

University of Mary Hardin-Baylor

Student Handbook Addendum

SECTION ONE

Residence Life

Residence Hall Spaces

Returning Student Assignments: Each semester, returning students are eligible to participate in the room reservation process, which is conducted in a centralized location on campus. Reservations are made for a particular space and do not guarantee the student the right to a particular room. Information concerning the reservation process and how to participate is distributed to all current on-campus students prior to the process taking place.

Incoming Student Assignments: Campus housing is assigned to *incoming students who have been admitted by the university, paid the \$300 enrollment deposit, and filed a residence hall application with the Student Development Office.*

Space is not assigned until all requirements are met. Priority for housing assignments is based on the date the housing application and \$300 deposit are received. A housing application, which is received without the \$300 housing deposit, will be returned to the applicant. Applicants have an opportunity to indicate on the housing application their preference for a particular building and roommate. Every effort will be made to take those requests into consideration if space is available within the desired building and if the applicant meets the criteria for living within that type of housing (apartment-style housing). If the applicant specifies a roommate choice, the assignment will be made based on the submission date of the latter application.

General Apartment-Style Housing Guidelines for Assignments

- A student should have at least 60 accumulated hours.
- A student must take at least 12 semester hours at the University of Mary Hardin-Baylor during the semester of occupancy.
- The university reserves the right to make assignments outside of the general guideline parameters when it is deemed necessary.
- The university reserves the right to move students to other apartments, apartment complexes, or into other residence halls when it is deemed necessary.

Occupancy License

All residents must sign nine-month occupancy license for space in a residence hall or apartment complex. Students entering for the spring semester sign a license for that semester only. Signing a license for space does not guarantee students the right to a particular room or give them interest in real property. Residents who choose to move or are moved to another space during the term of the license must pay the established rate for that space and must meet any board requirements. The designated housing dates (openings, closings, holidays) and all policies as explained in the Student Handbook and the Guide to Campus Housing will apply to

all residents. All cancellations must be made in writing directly with the Student Development Office, and full room rent will be charged if the student cancels for any reason after the first class day of either semester. In addition, for the spring semester, the student may cancel the license only if the student meets one of the following exceptions (1) will not attend the university for the spring semester; (2) will get married before the beginning of the spring semester; (3) will live off campus with parent(s) or legal guardian; (4) will be 21 years of age or have 60 accumulated hours; (5) will attend the university part-time. Failure to meet one of these exceptions will result in the charge of full spring room rent. Cancellations for the spring semester must be filed with the Student Development Office in writing by December 1, or a \$100 fine will be assessed. By signing the license agreement form, the student accepts the terms as stated in the license and agrees to be familiar with and abide by the policies and procedures set forth by the university and by the Student Development Office.

Cancellations, Withdrawals, and Refunds

All cancellations must be made in writing directly to the Student Development Office. Refund of rent will not be given if a student cancels for any reason after the first class day of either semester or withdraws and vacates a residence hall room or apartment after the first class day of either semester.

Enrollment Deposit Refunds for New Applicants

In order to be considered for space in a residence hall, the applicant must submit the \$300 enrollment deposit. This deposit should accompany the residence hall application. If a student does not plan to attend UMHB, the \$300 enrollment deposit is fully refundable until May 1. Of the \$300 enrollment deposit, \$150 is applied to the housing deposit and \$150 is applied as prepayment toward the student's bill. Guidelines for receiving a refund of the housing deposit portion of this amount are as follows:

Any applicant who sends written notice of room reservation cancellation to the Student Development Office:

- Prior to May 1: will be refunded the full \$150 housing deposit
- Between the dates of May 1 and June 1: will be refunded 50% of the \$150 housing deposit (\$75)
- After June 1: will forfeit the entire \$150

Room Deposit Refunds for Returning Residents

Returning residents must apply for their deposit prior to June 1 in order to receive a refund. After June 1, the entire deposit will be forfeited. Students who do not return for a subsequent semester may either leave the deposit on account or request a refund by completing the refund form available in the Student Development Office.

Deadlines for room deposit refunds can be waived under the following conditions: the applicant is denied admission to the university; the applicant becomes physically incapacitated and is thereby prevented from enrollment; the applicant receives a call to be inducted into the U.S. armed forces.

SECTION TWO

Campus Activities

Advertising and Promoting Events

The time and energy spent planning and organizing an event may be wasted if not properly advertised. In this section are rules and regulations on advertising and information on promoting the event.

Advertising Guidelines

It is the university policy that in advertising programs to be held on campus, the focus should be toward university related events. Advertising must include all relevant information, such as the time and place of the event, the admission policy and price, the name of the sponsoring group, and a means of obtaining additional information (phone number or e-mail). Questions regarding this policy should be directed to the Campus Activities Office (295-5150).

Advertising Methods and Policy for Posting

There are numerous ways groups may advertise events: posters, flyers, promotional booths, *The Bells*, Internet calendar, chapel announcements, and mailbox flyers.

1. UMHB Posting Policy for Posters and Flyers

- (1). No posters, flyers, or other announcements shall be placed on any wall, door, window, pillar, floor, chalkboard, ceiling, tree, outside building space or other space on campus other than a designated bulletin board or official announcement space.
- (2). Bulletin boards are completely cleared once every 2 weeks by the Campus Activities Office.
- (3). No group or individual shall post over another poster which advertises an event or activity yet to happen. Posters may be placed on top of other posters which are no longer active.
- (4). UMHB-affiliated parties may post ONE flyer or poster per event per bulletin board.
- (5). Chalking can be a very effective means of publicity, but the text of the message must be approved by the Campus Activities Office. Only events that are campus-wide or appeal to a major segment of the campus community will be approved. Messages may be placed on UMHB sidewalks and streets with **white chalk**. **Never use colored chalk!** Violators will be billed for damages caused by colored chalk stains. Do not chalk on any portion of the buildings, including steps, walls, or on bricks.
- (6). Flyers and posters must be submitted to the Campus Activities Office before posting. (To avoid wasting funds and time, please wait until the flyer is approved before making copies).
- (7). Appropriate approval should be secured when posting flyers in residence halls or academic buildings.
- (8). Drop posters or banners must be approved for posting in areas specifically reserved for this type of advertising.
- (9). Groups are responsible for removing their posters when their event is over; otherwise, they will be removed and discarded.
- (10). Before constructing drop posters, banners, or making smaller poster advertisements, consult the publicity regulations. Any member of the UMHB community is encouraged to send written complaints about posting abuses to the Campus Activities Office. Organizations or departments that violate this policy will be warned. Frequent violations could result in the termination of campus publicity for events or referral to Dean of Students.

2. Promotional Booths and Tables

Booths and tables are available at several locations on campus for organizations and departments to promote their activities and services. People staffing them must remain at the booths and not attempt to “solicit” passersby. Groups are asked to clear booths of all flyers and trash before leaving at the end of the day. Also, for safety reasons, no obstructions or electrical cords should disrupt or impede traffic flow or doorway areas.

3. Campus Newspaper

The Bells is published by the University of Mary Hardin-Baylor and is a twice monthly student publication. Advertisements are subject to approval and must be submitted in written form. To discuss running an advertisement, please call the sales manager at 295-4598.

4. Chapel Announcements

Organizations or departments may submit event announcements to be read at the beginning of chapel services. Email announcement to chapel@umhb.edu by 2:30 the day before chapel.

Planning an Event

Pre-Planning

The earliest stage of event planning is preplanning or event development. In this stage the description of the event must be clear to the participants. Follow these directions:

- The purpose for the event must be clearly stated.
- Name the specific people in charge of each part of the event.
- Contact potential co-sponsors for the event and state the responsibilities of each co-sponsor.
- Determine the intended audience and predict a realistic expectation for attendance at the event.
- Calculate the amount of available funds and the cost of the event.
- Develop the advertising campaign.
- Develop a realistic timeline for beginning and completing the various components of the planning process.
- Identify potential locations for the event, including rain locations.
- Diagram the positions of all furniture and other necessary items in the space assigned for the event.
- Determine possible dates and times for the event, noting the scheduling of other campus events during the same time period.
- Research and select potential entertainers, speakers, facilitators, etc. These are some of the considerations to be made prior to planning an event. Proceed with the necessary arrangements after careful thought about the **who, what, when, where, why, and how** of the event has been completed.

Arrangements

Plan the event:

- Provide a diagram of the room with furniture, sound system, and other necessary equipment.
- Complete the Facility Reservation Form listing specifically those items needed.

Closing Time for Events

- State the closing time for the event on the Facility Reservation Form.
- Allow time for the audience to clear and include that extra time in the event planning.

Equipment and Furniture

- List all the items needed for the event on the Facility Reservation Form. Those items needed are podiums, tables, chalkboards, musical equipment, risers, sound equipment, and staging.
- Consult the University Host in making arrangements for reserving equipment.

Basic Room Setup

- UMHB facilities have flexibility for the placement of furniture and equipment, but it is necessary for communicating the preference on the Facility Reservation Form.

Audio-Visual Support

- Reserve audio-visual equipment by listing each item on the Facility Reservation Form.
- State the equipment needed on the initial Facility Reservation Form. Last-minute requests are not recommended and will be accommodated only as equipment is available.

Catering

UMHB Dining Services offers a wide range of options for events across campus, including a catering menu priced for UMHB-recognized organizations and departments. If the event is on campus, food must be ordered through UMHB Dining Services. This policy excludes “munchies” such as potato chips, donuts, etc., and potluck dinners for small groups. Using an outside caterer requires permission from University Dining Services. For more on this policy, please contact UMHB Dining Services at 295-4624.

Signs for Direction

Signs directing people to an event should be easy to read, precise and eye-catching. Signs may not be placed on walls, windows, or on walkways. Inside campus buildings the best way to catch one’s attention is to place signs on tall white sign holders called standards. For outdoor locations, signs placed on stakes are helpful in directing people to the appropriate buildings.

Be Prepared

Even after careful planning, a few unexpected problems may arise. **Prepare for the unexpected.**

- **Have volunteers on hand** - One or two “runners” are helpful. Some problems can only be resolved away from the event site.
- **Telephone List** - Have a telephone list for quick calls during the event. The list of all the volunteers with telephone numbers is useful if someone is not available when needed.
- **Know the resources** – Many people may be involved in the event. Know the people and be sure they know the host of the event.

Who’s in Charge

The event host (person who signed the Facility Reservation, Off-Campus Event Registration, or Campus Publicity Forms), must be at the event from start to finish. Divide responsibilities for the program with other leaders in the group. Make sure someone is in charge who has co-signed the forms.

There must always be a person(s) who signed the forms present throughout the entire event. This individual must always be a member of the UMHB community. If questions arise during the event, the University Host and UMHB Police need to know who to contact. Event host(s) should be easily identifiable throughout the

event. Volunteers and guests will feel more comfortable if it is clear to whom they should refer questions. Make sure all committee/group members know who is taking full responsibility for the event.

Volunteers

Do not run an event alone. Have enough people to help set up, run, and clean up after the event is over. Clearly state the responsibilities of each person helping to stage the event. In written directions, state when and where each person will be working, what he/she will be doing, and how long he/she will be working at the event. As a reminder, e-mail or send written directions two days before the event to the workers who are scheduled to work.

Accessibility

Some UMHB facilities are not fully accessible to persons with disabilities. Review these issues with the office through which the space is reserved. The office will assist with issues, such as identifying paths of travel and seating arrangements, nearest accessible restrooms, and special support services which might be required. Please be sure to inquire about this when hosting an event off campus.

Handling Money

All money collected at an event should be deposited immediately. To ensure safety, a campus police escort can be used when moving cash from one location to another. UMHB Police can provide temporary safekeeping. Collected cash should never be kept in residence hall rooms, but should be locked up in a safe until deposited.

After Event Cleaning

When the event is over, return the facility to its original condition. The room should be left clean and presentable, ready for the next scheduled event. Plan to have a crew of volunteers to help clean. In some cases, tables may need to be rearranged and trash picked up and removed.

Basic Regulations for Facility Use

Exit doors must not be obstructed in any way. **Exit signs** must remain clearly visible. **No exceptions!**

1. Materials for making crafts are not to be used in meeting rooms.
2. No furniture or equipment may be moved without prior approval.
3. Decorations should not damage the facility. Poster putty and Post-It Self Stick Wall Pads are recommended. Staples, nails, tacks, and tape can damage walls and should be avoided.
4. Candles and other fire hazards are not permitted in any facility.
5. Smoking is only permitted outside the facilities.
6. Alcohol is not permitted on campus.
7. Irresponsible use of rooms or equipment could result in the cancellation of room reservations and/or a fee for damages.

SECTION THREE

Student Organizations

Guidelines for Organizations

A student organization is defined as any group that has limited membership and is selected exclusively from the student body of the university. Student organizations should not discriminate on the basis of race, religion, sex, age, or physical disability. All organizations must register with the Director of Student Organizations in the appropriate manner set forth by the Student Development Office. Organizations fall into six basic categories, which are listed below.

A. Academic Organizations

National and local academic organizations are to be allowed, provided they do not discriminate on the basis of race or religion and are not at variance with the Christian position of the University of Mary Hardin-Baylor. There are two categories of academic organizations: academic honor societies and academic clubs.

B. Leadership and Community Service Organizations Leadership and community service organizations are organizations whose purpose is to develop leadership skills, foster leadership training, serve the UMHB campus and surrounding community, and effectively make positive changes to the campus community. Some leadership organization membership is based on an application process.

C. Religious Organizations National and local religious organizations are permitted, provided that their goals are in harmony with the Christian values of the university and that the membership is not restricted on the basis of race.

D. Athletic, Sport, and Spirit Clubs

These organizations help promote physical well being and school pride. Club sports and spirit clubs vary in terms of membership selection.

E. Special Interest

Special Interest organization purposes vary from organization to organization. Goals of all organizations must be in harmony with the Christian values and the developmental goals of the university. National and local political organizations are to be allowed, provided they are not restricted on the basis of race or religion and do not advocate the violent overthrow of the government of the United States. No secret society is permitted at the University of Mary Hardin-Baylor. Organizations must abide by all federal laws regarding membership and hazing and will operate under the direction of the Student Development Office.

F. Class Organizations

Those structures developed by the freshman, sophomore, junior, and senior classes will conform to the general requirements of all organizations, except that the Student Government Association will not charter them. They will, instead, receive approval to operate for one year.

Continued Supervision of Organizations

All organizations shall, after being chartered, be the responsibility of the Director of Student Organizations. By the end of September of each fall semester, all student organizations must report the names of their active members, officers, and faculty sponsors to the Director of Student Organizations. Failure to submit this report by the required date will result in loss of recognition and the inability to function as an organization. This list of officers and faculty sponsors must be kept up to date. Any change made in the constitution or by-laws of the

organization must be submitted to the Director of Student Organizations. If, for any reason, an organization loses its recognition, it may be reinstated only upon application to the Director of Student Organizations.

Faculty Advisor Selection

The selection process for faculty advisors is explained below:

- A. Recommendation for the organization's advisor(s) will be made by a majority vote of the active membership of that organization.
- B. The faculty member(s) must freely agree to act as the organization's advisor(s).
- C. The chosen organization advisor(s) must attend Advisor Organization Orientation each fall semester.

Responsibilities and Relationships

- A. The advisor and the co-advisors are the representatives of the university in questions of acceptable or unacceptable behavior or activities that involve the organization.
- B. The advisor will make an interpretation of the university policy or will secure policy decisions through the Dean of Students whenever policy questions arise.
- C. Each advisor will be familiar with the college policies regarding organizations. Senior faculty advisors will deal with violations and will notify the Dean of Students.
- D. Memberships will be checked each semester by the advisor to see that membership qualifications are met. GPA is an important part of the qualification for membership in a campus organization.
- E. The advisor is responsible for sound financial dealings by the organizations. He/she needs to see that monies are available before commitments are made and that bills are paid on time. All funds will be maintained in a student bank account in the Business Office.
- F. Duties of an advisor shall also include those listed below:
 - 1. Counseling with officers in appropriate areas.
 - 2. Encouraging the organization to function in its area.
 - 3. Checking on funds, accident insurance, and administering university transportation policy when the organization must leave the campus.
 - 4. Accompanying the organization when overnight stays are required or sending an acceptable mature substitute.
 - 5. Supervising, by the personal attendance, all banquets, parties, and other social functions.
 - 6. Furnishing the Director of Student Organizations with a list of men and women who make off-campus trips and their expected time of return. This list should be furnished two weeks prior to the event.

Organizational Meetings

All special campus functions, which are sponsored by any campus organization, must be registered with the Director of Student Organizations at least fourteen days in advance. Registration information must include the name of the advisor who will be present, the date and place of the meeting and the general nature of the activities. All use of school facilities must be approved through the University Host. Un-chartered organizations may hold only those meetings necessary for obtaining a charter.

Organization Travel

Recognized student organizations may make off campus trips that are deemed worthwhile and approved by the Dean of Students. Student organizations must submit a Travel Request to the Director of Student Organizations no later than thirty days prior to the proposed trip. The Travel Request should include:

1. Dates and purpose of the trip
2. List of all students involved in the off-campus trip
3. Financial budget indicating if and where University funding will be used on the trip
4. Detailed travel plan: Only university-approved drivers may drive university vehicles. Organization advisors must accompany the organization when overnight trips are required. Faculty and staff advisors should take every precaution to ensure the safety of the students involved. Students and their parents should understand that participation in such off-campus trips and activities is at the student's own risk. Upon approval by the Dean of Students, the student organization advisor is responsible for:
 1. Creating and collecting a university Waiver & Release of Liability Form from the Risk Management website.
 2. Ensuring that all parties involved have read and signed the Student Organization Travel Policy Guidelines (see Student Organization Handbook).
 3. Ensuring that all students involved have appropriate insurance coverage to attend the trip. If personal injury or accident should occur to students or other persons during such activities, University of Mary Hardin-Baylor, will assume no responsibility, financial or otherwise.

Events Calendar

Each organization should submit, on approved forms, a list of proposed activities to the Director of Student Organizations no later than May 1. This information may then be considered to appear in the following year's events calendar. In the event of fall planning, the organization should provide the proposed activities at least fourteen days prior to the activity.

Fund Raising Projects

A list of proposed fund raising projects should be presented to the Director of Student Organizations for approval at least fourteen days prior to the proposed dates. All fund raising projects must be in compliance with all university guidelines and state and federal law.

Termination and/or Discipline of Organizations

- A. The Student Government Association shall be empowered to investigate any activity of chartered organizations which appears to be in violation of the organization's constitution or whose general conduct is not in accord with the Christian nature of the university, the Student Government Association Constitution, or the policies of the administration of the university.

Following an investigation, the Student Government Association can bring to the attention of the Director of Student Organizations any matters which may need to be investigated.
- B. The Director of Student Organizations will then forward the information to the Dean of Students for appropriate action.
- C. The Director of Student Organizations has the responsibility to prefer charges, which have been brought to him/her against any organization for infraction of school rules or improper conduct.
- D. An organization shall have ten days in which to initiate an appeal to the Dean of Students.

Eligibility for Membership in Organizations

- A. In order to qualify for active membership in any organization, a student must be in good academic standing with the university.
- B. Any student who is on disciplinary probation shall not be eligible to be a member of any organization, to hold an office, or to represent the university in any activity.

Authorized Periods of Activity

- A. Organizations shall not sponsor any social function during the week before final exams and not at all during exam week itself.
- B. Hours: Student organizations are urged to terminate all weeknight activities by 11 p.m. and weekend activities by 12 a.m.

Procedure for Scheduling Events

- A. The University Host is responsible for the calendar of events.
- B. All organization activities must be scheduled on the calendar in the University Host office at least 14 days prior to the planned event in order to avoid conflicts and to obtain approval.
- C. Should an organization cancel an event, whether social or a meeting, it must notify the University Host. Failure to use scheduled facilities may cause someone else to be unable to use those facilities. Abuse of scheduling may result in the inability of an organization to schedule future events.

Services to Student Organizations

The university provides various services to authorized student organizations:

1. Audio visual equipment, such as TVs, projectors sound systems, etc. may be requested from the University Host.
2. Food Service will handle many of the food needs of an organization at economical prices, provided that the Director of Food Services is presented with a signed Facility Reservation Form.
3. The Mabee Student Center has several rooms available for receptions. Coffee makers and punch bowls may be requested through the Director of Dining Services.
4. Movable blackboards, lecterns, chairs and other items are available through the University Host. If this service is used, his/her signature must be obtained on the Facility Reservation Form.
5. Other physical needs should be discussed with the University Host.
6. The Director of Campus Activities must approve all posters before they are displayed on campus. Posters may only be placed in specific designated areas as specified by the Director of Campus Activities (Never on glass, doors or painted surfaces). Posters may be placed on wooden stakes for outside display or on easels for inside display as long as they do not hinder normal movement of traffic in those areas. Posters are to be removed immediately following the activity by those responsible for the activity. All posters, which are in violation of the above stated policies, will be removed, and this may jeopardize campus privileges of the responsible organization. All posters must be less than ¼th of a poster board.
7. Organizations should check with the editor of *The Bells* concerning news coverage for their activities, 295-4598.
8. The Office of University Public Relations handles all outside publicity. Any newsworthy event should be reported to the Director of University Relations at 295-4607.

Guest Speakers

All guest speakers from outside the university, anyone other than UMHB faculty or administrators, must be scheduled through the Dean of Students.

Off Campus Events

Any UMHB-recognized organization planning to coordinate an event off campus is required to complete an Off Campus Event Registration Form. The Event Host may pick up this form at the Student Organization Office. Special signatures and approval are **REQUIRED** for all UMHB-sponsored events that are held off campus.

Class Officer Elections

Elections for the officers of the future sophomore, junior, and senior classes shall be conducted in the spring as well as Student Government Association elections, and shall be supervised by the Election Committee of the Student Government Association in the same manner as are the general elections of the Student Government Association. Officers for the freshman class will be elected by popular vote two weeks after the beginning of the fall semester. The newly elected class officers will serve as members of the Student Government Association and will meet with SGA each week for the school year.

Student Participation in Institutional Governance

Students should be free, individually and collectively, to express their views of institutional policy and on matters of general interest to the student body, not inconsistent with the basic purposes of the university. The student body has clearly defined means, including committee membership, for significant participation in the formulation and implementation of institutional policy. The various committees serve as venue for academic, student life, and student conduct issues. Opportunities for student involvement in institutional governance are provided by membership in the following committees:

- Student Development Committees
- House Council
- Residence Hall Association
- Food Committee
- Campus Activities Board
- Pageant Advisory Committee
- Student Government Association

Students also are members of most university committees, along with faculty, staff, and administration.

Student Organization Funding

All organizations may apply for student organization funding. The application process is defined by the Student Government Association with approval by the Director of Student Organizations and the Dean of Students. Organizations may apply for these monies through the SGA office. The SGA will then determine the budget approval. Further information regarding student organization funding can be reviewed in the Student Organization Handbook.

SECTION FOUR

Information on the Use and Effects of Alcohol and Drugs

Facts about Drug and Alcohol Use

Legal Sanctions Applicable to Drug and Alcohol Use

Federal Penalties and Sanctions

21 United States Code 844

1st conviction: Up to one year imprisonment

and fined at least \$1,000 but not more than

\$100,000 or both. After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years, and fined at least

\$2,500 but not more than \$250,000 or both.

After 2 or more prior drug convictions: At least

90 days in prison, not to exceed 3 years, and fined at least \$5,000 but not more than \$250,000 or both.

Special sentencing provisions for possession of

crack cocaine: Mandatory at least 5 years in prison, not to exceed 20 years, and fined up to \$250,000 or both if:

(a). 1st conviction and the amount of crack possessed exceeds 5 grams.

(b). 2nd crack conviction and the amount of crack possessed exceeds 3 grams.

(c). 3rd or subsequent crack conviction and the amount of crack possessed exceeds 1 gram.

21 United States Code 853 (a)(2) and 881 (a)(7):

Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than one year imprisonment. (See special sentencing provisions re: crack.)

21 United States Code 881 (a) (4): Forfeiture of vehicles, boats, aircraft, or any other conveyance used to transport or conceal a controlled substance.

21 United States Code 884a: Civil fine of up to \$10,000 (pending adoption of final regulations).

21 United States Code 853a: Denial of federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to one year for first offense, up to five years for second and subsequent offenses.

18 United States Code 922(g): Ineligible to receive or purchase a firearm.

Miscellaneous: Revocation of certain federal licenses and benefits, e.g. pilot licenses, public housing tenancy, etc, are vested within the authorities of individual federal agencies.

State Penalties and Sanctions

Texas Penal Code Sec. 42.08: Being intoxicated in public such that one is a danger to oneself or others is punishable by a fine of up to \$500. Texas Alcoholic Beverage Code Sec. 1.05, 101.31: It is illegal to possess or distribute alcoholic beverages in a dry area. Violation of this law carries a penalty of up to \$2,000 and/or up to one year in prison.

Texas Alcoholic Beverage Code Sec.

106.02,106.04-106.05: The purchase, possession or consumption of alcoholic beverages by a person under 21 years of age subjects that person to a fine of up to \$500 for the first offense and up to \$2,000 for the second offense.

Texas Alcoholic Beverage Code Sec. 106.06:

Furnishing alcoholic beverages to a minor is

punishable by a fine of up to \$4,000 and/or up to one year in prison. Texas Education Code Sec. 4.22: The possession of an intoxicating beverage on the grounds of any public school carries a penalty of up to \$500.

Texas Penal Code Sec. 49.04: Driving under the influence of alcohol is punishable by a fine of up to \$10,000 and/or 3 days to 10 years in prison.

Texas Alcoholic Beverage Code Sec. 106.07:

A person under 21 years of age who misrepresents his/her age for the purpose of purchasing alcohol beverages may be punished by a fine of up to \$500.

Texas Health and Safety Code Sec. 481, 106-107:

The illegal distribution, possession, or use of controlled substances may be punished by 5 years to life in prison and up to a \$20,000 fine.

Texas Health and Safety Code Sec. 481.112-120

and 481.121(c) and (d): The delivery or possession of controlled substances with the intent to manufacture controlled substances is punishable by a jail term of 10 years to life and up to a \$100,000 fine.

Texas Health and Safety Code Sec. 481.121(a) and (b): The possession of marijuana may be punished by 2 to 20 years in prison and/or up to a \$10,000 fine depending on the amount of marijuana involved.

Texas Health and Safety Code Sec. 481.122: The distribution of marijuana to a minor is punishable by 5 to 99 years in prison and/or up to a \$50,000 fine.

Alcoholic Beverage Laws for Minors

The penalties for purchase, attempt to purchase, possession, consumption, misrepresentation of age, public intoxication by minor:

- First Offense: Class C misdemeanor: up to \$500, alcohol awareness course, 8-12 hours community service, 30 days driver's license suspension or denial
- Second Offense: Class C misdemeanor: up to \$500, possible alcohol awareness course, 20-40 hours community service, 60 days driver's license suspension or denial
- Third Offense (under 17): 180 days driver's license suspension or denial, juvenile court child in-need of supervision, criminal court adjudicated as an adult
- Third Offense (17 or older): Class B misdemeanor: \$250 - \$2000 fine and/or confinement in jail up to 180 days, possible alcohol awareness course, 180 days driver's license suspension or denial. \

The penalties for purchase, attempt to purchase, possession, consumption, misrepresentation of age, public intoxication by minor **WHILE DRIVING**: It is illegal for a minor to drive while having any detectable amount of alcohol in the minor's system. The following penalties shall be imposed:

- First Offense: Class C misdemeanor: up to \$500, alcohol awareness course, 20-40 hours community service, 60 days driver's license suspension, 30 days ineligible for occupational license
- Second Offense: Class C misdemeanor: up to \$500, alcohol awareness course, 40-60 hours community service, 120 days driver's license suspension, 90 days ineligible for occupational license
- Third Offense (under 17): 180 days driver's license suspension, ineligible for occupational license, juvenile court-delinquent conduct, adult criminal court
- Third Offense (17 or older): Class B misdemeanor: \$500 - \$2000 and/or confinement in jail up to 180 days, 180 days driver's license suspension, ineligible for occupational license.

Health Risks Associated with Drug or Alcohol Use

Narcotics such as opium, morphine, and heroin can cause euphoria, drowsiness, respiratory depression, constricted pupils and nausea. The symptoms of an overdose of narcotics are slow and shallow breathing, clammy skin, convulsions, coma and possible death. Persons experiencing withdrawal from addiction to narcotics can experience watery eyes, runny nose, yawning, loss of appetite, irritability, tremors, panic, cramps, nausea, chills, and sweating. Depressants such as barbiturates and quaaludes can cause slurred speech, disorientation, and drunken behavior. An overdose of a

depressant results in shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma and possible death. Withdrawal symptoms include anxiety, insomnia, tremors, delirium, convulsions and possible death.

Stimulants such as cocaine and crack can cause increased alertness or euphoria, an increased pulse rate and blood pressure, insomnia, and loss of appetite. An overdose of stimulants results in agitation, and increase in body temperature, hallucinations, convulsions, and possible death. Withdrawal symptoms include apathy, long periods of sleep, irritability, depression and/or disorientation. Hallucinogens such as LSD and amphetamines cause illusions and hallucinations and poor perception of time and distance. The effects of an overdose include psychosis and possible death. Marijuana and hashish can cause euphoria, increased appetite, relaxed inhibitions and disoriented behavior. The effects of an overdose include fatigue, paranoia, and possible psychosis. Withdrawal symptoms include insomnia, hyperactivity, and decreased appetite.

2. Alcohol

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver. Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk of becoming alcoholics than other youngsters.

Counseling and Treatment Resources

Students who believe they have substance abuse problems may contact the Office of Counseling and Testing, ext. 4696, second floor, Mabee Student Center, for referral services. Information is also available in the Student Development Office, and education programs are offered on a semester-by-semester basis. Community services are available to students and employees through several local agencies.

Local Agencies:

Central Texas Council on Alcoholism and Drug Abuse, 18 So. Main, 773-3722.

Alcoholics Anonymous, 902 So. Main, 770-4629 (24 hr)

Al-Anon, 770-4685 (24 hr)

Central Counties Center for MHMR Services, 304 So. 22nd, 778-4841

Cen-Tex Alcoholism Rehabilitation Center, Inc.,

110 No. 4th, 778-2286

Narcotics Anonymous, 773-3722

SECTION FIVE SAFETY AND CRIME PREVENTION

UMHB Campus Police Department

Student Help in Crime Prevention

A student can help increase campus safety if the student is aware of suspicious persons, questionable actions, and dangerous conditions. Individuals should notify the UMHB Campus Police Department in reference to any suspicious person who loiters in the vicinity of student's residence hall, home or on routes that the student ordinarily takes, as soon as possible. Upon request the UMHB Campus Police Department provides educational seminars which focus on personal safety and property protection.

Characteristics to Observe

When observing suspicious persons, the following characteristics should be noted and provided to the police: height, weight, age, complexion, color of hair and eyes, speech, dress, movements, and any outstanding peculiarities in appearance or actions, distinguishing characteristics such as tattoos, scars, missing teeth, jewelry, any physical handicaps, the direction in which the suspicious person travels, the mode of transportation used, and the color, make, model, and license number of car, if one is used.

UMHB Police Services and Crime Prevention

Emergency call boxes are located around the campus and provide a means of summoning police assistance. Call boxes are located at:

- Burt Hall on the corner of Moore and Reuter
- Library on sidewalk leading to Davidson
- Davidson in rear parking lot on 9th Street
- King Street between Remschel and Stribling Hall
- Parker Academic Center in front parking lot on sidewalk
- Mabee Student Center in rear parking lot
- Mayborn Campus Center in south parking lot
- Anderson Field House at the Crusader SportsPlex

In case of an emergency, UMHB Campus Police Department can be reached by dialing 295-5555 or 911. For nonemergency situations or to request other assistance, the UMHB police can be reached by dialing ext. 5555 (295-5555 off campus). The UMHB Campus Police Department is dispatched from the Bell County Communications Center.

Lighting has been placed in strategic locations on campus. When individuals notice that exterior lights are not working, they should report the location to the Physical Plant (ext. 4586) or the UMHB police (ext. 5555).

The University Counseling Center can assist individuals who are victims of crime. For assistance, call 295-4696. Additional assistance is provided by the Bell County Crime Victims Coalition.

The campus is patrolled 24 hours a day throughout the year. UMHB police officers patrol the campus in vehicles, on bicycles, and on foot.

The residence halls are staffed by Resident Directors and Resident Assistants.

Policies and regulations concerning student conduct exist to address crimes against persons and property.

A campus judicial system is in place to adjudicate violations of these behavioral policies. Individuals involved in criminal behavior are subject to arrest and referral to the criminal justice system as well as university sanctions.

- The Student Threat Assessment Team is a resource which evaluates the needs of students who may be in the midst of a crisis.
- Throughout the year, the UMHB Campus Police Department presents crime prevention programming which includes:
 - Rape Prevention and Self-defense
 - Operation Identification
 - Media Presentations
 - Crime Prevention Seminars

Information about these programs and others are available by contacting the UMHB Campus Police Department.

General Safety

- Avoid walking alone, particularly after dark. If walking alone is unavoidable, be aware of the surroundings or contact the campus police for an escort.
- Walk with confidence and determination, holding head up. Look behind and around frequently.
- Avoid shortcuts. The shortest route is not always the safest route.
- Dress for mobility, particularly after dark. Carry personal belongings in a backpack or similar container that will enable arms and hands to be free at all times.
- Never pick up hitchhikers.
- If a driver stops to ask directions, do not get too close to the vehicle and risk being pulled inside.
- Never allow someone to predict the route of travel. Whether driving, biking, walking, or jogging, frequently alter the route between campus and residence.
- Register, engrave, mark and/or photograph all valuables including bicycles, stereos, jewelry, vehicles, computers, etc. For assistance and to borrow an engraver and inventory forms contact the UMHB Campus Police Department.

Safety in Residence Halls

- Never prop a door open, even if gone for only a few minutes. Always lock doors, screens, and windows to prevent uninvited access to the room and/or residence hall.
- Do not leave valuables in plain sight.
- Never let strangers into the hall. This puts each resident at risk.
- Be aware of suspicious persons and activities. If someone or something suspicious is observed, notify the residence hall staff and the UMHB Campus Police Department.
- Report lost or stolen UMHB identification cards.

Safety in Campus Buildings

- Never leave personal property unsecured or unattended.
- Look around and be aware of surroundings when entering and exiting a building.
- Always tell someone a destination and return time.

Safety off Campus

- Keep doors and windows locked at all times. All exterior doors should be equipped with deadbolt locks.
- If there is not a peephole, request that one be installed.
- Know who to call in an emergency.
- Do not open the door for anyone not known. If a person in uniform knocks, and a call for assistance was not made, contact the person's place of employment to verify the reason for the visit.
- Use outside lighting and keep shrubbery trimmed around windows and doors.

Safety on Dates

- Know sexual limits and communicate them clearly and firmly.

- Do not allow body language to send a different message from verbal communication.
- Avoid use of mind-altering chemicals.
- Listen to and respond to instincts. They are usually correct.
- Never accept a ride from someone not known well.

Reducing Opportunity for Sexual Assault

- Avoid deserted areas.
- Be aware of surroundings and think about personal defense. Develop a “game plan” for prevention.
- Make an inspection of the interior before entering a vehicle. Once inside, lock all doors and windows.
- Do not go inside the residence if upon return the door is ajar. Immediately notify the police.
- Park in well-lighted areas. Do not park where suspicious persons are loitering. Again, trust and follow your instincts.

What To Do if You Are The Victim of a Sexual Assault

Immediately call the UMHB Campus Police Department by dialing 5555 or 295-5555. Do not bathe or shower. Do not throw away or wash the clothes you were wearing at the time of the assault. These are evidentiary items that are vital to a criminal investigation of a sexual assault. In all cases, victims have a right to make their own decision, and these rights are assured regarding reporting and referrals to campus and community support services. To assist victims of sexual assault, the university will make reasonable changes in academic and living situations. These changes will be made only if it is a request of the victim of sexual assault. Options may include, but are not limited to, change of residence hall room or class schedule. As in all cases where a disciplinary action may be given for an offense, the accuser, as well as the accused, shall be informed of the outcome of the investigation and the disciplinary proceedings.

Clery Act Report

Crime Statistics required by the Clery Act may be accessed on the UMHB Campus Police Department web site at:

<http://www.umhb.edu/resources/campussafety/about>

A printed copy of the Clery Act Report can be obtained by contacting the UMHB Campus Police Department 295-5555.

Registered Sex Offender

In addition to registering with the jurisdiction in which he/she resides, the registered sex offender is also required to register with the UMHB Campus Police Department prior to attending class. The jurisdiction in which the sex offender resides will also notify the UMHB Campus Police Department. Members of the public may obtain a listing of registered sex offenders from the Texas Department of Public Safety, online at: <http://records.txdps.state.tx.us/>

WHO TO CONTACT FOR HELP

(all numbers in Area Code 254)

- Any campus emergency911
- UMHB Police.....295-5555
- (non-emergency)
- Off campus emergency911
- (coin operated telephone-no coins required)
- Belton Police933-5840
- Dean of Students295-4589
- Rape Crisis Center773-7765
- 1-888-799-7233
- Counseling Center295-4596

SECTION SIX

VEHICLES, PARKING & CAMPUS TRAFFIC REGULATIONS

Vehicle Parking Permits and Restrictions

The campus is defined as all land owned by the University of Mary Hardin-Baylor. Anyone parking within these confines is required to display a UMHB parking decal on his/her vehicle(s). The university issues two types of parking permits to include faculty/staff and students. ***Certain parking lots and parking areas are reserved for faculty/staff. Students are not allowed to park in these areas between the hours of 7:30 a.m. to 4:30 p.m.*** In the event faculty/staff parking areas are full, faculty/staff may park in any parking area.

VEHICLE PARKING PERMIT FEES AND REGULATIONS

1. Automobiles:

Per semester \$ 40

2. Motorcycle:

Per semester \$ 40

3. Temporary permits No Charge

4. Changing Vehicles\$ 15

5. Additional or Replacement

permits\$ 15

A parking decal may be purchased when registering for class. After registration, a student should pay for the decal at the Cashier's Office and come by the UMHB Campus Police Department to request a parking decal. To obtain a parking decal, a student must have the year, color, license number, make and model of the vehicle. Parking decals expire on August 15 of each year. Rain or inclement weather will not alter any provisions of the traffic and parking regulations. The speed limit on parking lots is 15 miles per hour under normal conditions.

Temporary Parking Decals

Every vehicle parked on campus must display a valid UMHB parking decal. Visitors, faculty, staff and students who will be parking an unregistered vehicle on campus must first obtain a temporary parking decal from the UMHB Campus Police Department at 816 College Street. Temporary parking decals are available 24 hours a day by contacting the UMHB police at 295-5555.

Vehicle Parking Permit Display

- ALL VEHICLES parked on campus MUST display a valid parking permit.
- The vehicle parking permit is to be displayed on the bottom left corner of the rear windshield. For convertibles and trucks with campers, the parking decal will be displayed in the upper left-hand corner of the front windshield.
- Regulations for the display of parking permits other than for automobiles will be given at the time of the purchase of the decal.
- Lost or stolen parking permits must be replaced at the student's expense. Replacement parking permits are purchased at additional parking permit fee.
- Decals MUST BE permanently attached to the exterior of the rear windshield unless other arrangements have been made.

Failure to properly display the parking permit constitutes a parking violation. Parking decals should be displayed on the exterior windshield of the vehicles. Decals are non-transferable and cannot be taped to a windshield or placed on different cars.

TRAFFIC VIOLATIONS AND FINES

Fines may be paid in the Cashier's Office, which is located in the Sanderford Administrative Complex

Improper parking	\$ 25
Parking in reserved/prohibited areas	\$ 25
Blocking crosswalk	\$ 25
Failure to stop	\$ 25
No decal/invalid decal	\$ 25
Improperly attached decal	\$ 25
Failure to yield right-of-way	\$ 25
Speeding	\$ 50
Reckless driving	\$ 50
Boot Removal	\$ 30
No parking/red zone	\$ 25
Parked on sidewalk/grass	\$ 25
Not in designated space	\$ 25
F/E Parking Area	\$ 25
Visitor Parking	\$ 25
Parking In/Blocking Handicap	\$ 50
Moving Violation	\$ 50
Suspension of Parking	\$ 50
Parked in Maintenance Space	\$ 25
Overtime Parking	\$ 25
Parked in Fire Lane	\$ 25
Double Parked	\$ 25
Other	\$ 25

The university reserves the rights to change, add, or delete the violation types and amounts as defined in the University Traffic and Parking Regulations at any time.

Unpaid Fines

All citations are automatically placed on the student's financial record. All charges must be paid prior to registering for classes, receiving clearance for graduation or having a transcript sent to another institution.

Suspension of Parking Privileges

Parking decals are the property of the University of Mary Hardin-Baylor and may be recalled with parking privileges revoked by the UMHB Police Chief. Any vehicle cited for violations of the parking and traffic regulations with respect to receiving the issuance of five (5) or more citations within any twelve-month period to any vehicle registered to a UMHB decal holder, or student operating more than one (1) vehicle on campus, may have his or her parking privileges canceled. When a person accumulates five (5) violations during the course of an academic calendar year, on-campus parking privileges of the individual may be suspended. Should a suspended vehicle be parked on campus, it is subject to towing or being immobilized. A violation of suspension fine of \$50 will be assessed in addition to any other fines

incurred. The violator may appeal his/her suspension to the UMHB Police Chief at the UMHB Campus Police Department.

Reasons for Vehicle Booting and/or Towing

A vehicle may be booted or towed (without notice) for any of the following reasons:

1. Violation of the university parking and traffic regulations.
2. Blocking a fire lane or hydrant.
3. Parked in violation of posted signs.
4. Parked next to a no-parking sign/symbol or in a "red" curbed space.
5. Blocking one or more other vehicles.
6. Blocking a roadway, drive, entry/exit gate, or loading dock.
7. Parked in a reserved space or area.
8. Parked in a disabled space without appropriate plate/placard displayed.
9. Parked in a lot, area, space that is designated as permit specific, and it does not have a valid permit displayed.
10. Creating a real or potential safety hazard.
11. Parked in a lot or other designated area that has been reserved for a special event.
12. The owner has outstanding delinquent parking citations, is using a revoked, altered or stolen permit or vehicle is on the scofflaw list.
13. Suspension of parking privileges.
14. Crossing of a physical barrier.

Disabled Parking

The university strongly supports the provisions of designated disabled parking spaces at a reasonable proximity to campus buildings for individuals who are physically disabled. To park in a disabled parking space, a state-issued disabled parking permit is required. The permit must be valid and be properly attached to the vehicle. Also, a disabled person must be operating the vehicle for it to be parked in a disabled parking space. Parking in or blocking a disabled space will result in a parking fine or having the vehicle towed. Disabled parking permits may be obtained from Bell County. The person must have a letter from his/her attending physician stating the medical condition and estimated length of time of need. A recognized disabled Texas license plate may be used in lieu of a disabled parking decal. In addition to displaying a disabled parking decal, the vehicle must also display the appropriate UMHB parking decal.

Application for Handicap Placard:

Tax Assessor-Collector

Phone: (254) 933-5318

Office Address: 411 E. Central

Belton, TX 76513-324

Mailing Address: PO Box 669

Belton, TX 76513-3241 or your local tax office

Applications require a doctor's notarized statement to indicate the type of disability.

Visitor Parking

All visitors to campus are required to obtain a valid visitors parking pass before parking on campus as a visitor. Visitor parking is restricted to visitor parking spaces. A first citation may be considered a WARNING, if the person advises the campus police of his/her visitor status. **(A visitor is defined as a person(s) who has no official connection with UMHB.)**

Students, faculty and staff are not considered visitors and are not issued visitor passes. Students are not permitted to park in visitor parking spaces day or night. Visitors may obtain day parking passes at the UMHB Campus Police Department at 816 College Street.

Appealing a Citation

If a person feels he/she has been wrongfully cited, the student may file an appeal with the UMHB Chief of Police. An appeal must be completed at the UMHB Campus Police Department within 7 days from the date the citation is issued. Disagreement with the regulations or failing to know regulations is not acceptable reasons to appeal a citation.

Bicycle Registration

ALL BICYCLES on campus must be registered (no charge) with the UMHB Campus Police Department.

Bicycle Parking

Bicycles are to be parked at bicycle racks. Bicycles are not to be attached to railings, benches, or other landscaping on campus.

Removal of Bicycles

Each year bicycles not removed by the end of the spring term will be confiscated and disposed of after 30 days. It is the responsibility of students attending summer sessions to contact the UMHB Campus Police Department before the end of the spring term if they will be keeping a bicycle on campus during the summer.

Use of Sidewalks

Sidewalks are to be utilized where available on campus. Walking on roadways is strongly discouraged. Motorized vehicles are not allowed on sidewalks.

SECTION SEVEN

INFORMATION TECHNOLOGY

Computer Crimes Law

In 1985, a computer crimes law for the state of Texas took effect. This law was last amended in 2007. Under this state law, it is a crime to make unauthorized use of protected computer systems or data files on computers, or to make intentionally harmful use of such computers or data files. The seriousness of such a crime ranges from Class B misdemeanor to third-degree felony.

Texas Computer Crimes Statute

SECTION 1. Title 7, Chapter 33, Texas Penal

Code § 33.01. DEFINITIONS.

In this chapter:

- (1) "Access" means to approach, instruct, communicate with, store data in, retrieve or intercept data from, alter data or computer software in, or otherwise make use of any resource of a computer, computer network, computer program, or computer system.
- (2) "Aggregate amount" means the amount of:
 - (A) any direct or indirect loss incurred by a victim, including the value of money, property, or service stolen or rendered unrecoverable by the offense; or
 - (B) any expenditure required by the victim to verify that a computer, computer network, computer program, or computer system was not altered, acquired, damaged, deleted, or disrupted by the offense.
- (3) "Communications common carrier" means a person who owns or operates a telephone system in this state that includes equipment or facilities for the conveyance, transmission, or reception of communications and who receives compensation from persons who use that system.
- (4) "Computer" means an electronic, magnetic, optical, electrochemical, or other high-speed data processing device that performs logical, arithmetic, or memory functions by the manipulations of electronic or magnetic impulses and includes all input, output, processing, storage, or communication facilities that are connected or related to the device.
- (5) "Computer network" means the interconnection of two or more computers or computer systems by satellite, microwave, line, or other communication medium with the capability to transmit information among the computers.
- (6) "Computer program" means an ordered set of data representing coded instructions or statements that when executed by a computer cause the computer to process data or perform specific functions.
- (7) "Computer services" means the product of the use of a computer, the information stored in the computer, or the personnel supporting the computer, including computer time, data processing, and storage functions.
- (8) "Computer system" means any combination of a computer or computer network with the documentation, computer software, or physical facilities supporting the computer or computer network.
- (9) "Computer software" means a set of computer programs, procedures, and associated documentation related to the operation of a computer, computer system, or computer network.
- (10) "Computer virus" means an unwanted computer program or other set of instructions inserted into a computer's memory, operating system, or program that is specifically constructed with the ability to replicate itself or to affect the other programs or files in the computer by attaching a copy of the unwanted program or other set of instructions to one or more computer programs or files.
- (11) "Data" means a representation of information, knowledge, facts, concepts, or instructions that is being prepared or has been prepared in a formalized manner and is intended to be stored or processed, is being stored or processed, or has been stored or processed in a computer. Data may be embodied in any form, including but not limited to computer

printouts, magnetic storage media, laser storage media, and punch- cards, or may be stored internally in the memory of the computer.

(12) "Effective consent" includes consent by a person legally authorized to act for the owner. Consent is not effective if: (A) induced by deception, as defined by Section 31.01, or induced by coercion; (B) given by a person the actor knows is not legally authorized to act for the owner; (C) given by a person who by reason of youth, mental disease or defect, or intoxication is known by the actor to be unable to make reasonable property dispositions;

(D) given solely to detect the commission of an offense; or (E) used for a purpose other than that for which the consent was given.

(13) "Electric utility" has the meaning assigned by Section 31.002, Utilities Code.

(14) "Harm" includes partial or total alteration, damage, or erasure of stored data, interruption of computer services, introduction of a computer virus, or any other loss, disadvantage, or injury that might reasonably be suffered as a result of the actor's conduct.

(15) "Owner" means a person who:

(A) has title to the property, possession of the property, whether lawful or not, or a greater right to possession of the property than the actor;

(B) has the right to restrict access to the property; or (C) is the licensee of data or computer software.

(16) "Property" means:

(A) tangible or intangible personal property including a computer, computer system, computer network, computer software, or data; or (B) the use of a computer, computer system, computer network, computer software, or data.

Added by Acts 1985, 69th Leg., ch. 600, § 1, eff. Sept. 1, 1985. Amended by Acts 1989, 71st Leg., ch. 306, § 1, eff. Sept. 1, 1989; Acts 1993, 73rd Leg., ch. 900, § 1.01, eff. Sept. 1, 1994; Acts 1997, 75th Leg., ch. 306, § 1, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 62, § 18.44, eff. Sept. 1, 1999.

§ 33.02. BREACH OF COMPUTER SECURITY.

(a) A person commits an offense if the person knowingly accesses a computer, computer network, or computer system without the effective consent of the owner.

(b) An offense under this section is a Class B misdemeanor unless in committing the offense the actor knowingly obtains a benefit, defrauds or harms another, or alters, damages, or deletes property, in which event the offense is:

(1) a Class A misdemeanor if the aggregate amount involved is less than \$1,500; (2) a state jail felony if: (A) the aggregate amount involved is \$1,500 or more but less than \$20,000; or (B) the aggregate amount involved is less than \$1,500 and the defendant has been previously convicted two or more times of an offense under this chapter; (3) a felony of the third degree if the aggregate amount involved is \$20,000 or more but less than \$100,000; (4) a felony of the second degree if the aggregate amount involved is \$100,000 or more but less than \$200,000; or (5) a felony of the first degree if the aggregate amount involved is \$200,000 or more.

(c) When benefits are obtained, a victim is defrauded or harmed, or property is altered, damaged, or deleted in violation of this section, whether or not in a single incident, the conduct may be considered as one offense and the value of the benefits obtained and of the losses incurred because of the fraud, harm, or alteration, damage, or deletion of property may be aggregated in determining the grade of the offense.

(d) A person who his subject to prosecution under this section and any other section of this code may be prosecuted under either or both sections.

Added by Acts 1985, 69th Leg., ch. 600, § 1, eff. Sept. 1, 1985. Amended by Acts 1989, 71st Leg., ch. 306, § 2, eff. Sept. 1, 1989; Acts 1993, 73rd Leg., ch. 900, § 1.01, eff. Sept. 1, 1994; Acts 1997, 75th Leg., ch. 306, § 2, eff. Sept. 1, 1997; Acts 2001, 77th Leg., ch. 1411, § 1, eff. Sept. 1, 2001.

§ 33.021. ONLINE SOLICITATION OF A MINOR.

(a) In this section:

(1) "Minor" means: (A) an individual who represents himself or herself to be younger than 17 years of age; or (B) an individual whom the actor believes to be younger than 17 years of age.

(2) "Sexual contact," "sexual intercourse," and "deviate sexual intercourse" have the meanings assigned by Section 21.01.

(3) "Sexually explicit" means any communication, language, or material, including a photographic or video image that relates to or describes sexual conduct, as defined by Section 43.25.

(b) A person who is 17 years of age or older commits an offense if, with the intent to arouse or gratify the sexual desire of any person, the person, over the Internet, by electronic mail or text message or other electronic message service or system, or through a commercial online service, intentionally: (1) communicates in a sexually explicit manner with a minor; or

(2) distributes sexually explicit material to a minor.

(c) A person commits an offense if the person, over the Internet, by electronic mail or text message or other electronic message service or system, or through a commercial online service, knowingly solicits a minor to meet another person, including the actor, with the intent that the minor will engage in sexual contact, sexual intercourse, or deviate sexual intercourse with the actor or another person.

(d) It is not a defense to prosecution under Subsection (c) that: (1) the meeting did not occur; (2) the actor did not intend for the meeting to occur; or (3) the actor was engaged in a fantasy at the time of commission of the offense.

(e) It is a defense to prosecution under this section that at the time conduct described by Subsection (b) or (c) was committed: (1) the actor was married to the minor; or (2) the actor was not more than three years older than the minor and the minor consented to the conduct.

(f) An offense under Subsection (b) is a felony of the third degree, except that the offense is a felony of the second degree if the minor is younger than 14 years of age or is an individual whom the actor believes to be younger than 14 years of age at the time of the commission of the offense. An offense under Subsection (c) is a felony of the second degree.

(g) If conduct that constitutes an offense under this section also constitutes an offense under any other law, the actor may be prosecuted under this section, the other law, or both.

Added by Acts 2005, 79th Leg., Ch. 1273, § 1, eff. June 18, 2005. Amended by: Acts 2007, 80th Leg., R.S., Ch. 610, § 2, eff. September 1, 2007. Acts 2007, 80th Leg., R.S., Ch. 1291, § 7, eff. September 1, 2007.

§ 33.03. DEFENSES.

It is an affirmative defense to prosecution under Section 33.02 that the actor was an officer, employee, or agent of a communications common carrier or electric utility and committed the proscribed act or acts in the course of employment while engaged in an activity that is a necessary incident to the rendition of service or to the protection of the rights or property of the communications common carrier or electric utility.

Added by Acts 1985, 69th Leg., ch. 600, § 1, eff. Sept. 1, 1985. Renumbered from Penal Code § 33.04 and amended by Acts 1993, 73rd Leg., ch. 900, § 1.01, eff. Sept. 1, 1994.

§ 33.04. ASSISTANCE BY ATTORNEY GENERAL. The attorney general, if requested to do so by a prosecuting attorney, may assist the prosecuting attorney in the investigation or prosecution of an offense under this chapter or of any other offense involving the use of a computer.

Added by Acts 1985, 69th Leg., ch. 600, § 1, eff. Sept. 1, 1985. Renumbered from Penal Code § 33.05 by Acts 1993, 73rd Leg., ch. 900, § 1.01, eff. Sept. 1, 1994.

§ 33.05. TAMPERING WITH DIRECT RECORDING ELECTRONIC VOTING MACHINE.

(a) In this section: (1) "Direct recording electronic voting machine" has the meaning assigned by Section 121.003, Election Code.

(2) "Measure" has the meaning assigned by Section 1.005, Election Code.

(b) A person commits an offense if the person knowingly accesses a computer, computer network, computer program, computer software, or computer system that is a part of a voting system that uses direct recording electronic voting machines and by means of that access:

(1) prevents a person from lawfully casting a vote; (2) changes a lawfully cast vote;

(3) prevents a lawfully cast vote from being counted; or (4) causes a vote that was not lawfully cast to be counted.

(c) An offense under this section does not require that the votes as affected by the person's actions described by Subsection (b) actually be the votes used in the official determination of the outcome of the election.

(d) An offense under this section is a felony of the first degree.

(e) Notwithstanding Section 15.01(d), an offense under Section 15.01(a) is a felony of the third degree if the offense the actor intends to commit is an offense under this section.

Added by Acts 2005, 79th Leg., Ch. 470, § 1, eff. September 1, 2005

SECTION EIGHT

APPEAL PROCESS REGARDING IMPOSED RESTRICTIONS DUE TO HEALTH CONDITIONS

Notice of hearing:

If the student requests an appeal, the Dean of Students shall set the date, time, and place of the hearing and notify the student against whom the restrictions in question have been imposed. Unless postponed, the hearing must be conducted within ten school days after the student's request for a hearing. The notice of hearing must also include: (a) a summary of the health problem experienced by the student, including documentation from any attending physician, psychiatrist, psychologist, or therapist, or any other medically qualified individual who has treated the student and can provide information, and (b) documentation or any incident report(s) related to the problems arising from the student's health problem.

Disqualification

A member of the committee shall disqualify himself or herself if he or she feels that, in reaching a decision as to whether or not the student's health problem poses a threat to himself/herself or others or creates a disruption of the university's academic or student life activities, he or she cannot act on the information without bias or prejudice. If a member of the committee disqualifies himself or herself, a replacement must be selected by the Dean of Students.

Quorum

A quorum for a committee hearing is three of the four members appointed by the Dean of Students.

Who May Attend

Only members of the committee, the student, and the Dean of Students may attend the full hearing. Anyone presenting information may be present only while giving that information. A lawyer representing the student and character witnesses are specifically prohibited from attending any portion of the hearing.

The Hearing

A hearing should be an informal give-and-take between the student, the Dean of Students, and the members of the committee. The student will be given the opportunity to characterize his or her conduct and explain his or her medical condition to put it in the context he or she deems proper.

Information Presented to the Committee

In order to preserve the objectivity of the members of the committee, no person may present information regarding the sanction or restriction imposed against the student or concerning the student's health problem to a member of the committee prior to a hearing. At the hearing, the student and the Dean of Students shall present to the committee any information, oral or written, that in the discretion of the members of the committee, may shed light on the facts and circumstances surrounding it. It is important for the Dean of Students and the student to offer all of their information at the time of the hearing. Once the hearing is concluded, the committee may not consider additional information or testimony.

Failure to Appear

If the student who has requested the appeal and

review by the committee, fails to appear before the committee on the designated date and at the time and place outlined in the notice, the committee may take the information provided by the Dean of Students and reach a decision on the basis of that information. If either the Dean of Students or the student is unable to attend on the date specified on the notice, he or she should notify the committee members of the reasons that prevent his or her attendance as scheduled. A new date will be set if the committee feels there is good cause to do so.

Decision of the Committee

After the hearing is concluded, the members of the committee shall meet privately and discuss the information provided. The members of the committee shall take a vote to determine if they wish to deny or uphold the restrictions or sanctions imposed against the student. The committee shall convey its decision to the Dean of Students and to the student in question.

Appeal of the Decision of the Committee

If the student believes that the committee has acted arbitrarily or capriciously in reaching a decision, and that the information provided supports another decision, he or she may appeal to the Vice President for Student Life.

The Vice President for Student Life shall review the record of the hearing and the information presented by the student appealing the decision of the committee. The vice president will either affirm or reverse the decision of the committee if he or she finds substantial evidence that the committee's decision was arbitrary or capricious.