

# UNIVERSITY NOTICES

## Student Rights and Responsibilities

While no university may punish, forbid, heavily regulate, or restrict speech rights protected by the First Amendment, A&M-Central Texas expects that its students will engage with members of the university community in a courteous, respectful, dignified, and academic manner. Each student shall have the right to participate in all areas and activities of the university, free from any form of discrimination, including harassment, on the basis of race, color, national or ethnic origin, religion, sex, disability, age, sexual orientation, or veteran status in accordance with applicable federal and state laws. No university official or student, regardless of position or rank, shall violate these rights; any custom, tradition, or regulation in conflict will not be allowed to prevail. Students are expected at all times to recognize constituted authority, to conform to the ordinary rules of good conduct, to be truthful, to respect the rights of others, to protect private and public property, and to make the best of their time toward an education.

## Civil Rights Compliance

A&M-Central Texas is committed to providing an educational and working environment that ensures equal opportunity to all members of the A&M-Central Texas community. A&M-Central Texas will strictly comply with all local, state, and federal civil rights laws and regulations prohibiting discrimination, sexual harassment, and/or related retaliation against employees, students, applicants for employment or admissions, and the public, regardless of race, color, sex, religion, national origin, age, disability, genetic information, veteran status, sexual orientation, or gender identity (A&M-Central Texas Rule 08.01.01 D1).

Inquiries regarding faculty and staff compliance with this commitment may be directed to the Office of Human Resources, Warrior Hall, Room 424, (254) 519-8015 or the Chief Compliance Officer, Founder's Hall Room 325, (254) 519-5763, [compliance@tamuct.edu](mailto:compliance@tamuct.edu).

## Notice of Civil Rights Compliance Procedures

The Texas A&M University System (A&M System) Regulation Summary 08.01.01 states: A&M System will provide equal opportunity to all employees, students, applicants for employment and admission, and the public. This regulation provides guidance in complying with local, state and federal civil rights laws and regulations (laws) and related system policy. All complaints, appeals, or reports of discrimination received by A&M System will be taken seriously, appropriately reviewed, and addressed in accordance with this regulation. This regulation establishes systemwide standards for the receipt and processing of complaints, appeals, or reports ("complaints") of discrimination, harassment, and/or related retaliation based on a protected class ("discrimination"), including complaints made by employees, students, and/or third parties. A member also has a duty to respond to inappropriate employee or student conduct that does not constitute discrimination under this regulation.

Questions regarding equal access may be directed to the Office of Human Resources, Warrior Hall, Room 424, (254) 519-8015 or the Chief Compliance Officer, Founder's Hall Room 325, (254) 519-5763, [compliance@tamuct.edu](mailto:compliance@tamuct.edu).

## Social Security Number Disclosure

Section 7(b) of the Privacy Act of 1974 (5 U.S. Code §552a) requires that when any federal, state, or local government agency requests an individual to disclose his/her social security number (SSN), that individual must also be advised whether that disclosure is mandatory or voluntary, by what statute or other authority the number is solicited, and for what purposes it will be used.

Accordingly, applicants for admission are advised that disclosure of the SSN is strongly recommended for admission as a student at A&M-Central Texas, in view of the practical administrative difficulties that would be encountered in maintaining adequate student records without continued use of the SSN. The SSN is used to verify the identity of the student; determine and record eligibility for student financial assistance, including loans, scholarships, grants, and allowances; determine and record eligibility for participation in Reserve Officers Training Corps programs; and other such related requirements that might arise. A&M-Central Texas has, for several years, consistently requested disclosure of the SSN on admissions application forms and other necessary student forms and documents. This is pursuant to statutes passed by the State of Texas and United States, regulations adopted by agencies of the State of Texas and United States, and by the Board of Regents of the Texas A&M University System.

## FERPA Statement

### *Family Educational Rights and Privacy Act of 1974 - Official Notice to Students*

#### **Students' Education Records Policy for Texas A&M University-Central Texas**

The Family Educational Rights and Privacy Act of 1974, as Amended (FERPA), provides eligible students certain rights regarding their education records. An "eligible student" under FERPA is any student, regardless of their age, who attends or has attended a postsecondary institution. These rights are outlined in the Statement of Rights section below.

### Statement of Rights

A&M-Central Texas encourages students to exercise all of their rights under FERPA (20 U.S.C. § 1232g). Operating under the premise that the educational process is a cooperative venture between a student and the university, we emphasize the following rights of eligible students:

1. The right to inspect and review, with certain limited exceptions, the student's education records. A student must submit a written request to the appropriate A&M-Central Texas official identifying the record(s) the student wishes to inspect. The appropriate A&M-Central Texas official will, within 45 days of receipt of the request for access, make arrangements for the student to inspect the record(s);
2. The right to request the nondisclosure of personally identifiable information (PII) contained within the education records, except to the extent that FERPA authorizes disclosure without consent. One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interests.
  - a. A school official is a person or entity:
    - i. employed by the university or the university system in an administrative, supervisory, academic, research, or support staff position;
    - ii. serving on a university governing body or duly authorized panel or committee; or

- iii. employed by or under contract to the university to perform a special task, function, or service for the university.
- b. A school official has a legitimate educational interest if the information requested is necessary for that official to:
  - i. perform appropriate tasks that are specified in his/her position description or in the performance of regularly assigned duties by a lawful supervisor;
  - ii. fulfill the terms of a contractual agreement;
  - iii. perform a task related to a student's education;
  - iv. perform a task related to the discipline of a student; or
  - v. provide a service or benefit relating to the student or student's family, such as health care, financial aid, job placement, or former student-related activities.
- c. Disclosure to a school official having a legitimate educational interest does not constitute university authorization to transmit, share, or disclose any or all information received to third parties unless such disclosure is permitted or required by law.
- 3. The right to request the amendment of their education records if the student believes the record is inaccurate or misleading. The student should submit a written request to the appropriate A&M-Central Texas official clearly identifying the part of the record the student wants changed and specifying why it is inaccurate or misleading. If the university decides to comply, the record will be amended, and the student notified, in writing, that the record has been amended. If the university decides not to comply, the student will be notified in writing of the decision and will be advised of the right to request a hearing to challenge the information believed to be inaccurate or misleading;
- 4. The right to file a complaint with the U.S. Department of Education regarding alleged failures by the university to comply with the requirements of FERPA. The name of the office that administers FERPA is the Family Policy Compliance Office.

A student is entitled to all the rights and protections given students under FERPA; however, information in student records may be provided to parents/legal guardians without the written consent of the student if the eligible student is a financial dependent of his or her parents/legal guardians as defined under Section 152 of the Internal Revenue Code of 1986.

## Directory Information

Under FERPA, A&M-Central Texas has established the following as directory information and may disclose the information without the student's written consent: student's name, address, email address, telephone number, dates of attendance, major field of study, classification, the most recent educational agency or institution attended, degrees, honors and awards received, weight and height of members of athletic teams, and participation in officially recognized activities and sports. Currently enrolled students wishing to withhold any or all directory information items may do so by completing the Information Release Restrictions Form (<https://www.tamuct.edu/registrar/docs/InformationReleaseRestrictionsForm.pdf>) and submitting it to the Records and Admissions Office. After this information is entered, a message block will appear on the monitor screen indicating that the student's records are confidential. "Confidential" will also appear in the top left-hand corner of the screen when that student's records are accessed.

Once information has been published in a printed publication, it cannot be removed from that publication.

Only currently enrolled students are eligible to restrict directory information. Once a student has left the university, he/she can no longer set restrictions on directory information at the university. If a student restricts his/her directory information and leaves the university, the restriction continues until the student removes it.

## Records Not Available Under FERPA

Students shall have access to all of their education records as maintained by the university with the exception of the following:

1. A personal record kept by a university official which meets the following tests:
  - a. it is in the personal possession of the individual who made it;
  - b. information contained in it has never been revealed or made available to any other person except the maker's temporary substitute.
2. An employment record which is used only in relation to a student's employment by the university, except where an individual in attendance at the university is employed as a result of his or her status as a student.
3. Records relating to a student which are created or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional, or paraprofessional capacity or assisting in that capacity, which are used in connection with providing treatment to a student are not disclosed to anyone other than the individuals providing the treatment.
4. Financial records and statements of a student's parents/legal guardians.
5. Confidential letters and statements of recommendation which were placed in the education records of a student prior to January 1, 1975.
6. Confidential letters and statements of recommendation which were placed in the education records of a student on or after January 1, 1975, if the student has waived his or her right to inspect and review the letters or statements.
7. Records concerning admissions to an academic component of the university which the student has never attended.

Questions concerning FERPA may be referred to the Registrar at [records@tamuct.edu](mailto:records@tamuct.edu) or (254) 501-5857.

## Certification for Dependency

Under provisions of FERPA, students enrolled in post-secondary educational institutions are deemed to "own" their education record from the first enrollment, regardless of the age of the student. Institutions may, but are not required to, grant access to certain non-directory information in a student's education record if the student is claimed as a dependent on his or her parent's/guardian's federal income tax return. Generally, non-directory information will not be released to a parent or guardian unless a Certification of Dependency Form is completed and signed by both the parent(s)/guardian(s) and the student and is brought to the Records and Admissions, Founder's Hall Room 108 or mailed to the Records and Admissions Office, 1001 Leadership Place, Killeen, TX, 76549. Until this form is filed, parents are not entitled to this information.

## Penalties for Violating FERPA

The Family Policy Compliance Office reviews and investigates complaints of violations of FERPA. The penalty for violating FERPA is loss of all federal funding, including grants and financial aid.

**If you witness or commit what you believe to be a possible FERPA violation, please notify the Compliance Officer immediately at (254) 519-5722. The Compliance Officer will investigate the matter and determine what action, if any, should be taken. If you have any questions about FERPA compliance or the release of student information, please contact the Registrar at records@tamuct.edu or (254) 501-5857.**

## Hazing Law

Texas A&M University-Central Texas is a community committed to the pursuit of our values of Excellence and Achievement, Compassion, Integrity, Knowledge, Diversity, Initiative, and Collaboration. **Hazing** is a violation of each of these values, as well as a violation of the Texas A&M University-Central Texas Code of Student Conduct, student organization policies, and Texas State law.

As a part of its efforts to end hazing in our community, and in accordance with requirements of the Texas Education Code §51.936(c), Texas A&M University-Central Texas is distributing a summary of the provisions of Chapter 37, Subchapter F (§§ 37.151-157) of the Texas Education Code, which prohibits hazing in Texas public or private high schools. Texas Education Code §51.936 applies the Chapter 37, Subchapter F prohibition on hazing to institutions of higher education.

Texas Education Code §51.936(c) also requires the distribution of a copy of, or an electronic link to, a report on hazing committed on or off campus by any organization recognized by the university. This report, which includes information regarding each university disciplinary action or court conviction against an organization within the past three years, may be found on the student conduct office web page (<https://www.tamuct.edu/student-affairs/stophazing.html>).

In compliance with state law, Texas A&M University-Central Texas publishes and distributes this report ([https://www.tamuct.edu/student-affairs/docs/2022-Hazing\\_ThreeYear\\_Report.pdf](https://www.tamuct.edu/student-affairs/docs/2022-Hazing_ThreeYear_Report.pdf)) of hazing violations, and organizations involved, to inform students as they get engaged on campus.

## Summary

Hazing is a criminal violation under Texas law. The Texas Education Code 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 an organization.” The statute contains a list of conduct which constitutes hazing, and also specifies that it is not a defense to prosecution that the person hazed consented to the hazing activity.

A person may be found guilty of criminal conduct for engaging in hazing, encouraging, directing, aiding in, or permitting hazing, or having knowledge of the planning of or occurrence of hazing incidents and failing to report in writing their knowledge to the Associate Dean of Student Affairs. Both failing to report hazing and hazing that does not result in serious bodily injury are Class B misdemeanors. Hazing that results in serious bodily injury is a Class A misdemeanor, while hazing resulting in a death is a state jail felony.

An organization may be found guilty of a hazing offense if the organization condones or encourages hazing, or if an officer or any combination of members, pledges, or alumni commits or assists in the commission of hazing. Organizations may be fined \$5,000 to \$10,000 or, for incidents causing personal injury, property damage, or other loss, up

to an amount double the loss or expenses incurred because of the hazing incident.

Any person reporting a specific hazing incident to the Associate Dean of Student Affairs (studentconduct@tamuct.edu) or other appropriate university official is immune from civil and criminal liability if the person reports the incident before being contacted by the university concerning the incident and cooperates in good faith throughout the university's process regarding the incident. A person is not immune under the law if the person reports their own act of hazing, or reports an incident of hazing in bad faith or with malice.

*Texas state law does not limit or affect the university's right to enforce its own penalties against hazing.*

### Stop Hazing at Texas A&M University-Central Texas

For more information about hazing awareness, prevention, and campus resources, or to report suspected incidents of hazing, contact the Office of Student & Civic Engagement, the Office of Student Conduct, or the University Police Department. Online reporting options are also available ([https://cm.maxient.com/reportingform.php?TAMUCentralTexas&layout\\_id=0](https://cm.maxient.com/reportingform.php?TAMUCentralTexas&layout_id=0)).

Office of Student & Civic Engagement  
Warrior Hall, 211  
254-519-5496

Student Conduct Office  
Warrior Hall, 105  
254-501-5909

Division of Student Affairs  
Warrior Hall, 105