and fire statistics, please visit http://admin.utep.edu/Default.aspx?tabid=37475 (http://admin.utep.edu/Default.aspx?tabid=37475/) and select the current crime or fire log.

UTEPU has established procedures for responding to emergency situations. For information regarding institutional procedures in emergency situations, including notification procedures, please visit http://admin.utep.edu/LinkClick.aspx?link=2014+ANNUAL+SECURITY+AND+FIRE+REPORT.pdf&tabid=53442&mid=116942 (http://admin.utep.edu/LinkClick.aspx?link=2014+ANNUAL+SECURITY+AND+FIRE+REPORT.pdf&tabid=53442&mid=116942/).

UTEPU annually calculates and discloses institutional completion or graduation rates for undergraduate students to all prospective and current students. (The federal requirement for calculation of a completion or graduation rate applies only to institutions of higher education that admit undergraduate students who are enrolling for the first time at an institution of higher education and have not enrolled previously at any other institution of higher education.) Prior to the offer of athletically related student aid to a potential student athlete, UTEPU provides certain information on graduation rates specified by the aforementioned act to the prospective student and to the student's parents, guidance counselor, and coach.


Student Complaint Procedures

The University is committed to providing equal opportunity to all employees and individuals seeking employment or access to its programs, facilities or services, and will not discriminate against these persons on the basis of race, color, national origin, sex, religion, age, disability, genetic information, veteran's status, sexual orientation, or gender identity.

Institutional policies apply to all University administrators, faculty, staff, students and third parties which includes visitors and applicants for employment.
Complaints regarding discrimination should be reported to the University’s Equal Opportunity Office, Kelly Hall, 3rd Floor, room 302, via phone at (915) 747-5662 and or via email at eoaa@utep.edu. The University’s full text of the University’s policies that include complaint resolution and investigation procedures, can be found in the Handbook of Operating Procedures in the sections below:

Section VI, Chapter 01: Equal Opportunity/Affirmative-Action/Non-Discrimination Policy

Section VI, Chapter 03: Sexual Harassment and Sexual Misconduct Policy

Section VI, Chapter 04: Consensual Relationship Policy

Grade Review

Any student may request a faculty member to review and re-evaluate a grade previously given to 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.

The formal grade appeal process is to be available in cases where a student wishes to appeal the final grade assigned by a faculty member when the student contends that the final grade assigned was the product of malicious, biased, arbitrary, or negligent determination or impermissible discrimination. No challenge to grading standards shall be pursued on any grounds other than these. This process may not be used to adjudicate cases of suspected student misconduct, plagiarism, or collusion. Formal grade appeals must be officially filed with the Student Grievance Committee of the Faculty Senate no later than one (1) year after the official grade has been released to the student, or in the case of a student who has graduated, no later than three (3) months after the degree has been conferred. The decision of the Student Grievance Committee is final.

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. Students should contact the Dean of Students Office for specific information or download a copy of the grievance form and instructions on the Office of Student Life Web page at www.utep.edu/student-affairs/dean-of-students-office/ (https://www.utep.edu/student-affairs/dean-of-students-office/) under the heading “Grade Grievance.”

Other Academic Complaints

Other academic student concerns that do not involve discrimination, including problems with instructor behavior or student dismissal from a program, should first be addressed with the faculty or staff member with whom they arise. If no satisfactory resolution can be achieved at that level, a written complaint should be submitted to that individual’s supervisor, usually the Chair of the Department. If successful resolution is not achieved, the complaint may be appealed in writing to the Academic Dean. If the complaint is not satisfactorily resolved at the level of the Dean, a written appeal may be submitted to the Office of the Provost. The decision of the Provost is final. Each appeal should be submitted no later than ten (10) working days after the last questioned decision or interpretation.

Non-Academic Complaints

Non-academic student complaints related to matters other than discrimination, such as the application or interpretation of student policies, should first be addressed with the student with the individual involved in the interpretation or decision. If the matter is not resolved, a written complaint should be submitted to that individual’s immediate supervisor. The resolution of the complaint may be appealed through the normal lines of authority and communication up to the Vice President who oversees the department in which the complaint originated. The decision of the Vice President is final. Each appeal should be submitted no later than ten (10) working days after the last questioned decision or interpretation.

In addition to UTEP’s policy, you are also protected by Title IX of the Education Amendments of 1972 which prohibits discrimination on the basis of sex in education programs and activities that receive federal funding. Sexual harassment, which includes acts of sexual violence, is a form of sex discrimination prohibited by Title IX.

Title IX Compliance

The University of Texas at El Paso (“University”) is committed to maintaining a learning and working environment that is free from discrimination based on sex in accordance with Title IX of the Higher Education Amendments of 1972 (Title IX), which prohibits discrimination on the basis of sex in educational programs or activities that are federally funded.

The essence of Title IX is that an institution may not exclude, separate, deny benefits to, or otherwise treat differently any person on the basis of sex. It protects students, employees, applicants for admission and employment, and other persons from all forms of sex discrimination and sexual misconduct such as sexual harassment and sexual violence. Sexual violence may include rape, sexual assault, sexual battery, sexual coercion, stalking and relationship violence.

The University strictly prohibits and condemns such conduct and will take prompt disciplinary action against any individuals, or organizations within its control who are found to have engaged in discrimination or harassment. All allegations will be taken seriously and addressed appropriately. If a formal complaint is filed, the university will conduct a thorough investigation, as per the Sexual Harassment and Sexual Misconduct Policy. In these situations, the university will ensure that the rights of both the complainant and alleged harasser are protected.

To file a Title IX complaint please refer to the University’s designated Title IX Coordinator(s):
Sandy Vasquez, Title IX Coordinator
Oversees investigations of concerns related to Faculty and Staff
Associate Vice President for Human Resources
Human Resources Office
Administration Building, Room 216
915-747-7873
svasquez@utep.edu

Charlie Gibbens, Deputy Title IX Coordinator
Oversees investigations of concerns related to Students
Assistant Vice President for Student Support
Student Support Office
Union East 302H
915-747-7482
cegibbens@utep.edu (rholmes@utep.edu)

Catie McCorry-Andalis, Deputy Title IX Coordinator
Education, Training and Outreach
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To obtain more information about Title IX please visit www.utep.edu/titleix (http://www.utep.edu/titleix/) which also includes on/off campus resources.