

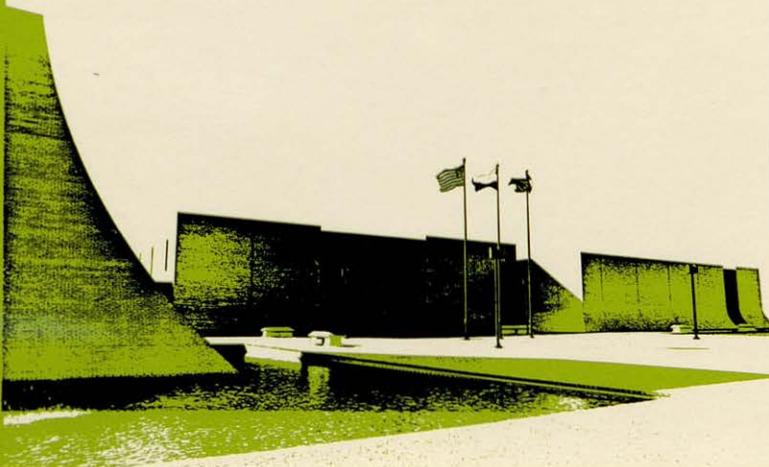


Bulletin of
TEXAS TECH UNIVERSITY

Vol. XLVII, No. 6, July 1971

Lubbock, Texas

**Code of Student Affairs
and
Rules and Regulations
1971-1972**



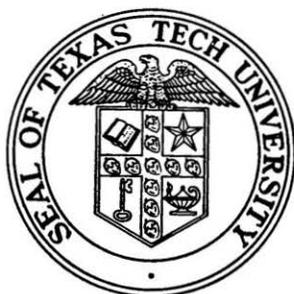
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"This institution is an integrated institution of higher learning at all levels."—*Policy Statements of the Board of Regents of Texas Tech University.*

Published monthly by Texas Tech University, Lubbock, Texas 79409.
Second-class postage paid at Lubbock, Texas.

A Message from the President of Texas Tech University

Great universities are unique in society because of their specific responsibilities, in the broad sense, to (1) transmit the heritage, and (2) push back continually the frontiers of knowledge. Universities worthy of the name strive to be characterized by at least these activities:

- (1) Academic freedom and responsibility,
- (2) Free inquiry,
- (3) Search for the truth,
- (4) Adventures in learning,
- (5) Community (public) services and contributions,
- (6) Documentation of knowledge and critical, objective appraisal of its value to mankind,
- (7) Maintenance of an atmosphere conducive to maturing and growth.

It is this kind of university Texas Tech is becoming because of the support it has had from within and without the University. The student bodies of this University have increasingly exhibited their dedication to learning by their responsible and mature attention to improved instruction and activities and by their assumption of expanded self-responsibility and self-reliance. Contemporary members of the student body have demonstrated, in vast majority, a commendable dedication to goals designed to maintain and improve 1) the calibre of the institution in all its varied aspects and 2) an atmosphere of mutual understanding and trust between the different elements of the University community.

The faculty and staff of Texas Tech have done likewise and, in addition, have developed a broad spectrum of curricula and have engaged in teaching, research activities, and public services which have markedly improved many aspects of the life of the community, the region, and the state.

The Board of Regents of the University has shown great foresight in supporting its academic programs and other activities, has continually pressed for the improvement and expansion of all these, and has, with equally great foresight, wisely provided and supervised development of the physical facilities needed for the total welfare and functioning of the University.

The State of Texas, through both its legislature and executive branches, has indicated its intention that Texas Tech shall be a state university of the first class and has attempted each year to provide financial support for this effort.

Taxpayer-supported colleges and universities of Texas are public trusts and belong to the people of Texas. Texas state colleges and universities hold the duty and obligation to fulfill that trust. Any state college or university, because of its broad ranging responsibilities, must also provide safeguards to ensure that orderly functioning of its various activities is carried out to the maximum possible extent.

Membership in the Texas Tech community requires compliance with established institutional regulations of behavior and conduct. The administration and the Board of Regents of the University neither condone, nor will tolerate, irresponsibility of actions

or interruptions of the orderly processes conducive to maintenance of a desirable learning atmosphere. The administration and the Board of Regents of Texas Tech intend unequivocally that abrogation of the University's requirements of conduct and behavior shall make the offender liable to disciplinary action, including separation from the University community.

I take great personal pride and pleasure in having the privilege of being President of Texas Tech. It is out of this feeling that I seek understanding of the Texas Tech community, its role, and its requirements and responsibilities by all the citizens of Texas. My allegiance to the institution also requires of me that I clarify, especially for members of the University community, the special responsibilities and requirements which fall upon them. I ask each individual to join me in a firm commitment to work toward building an increasingly greater Texas Tech.

Sincerely,

GROVER E. MURRAY,
President
Texas Tech University

Part I

Code of Student Affairs

Foreword

In a university, as in any community, it is necessary to have regulations by which its members abide and procedures by which its organizations function. The standards must be stringent enough to prevent disorder, yet moderate enough to provide an atmosphere conducive to intellectual and personal development. It is intended that this Code will serve the interest of all segments of Texas Tech University.

The Individual Student

Free inquiry and free expression are essential attributes of a community of scholars. As members of the University community, students are involved in the search for truth and have certain basic rights and responsibilities. Students should endeavor to exercise the freedom to search out and express truths with maturity and responsibility and to develop the capacity for critical judgment. To stimulate and aid the development of a situation in which a student may play an important role in the work of the institution, Texas Tech recognizes certain basic freedoms and responsibilities as necessary and proper.

A. IN STUDENT AFFAIRS

1. Students are free to exercise all the privileges of citizenship, including freedom of speech, the right of peaceful assembly, the right of petition, and the right to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures.

2. Students who may identify themselves with off-campus organizations and participate in their off-campus programs do so as individuals.

3. Student government at Texas Tech is recognized as the official organization representing students and is free of arbitrary control by the University.

4. These privileges carry with them the obligations of responsible citizens. Students are expected to conform to University regulations as well as to local, state, and federal laws.

B. IN THE CLASSROOM

Freedom to discuss, to inquire, and to express oneself in appropriate and relevant areas is honored in the classroom. The free exchange of ideas and the discussion of ideas in the classroom are protected and nurtured as

safeguards of the freedom to learn. Student performance is evaluated solely on the basis of academic performance. Maintenance of good order in the exercise of these freedoms shall be vested in the teacher in each classroom.

Official Student Publications

The *University Daily* and the *La Ventana* (yearbook) are designed (1) to provide training experiences for those members of the student body who may wish to develop their own special talents or interests in journalism and publications, and (2) to provide the University community and the general public with news and comments concerning the University. Therefore these student publications are free of arbitrary and capricious censorship and advance-copy approval, when operated and published within the canons of responsible journalism as established by the University Committee on Student Publications. Within this framework, editors and managers are free to establish their own editorial policies in collaboration with the Director of Student Publications.

Student Organizations

University Committee on Student Organizations

The University Committee on Student Organizations develops all policies which govern the recognition and functioning of student organizations. More specifically, its functions are (1) to originate and to recommend policy affecting student organizations, (2) to design acceptable standards for their operation, (3) to establish procedure whereby they may obtain recognition, (4) to approve or deny recognition to applicant organizations, (5) to revoke recognition of any organization that does not comply with the designated standards of operation, (6) to remove from office any officer of a student organization who, in the opinion of the committee, is derelict in his duties, and (7) to review appeals concerning proposed organizational rule changes and organizational disciplinary cases.

The Committee on Student Organizations shall be a standing committee, and the membership shall be as follows:

1. There shall be four faculty members appointed by the President from a list of eight persons nominated by the Faculty Council. One of these four shall be designated as chairman. These members shall be appointed for staggered, three-year terms.

2. Three students, including the Vice President of the Student Association, shall be appointed annually by the President of the Student Association, with the advice and consent of the Student Senate.

3. In addition to the above, the Assistant Dean of Students for Programs shall be a non-voting member of the committee.

For additional information see the Policy Manual of the University Committee on Student Organizations available in the office of the Assistant Dean of Students for Programs.

University Committee on the Code of Student Affairs

The functions of the University Committee on the Code of Student Affairs shall be (1) to conduct a continuing review of the Code and to make recommendations to the office of the President regarding omissions, need for clarification, possible changes needed, and other matters germane to the proper interpretation and operation of the Code by the University, (2) to recommend that all other guidelines and operating procedures emanating from student organizations or administrative units with responsibilities for student affairs are in accordance with the Code of Student Affairs, and (3) to review regulations contained in other official University publications which affect the conduct of the student, and to make recommendations to the office of the President concerning these regulations as they relate to the Code of Student Affairs.

The University Committee on the Code of Student Affairs shall be a standing committee, and the membership shall be as follows:

1. There shall be four faculty members appointed by the President, one of whom shall serve as chairman and shall vote only in case of a tie.
2. There shall be three student members appointed by the President of the Student Association with the advice and consent of the Student Senate.

Amendments

Amendments to this Code may be recommended to the President of the University by the University Committee on the Code of Student Affairs. Amendments also may be initiated by a two-thirds vote of the Student Senate. When such a vote has been recorded, the University Student Elections Committee shall refer the proposed amendment or amendments to a vote of the student body. Upon a two-thirds favorable vote of those voting, the amendment or amendments shall be transmitted by the Committee on the Code of Student Affairs with its recommendations to the President of the University for his approval or rejection.

General Policy

The *General Catalog* of the University, the *Student Handbook*, and other official University publications contain the basic policy statements and academic regulations of the institution. The student is expected to familiarize himself/herself with and abide by these statements and regulations during the period of his enrollment at the University. Students are also referred to the message from the President, appearing on page 3 of this Code, which contains both general and specific statements of expected conduct and behavior as adopted by the Board of Regents.

A student enrolling in the University assumes an obligation to conduct himself/herself in a manner compatible with the University's function as an educational institution. This obligation prohibits any act of obstruction or disruption of teaching, research, education, disciplinary procedures,

or other University activities—including its public service functions or other authorized activities on University premises. Students shall not engage in (1) any activity which may result in any physical abuse of any person on University-owned or -controlled property or at University-sponsored or -supervised functions, or (2) any conduct which threatens or endangers the health or safety of any person. Students shall not engage in any unauthorized entry to or use of University facilities. Students are expected to assume responsibility for their personal property. Any student found guilty of defacing or appropriating public or private property will be subject to disciplinary action by the University. By the same token, it is assumed that the academic community as a whole will comply with University policies and campus regulations and will follow the directions of University officials acting in the performance of their duties.

Disciplinary Procedures

General

The authority to establish and enforce regulations of the University is vested in the Board of Regents. The responsibility of enforcing regulations and imposing penalties is delegated to the President and such University officials as he may designate.

Procedural Guarantees

A University official in the pursuit of an investigation of alleged student misconduct shall abide by commonly-recognized procedural safeguards.

When a student is charged with an infraction of University regulations which may result in the imposition of probation or suspension, the administrative official making those charges shall inform the student, in writing, (1) the nature of the charges which have been lodged against him, (2) the penalties which may be imposed, and (3) the student's right of appeal.

Pending final action on the charges, including appeals by the student, the student's status in the institution may not be altered nor will his right to attend classes be suspended, except (1) in cases in which, in the judgment of the Vice President for Student Affairs, the physical or emotional well-being of the student or of other students or of the faculty might be endangered, and (2) in the event of temporary suspension as hereinafter provided.

Disciplinary Action

Individual Offenses

An individual offense is one in which a University rule or regulation has been violated by one person acting on his own initiative and not as a representative of some organization.

A. MINOR OFFENSES AND PENALTIES

All offenses which may be punishable solely by reprimand shall be regarded as minor offenses. Reprimand may include, but is not limited to, counseling with or writing a letter to the student and to the parents or guardian of the student.

B. MAJOR OFFENSES AND PENALTIES

All offenses which may lead to probation or suspension shall be regarded as major offenses.

1. *Probation* shall apply for a stated period of time with or without specified restrictive conditions. Restrictive conditions may include, but are not limited to, removing the right of the student (1) to be initiated into any local or national organization; (2) to receive any University award, scholarship, or loan; (3) to occupy any position of leadership in any University or student organization or activity; or (4) to operate a motor vehicle on the campus. The status of probation shall not be a part of the student's permanent academic record.

2. *Suspension* shall be for an indefinite period, but in no case less than the remainder of the semester in which the offense is committed. During suspension, the student shall not (1) attend classes, (2) participate in any other University-related activity, or (3) be on the campus for any reason other than application for readmission. Should the student request a copy of his transcript during the period of suspension, his status of suspension shall show on his transcript. This status shall be removed by the office of the Associate Vice President for Academic Affairs when the student regains eligibility to enter the University. All notifications of individual suspension shall indicate (1) the date at which the suspension begins, (2) the earliest date at which application may be made for readmission, and (3) any special conditions relative to the steps in readmission.

The Associate Vice President for Academic Affairs or his designees shall have the right to extend the length of a student's period of suspension if, in their judgment, there is established evidence that his conduct during his suspension has been such as would have warranted disciplinary action had he been enrolled in the University. The student shall have the right to appeal such an extension of the suspension period to the University Appeals Committee.

Organizational Offenses

Any violation of University rules, organizational standards, or approved organizational objectives by an officially recognized campus organization or by a member acting in behalf of an organization shall constitute an organizational offense.

A. MINOR OFFENSES AND PENALTIES

All offenses which shall be punishable solely by reprimand shall be regarded as minor offenses. Reprimand may include, but is not limited to,

counseling with or writing a letter to the president of the organization and to the organization's chapter and headquarters.

B. MAJOR OFFENSES AND PENALTIES

All offenses which may lead to probation or suspension shall be regarded as major offenses.

1. *Probation* shall apply for a stated period of time with or without specified restrictive conditions. Restrictive conditions may include, but are not limited to, (1) removing the right of initiating pledges, (2) placing members on social probation, or (3) restricting certain rush functions.

2. *Suspension* shall be for an indefinite period, but in no case less than the remainder of the semester in which the offense is committed. During suspension, the organization shall not be recognized by the University. All notifications of organization suspension shall indicate (1) the date at which the suspension begins, (2) the earliest date at which a new application may be made for recognition, and (3) any special conditions relative to the process of reinstatement.

Disciplinary and Appellate Procedures

Disciplinary Agencies

A. OFFICE OF THE ASSOCIATE VICE PRESIDENT FOR ACADEMIC AFFAIRS

This office shall be the principal agency for the administration of discipline in cases classified as major offenses.

B. UNIVERSITY APPEALS COMMITTEE

The University Appeals Committee shall be empowered to review cases presented to it by tape recording and/or in writing by any individual or organization making an appeal regarding disciplinary actions which may lead to probation or suspension. It shall be composed of three full-time faculty members appointed annually by the President of the University, and any of these members may be reappointed. Three full-time faculty members shall be appointed to serve as alternates. For the purpose of this committee, "full-time faculty" shall include full-time persons holding professorial rank. Alternate members shall attend meetings only when serving in place of an absent regular member.

C. UNIVERSITY DISCIPLINE COMMITTEE

The University Discipline Committee shall be empowered to conduct disciplinary hearings on cases referred to it. It shall be composed of two faculty members, two students, and two staff members from the Division of Student Life. A quorum for the committee shall be four members provided at least one member is present from each of the three categories. Each member shall be appointed for a one-year term and may be reappointed. Selection procedure shall be as follows:

1. The chairman shall be appointed by the President of the University and shall be a full-time member of the faculty.

2. The vice-chairman shall be appointed by the President of the University and shall be a full-time member of the faculty.

3. Two student members shall be designated by the President of the Student Association with the advice and consent of the Student Senate.

4. Two staff members from the Division of Student Life shall be appointed by the Associate Vice President for Academic Affairs. A staff member who serves as an investigator and brings charges in disciplinary cases shall not serve as a member of the University Discipline Committee.

5. Alternates

a. A third full-time member of the faculty who shall serve as an alternate to either faculty member shall be appointed by the President of the University. He shall be appointed for a one-year term and may be reappointed.

b. A third student who shall serve as an alternate to either student member shall be designated by the President of the Student Association with the advice and consent of the Student Senate. He shall be appointed for a one-year term and may be reappointed.

c. A third staff member from the Division of Student Life who shall serve as an alternate to either staff member from the Division of Student Life shall be appointed by the Associate Vice President for Academic Affairs. He shall be appointed for a one-year term and may be reappointed.

6. The committee shall establish regular meeting times during which cases may be heard and provide for special meetings as needed. Alternate members shall attend meetings only when serving in place of an absent regular member.

Individual Offenses

A. MINOR OFFENSES

All minor offenses shall be dealt with by the office of the Assistant Dean of Students for Administration.

B. MAJOR OFFENSES

All major offenses shall be dealt with by the following procedures:

1. Investigation

Designated staff members in the office of the Assistant Dean of Students for Administration shall investigate and gather evidence about reported student misconduct. The investigator shall then evaluate this evidence as to its accuracy, credibility, and sufficiency. Upon concluding that a major offense has been committed and that there is sufficient evidence to prove this offense, he shall complete a written statement of the charge which shall include:

a. a written statement of the rule allegedly violated and the alleged act committed.

b. a statement of charges which, if proven, would constitute the alleged violation.

2. Notification of the Charge

On determination that the facts as stated in the charge, if proven, would constitute the alleged offense, the investigator shall notify the student that he is being charged with the commission of this offense. The investigator shall deliver the notification to the student personally or send it by registered mail to the student at his local address on record. Notification shall include:

- a. a written copy of the statement of the charge as conveyed by the investigator.
- b. a statement of the penalties which may be imposed if the charge is proven.
- c. a right to an election of a hearing before either the University Discipline Committee or a staff member from the Division of Student Life.
- d. a review of his rights during the hearing as outlined below.

3. Hearing

The accused student shall have reasonable time, not to exceed one calendar week from the time of notification of charges, to prepare his defense and to have his hearing scheduled. At his election the student may have his case heard either by the University Discipline Committee as a whole or by one of the staff members from the Division of Student Life who is a member of the Discipline Committee. If the student elects to have his case heard by a staff member from the Division of Student Life, the staff member shall not be the same person who was the investigator.

Regardless of whether the hearing is held before the Discipline Committee or a staff member from the Division of Student Life, the burden of proof rests with the investigator bringing the charge and the student shall have the following rights:

- a. to be accompanied by counsel of his choosing.
- b. to review all evidence which has been collected against him.
- c. to prepare his own defense within the time limit specified.
- d. to offer any information or evidence in his own defense or in mitigation or extenuation of the alleged misconduct.

Following the hearing, the Discipline Committee or the staff member from the Division of Student Life shall first decide whether the offense as charged has been proven by the evidence offered. If the Discipline Committee or the staff member from the Division of Student Life concludes that the offense has not been proven, then the case must be dismissed with written notice to the student. If the offense as charged has been proven, then the Discipline Committee or the staff member from the Division of Student Life shall determine the disciplinary penalty. A written notice of this decision shall be delivered or sent to the student along with notification of his right to appeal this decision. The disciplinary penalty shall ordinarily not begin until either the time for appeal to

the University Appeals Committee has expired without an appeal being made or the entire appeal process has been exhausted and a decision handed down. An exception to this rule shall be in cases in which (1) in the judgment of the Associate Vice President for Academic Affairs, the physical or emotional well-being of the student, of other students, or of members of the faculty and staff might be endangered, and (2) in such instances of temporary suspension as herein provided.

4. Appeal

The student shall notify the Associate Vice President for Academic Affairs of his intent to appeal within twenty-four hours of the receipt of the disciplinary decision, but shall have reasonable time, not to exceed one calendar week from the time of notification of the penalty, to file his appeal with the Associate Vice President for Academic Affairs, who shall then make the request for appeal known to the members of the University Appeals Committee. The Appeals Committee shall review any issue presented to it in writing by the student making the appeal or by the Assistant Dean of Students for Administration. The tape-recorded evidence and/or written summary of the evidence received at the discipline hearing shall be forwarded to the Appeals Committee by the University Discipline Committee, or the representative from the Division of Student Life hearing the charges, upon notification of the appeal. Any alleged error may pertain to substantive or procedural errors committed during the hearing or to capricious decisions. The alleged error must be described in sufficient detail to apprise the Appeals Committee of the nature of the appeal since no oral hearing will be granted. After considering the alleged error, if the Appeals Committee finds no error or finds that the error was not prejudicial to the student, it shall affirm the decision of the Discipline Committee or the staff member from the Division of Student Life. If the Appeals Committee finds prejudicial error, it shall return the case to the Discipline Committee or to the staff member from the Division of Student Life with instructions as to how the error should be corrected. A written notice of this decision shall be delivered or sent to the student by the Appeals Committee Chairman.

The student or the Assistant Dean of Students for Administration may request to appeal the decision of the Appeals Committee by filing a written request for a review with the Associate Vice President for Academic Affairs. This request must be filed within twenty-four hours of the student's receipt of the decision by the Appeals Committee. The Associate Vice President for Academic Affairs shall review the decision of the Appeals Committee and shall communicate his decision to both the student and the Appeals Committee. *A student will have exhausted his/her rights of appeal within the institution at this level.*

Organizational Offenses

A. MINOR OFFENSES

All minor offenses shall be disposed of by the Assistant Dean of Students for Programs.

B. MAJOR OFFENSES

All major offenses shall be disposed of by the following procedure:

1. Investigation and Notification of the Charge

The Assistant Dean of Students for Programs shall investigate and gather evidence about reported organization misconduct and shall evaluate this evidence as to its accuracy, credibility, and sufficiency. Upon concluding that a major offense has been committed and that there is sufficient evidence to prove this offense, the Assistant Dean of Students for Programs shall notify the organization that it is being charged with the commission of this offense. Notification shall include:

- a. a written statement of the rule allegedly violated and the alleged act committed.
- b. a statement of charges which, if proven, would constitute the alleged violation.
- c. a statement of the penalties which may be imposed if the charge is proven.

The Assistant Dean of Students for Programs shall then refer the case, at his discretion, to the respective organization court or to the Student Supreme Court. The accused organization shall be notified accordingly.

2. Hearing

The accused organization shall have reasonable time, not to exceed one calendar week from the time of notification of charges, to prepare its defense and have its hearing scheduled.

Regardless of whether the hearing is held before an organization court or the Student Supreme Court, the burden of proof rests with the investigator bringing the charge, and the organization shall have the following rights:

- a. to be accompanied by counsel of its own choosing.
- b. to review all evidence which has been collected against it.
- c. to prepare its own defense within the time limit specified.
- d. to offer any information or evidence in its own defense or in mitigation or extenuation of the alleged misconduct.

Following the hearing, the organization court or the Student Supreme Court shall first decide whether the offense as charged has been proven by the evidence offered. If the organization court or the Student Supreme Court concludes that the offense has not been proven, then they must dismiss the case with written notice to the organization and the Assistant Dean of Students for Programs. If the offense as charged has been proven, then the organization court or the Student Supreme Court shall determine and recommend the disciplinary penalty. A written copy of this decision

shall be sent to the organization along with notification of its right to appeal this decision. The disciplinary penalty shall ordinarily not begin until either the time for appeal to the University Committee on Student Organizations has expired without an appeal being made or the entire appeal process has been exhausted and a decision handed down. An exception to this rule shall be made (1) in cases in which, in the judgment of the Associate Vice President for Academic Affairs, the physical or emotional well-being of the organization, of other organizations or students, or of members of the faculty or staff might be endangered, and (2) in the event of temporary suspension as herein provided.

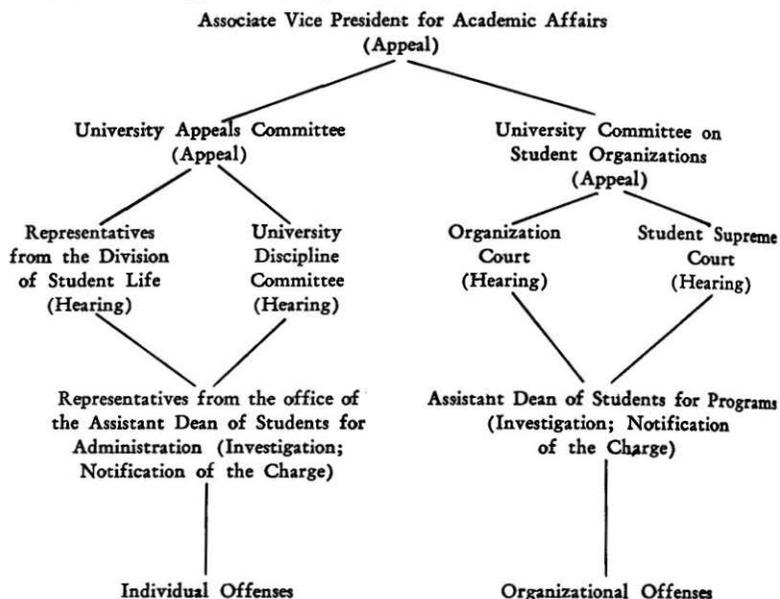
3. Appeal

The organization shall notify the Associate Vice President for Academic Affairs of its intent to appeal within twenty-four hours of the receipt of the disciplinary decision but shall have reasonable time, not to exceed one calendar week from the time of notification of the penalty, to file its written appeal with the Associate Vice President for Academic Affairs, who shall then make the request for appeal known to the members of the University Committee on Student Organizations. The tape-recorded evidence and/or written summary of the evidence received at the discipline hearing shall be forwarded to the Committee on Student Organizations by the respective organization court or the Student Supreme Court upon notification of the appeal. The Committee on Student Organizations shall review any case presented to it in writing by the organization making the appeal or by the office of the Assistant Dean of Students for Programs acting on its own initiative. Any alleged error may pertain to substantive or procedural errors committed during the hearing or to capricious decisions. The alleged error must be described in sufficient detail to apprise the Committee on Student Organizations of the nature of the appeal since no oral hearing will be granted. After considering the alleged error, if the Committee on Student Organizations finds no error or finds that the error was not prejudicial to the organization, it shall affirm the decision of the respective organization court or the Student Supreme Court. If the Committee on Student Organizations finds prejudicial error, it shall refer the case to the Assistant Dean of Students for Programs with instructions as to how the error should be corrected. A written copy of this decision shall be sent to the organization by the Chairman of the Committee on Student Organizations.

An organization or the Assistant Dean of Students for Programs may request to appeal the decision of the Committee on Student Organizations by filing a written request for a review with the Associate Vice President for Academic Affairs. This request must be filed within twenty-four hours of the organization's receipt of the decision by the Committee on Student Organizations. The Associate Vice President for Academic Affairs shall review the decision of the Committee on

Student Organizations and shall communicate his decision to both the organization and the Committee on Student Organizations. *An organization will have exhausted its rights of appeal within the institution at this level.*

Structural Diagram (Major Offenses)



Part II

General Rules and Regulations Governing Student Activities

A student enrolling in Texas Tech University assumes an obligation to conduct himself in a manner compatible with the University's function as an educational institution. In addition to the guidelines of conduct set forth in the Code of Student Affairs, behavior for which the University may take disciplinary action includes, but is not limited to, the following:

Alcoholic Beverages

The possession or consumption of alcoholic beverages, including beer, on the campus. Students are required to comply with state laws against possession or consumption of alcoholic beverages by persons below 21 years of age.

Change of Address

Failure to obtain permission from the Assistant Dean of Students for Administration prior to change of residence during the semester. It is the responsibility of the student to file a change of address form or correct any incorrect information regarding housing in this same office. Failure to do so may be considered cause for immediate suspension.

Cheating and Plagiarism

Engaging in acts of cheating or plagiarism. Cheating violations include, but are not limited to, (1) stealing an examination, (2) obtaining an examination through collusion with University employees, (3) discovering the content of an examination before it is given, (4) use of unauthorized sources of information during an examination, (5) encouraging others to act unfairly, (6) entering any office or building to obtain unfair advantage, (7) taking an examination for another, or (8) altering grade records.

Plagiarism is the using, stating, offering, or reporting as one's own an idea, expression, or production of another person without proper credit as to its origin.

The instructor in a course is responsible for initiating action in each case of cheating or plagiarism which occurs in connection with his classes. In cases of admitted academic dishonesty, the instructor will ordinarily give a grade of F for the course and report the matter through the department chairman to the student's academic dean. In cases in which the student denies dishonesty and the instructor desires further action,

the case will be referred to the student's academic dean for review and recommendation. In all cases where the dishonesty is deemed to be a flagrant violation of University policies and in cases of repeated violations by a student, the matter will be referred to the University Faculty-Student Discipline Committee.

Cheating or plagiarism in a particular course involving students not enrolled in that course will be reported to the offending student's academic dean.

Display of Flags

The display of flags in ways other than regulation and legal manner. The flags at the University, including the State and Texas Tech University flags, as well as the national ensign, are flown in accordance with federal regulations and institutional custom. Except for special University ceremonial activities, the University Campus Security Force provides the daily flag detail. Flags are flown at half-staff when directed by the President of the United States and, on occasion, by the Governor to honor the passing of a distinguished leader who has provided outstanding service to our country. Provisions are also made under the Presidential Proclamation to commemorate other officials and foreign dignitaries according to Presidential instructions. Attention is called to Article 152, Vernon's Penal Code of the State of Texas, which provides, "Any person who shall within this State, publicly or privately, mutilate, deface, defile, defy, tramp upon, or cast contempt upon, either by word or act any flag, standard, color, or ensign of the United States, or that of any of its officers, or on any imitation of either of them, shall be confined in the penitentiary not less than two nor more than twenty-five years."

Disruptions

The use of force or violence which causes obstruction or disruption of teaching, research, administration, disciplinary procedures, or other University authorized activities, including its public service functions, or of other authorized activities on University premises or the use of language or behavior calculated to provoke or encourage such obstruction or disruption.

Educational Materials

The theft, defacement, misuse, mutilation, or destruction of materials or property created in, or offered or kept for use in, the educational processes of the University. Such material and equipment may include, but is not limited to, a book, periodical, manuscript, drawing, tool, instrument, vehicle, machine, article of apparel, artistic creation or fabrication, buildings, furniture, equipment, or facilities, regardless of whether the material belongs to a student or an instructor or to the University or a University-related activity or organization or to an officer, employee, or participant in the University or activity or organization.

Endangering Others

Any conduct which endangers or tends to endanger the safety, health, or life of any person.

Failure to Comply with Lawful Directions

Failure to comply with a lawful direction of a University official acting in the performance of his duty.

If, within the discretion of the University official, the continued conduct of the student in failing to comply with a lawful direction of the official is of such a nature as to be detrimental to the University or its students, the University official may by oral direction suspend the student effective immediately until charges can be brought against the student as otherwise provided herein. In such instances of suspension the official shall promptly deliver a written statement to the Division of Student Life which shall fully describe the offense committed by the student. A copy of these charges shall promptly be forwarded to the student.

Falsification of Records

Knowingly furnishing false information to the University or forging, altering, or making unauthorized use of a University document, record, or identification. The falsification of certain academic records is made a misdemeanor offense by Article 292a, Vernon's Penal Code of the State of Texas.

Financial Irresponsibility

Failure to demonstrate financial responsibility on and off campus.

Firearms and Inherently Dangerous Materials

The unauthorized possession or use on University-owned or -controlled property of a firearm or ammunition, fireworks, explosive or noxious material, or an inherently dangerous substance. The use or exhibiting of firearms to interfere with normal educational activities is made a felony offense by Article 295b, Vernon's Penal Code of the State of Texas.

Gambling

Any form of gambling on University-owned or -controlled property or at a function identified with the University. Students are required to comply with state laws against gambling and possession or transfer of gambling paraphernalia or devices.

Harmful or Detrimental Conduct

Any act of such a nature as to be reasonably calculated to be harmful or detrimental to the student, other students, or to the University.

Hazing

Any willful act by one student alone or acting with others directed against any other person for the purpose of intimidating him or subjecting

him to shame or disgrace. Both individuals and organizations will be held accountable for any activity, including informal initiations, which might be interpreted by the University as hazing.

Housing

Failure to comply with housing regulations regarding place of residency or the failure to obtain the approval of the Division of Student Life before making a change of residence.

Lewd, Indecent, or Obscene Conduct or Expression

Lewd, vulgar, indecent, or obscene conduct or expression on University-owned or -controlled property or at a function identified with the University.

Loudspeaker Use

Use of loudspeakers, or any type of amplification equipment or amplified musical instruments, by any individuals, organization, or group on the grounds of the Texas Tech campus without permission. Requests for such permission are handled in the office of the Assistant Dean of Students for Programs. (See page 23 for Loudspeaker Policy Statement.)

Maintaining Order in the Classroom

Failure to comply with lawful direction of a classroom teacher in maintaining good order.

Narcotics or Drugs

Use, possession, or transfer of a narcotic, drug, medicine, or chemical element or compound in violation of federal, state, or local law, including administrative regulations.

Off-Campus Housing Verification

Deliberate falsification of information, data, or submitting any materials containing false or erroneous information in connection with application for off-campus housing verification. Evidence of such shall be grounds for immediate suspension for a period of time not less than the remainder of the semester in which the offense occurs.

Physical Abuse

Physical abuse of any person on University-owned or -controlled property or at University-sponsored or -supervised functions. No person shall throw or project any object which could cause injury, damage, or interference in the audience or area where any meeting, convocation, activity, or athletic contest is conducted.

Selling and Solicitation

Selling and soliciting on the campus without official authorization. No solicitation of students, faculty, or staff members by personal contact, by the distribution of advertising leaflets or handbills, or by the use of

sound trucks and equipment to promote sales is permitted on the Texas Tech University campus or in the University buildings, residence halls, facilities of the University Bookstore, or Tech Union without prior approval of the Solicitations Committee. (See page 23 for Loudspeaker Policy Statement, page 22 for Handbill and Leaflet Policy Statement, and page 24 for Solicitations and Sale of Publications Policy Statement.)

State, Local, or Federal Law

Any action, event, or group of events which provides grounds for a charge of a violation of federal, state, or local law, or administrative regulations.

Student Identification Card

The use of a student identification card by anyone other than the person to whom it is issued. Such use will result in dismissal from the University. The card is the property of the University and should be returned to the University when the student is no longer enrolled. Any alterations to the card or stickers affixed thereto will subject the student to disciplinary action. Failure to present his/her student identification card to any member of the faculty, staff, or administrative body when requested to do so may subject the student to probation or to suspension from the University.

Theft or Damage

Theft of or damage to property of the University or of a member of the University community or campus visitor.

Traffic and Parking Regulations

Failure to abide by established traffic and parking regulations. Repeated violations of the rules as set forth in *Campus Traffic and Parking Regulations* in regard to the use and operation of vehicles on University-owned or -controlled property or operating a motor vehicle on the campus without a permit or with a suspended or revoked registration or parking permit will subject the student to probation or suspension from the University.

University Name, Documents, and Records

Use of the University's name in connection with any program or activity without the prior written permission of the office of the Director of Development, or any unauthorized use of the University documents, records, or seal.

Unauthorized Entry

Unauthorized entry to or use of University facilities.

Policy on the Distribution of Handbills, Leaflets, and Advertising Materials on the Texas Tech Campus

Requests to distribute leaflets, handbills, and advertising materials normally come from two sources: (1) Off-campus individuals and commercial organizations, and (2) Texas Tech University students and student organizations. The policy statements below specifically cover these areas.

A. OFF-CAMPUS INDIVIDUALS AND COMMERCIAL ORGANIZATIONS

Individuals not affiliated with the University (i.e., either student, faculty, or staff) may *not* distribute handbills, leaflets, or any type of printed materials on the campus. No advertising by commercial organizations, as groups or through student representatives, is allowed on the campus except through established advertising policies of the Athletic Department; the *University Daily* and *La Ventana*; official University organizations with approved commercial publications, programs, or brochures, such as the Tech Union and the Bookstore; and the U.S. Mail Service. Individuals and commercial organizations who attempt to display or distribute such materials on campus or use campus facilities for such activity will be escorted from the campus by representatives of the Division of Traffic Security and will be subject to appropriate legal action.

B. TEXAS TECH STUDENTS AND STUDENT ORGANIZATIONS

No attempt will be made to require prior approval concerning the content or distribution of handbills distributed by students and student organizations, although materials which are in conflict with the provisions of the Code of Student Affairs may not be circulated. Such material, however, is expected to be within the bounds of good taste, utilize accurate information, and be in accordance with all applicable state and national laws. Materials may not be placed on the windshields of cars parked in University parking lots. All material must include the name of the individual or organization sponsoring the distribution. Three types of student handouts are outlined below.

1. *Solicitation.* Individuals or student organizations desiring to distribute leaflets or handbills on the campus for the purpose of selling or soliciting must first secure permission under the Policy and Procedures for Solicitations and Sale of Publications on the Texas Tech Campus.

2. *Student Elections.* Students distributing campaign literature in student elections should follow the procedures established by the Student Elections Committee. These policies may be obtained from the Student Senate Office.

3. *Other Purposes.* Students desiring to distribute handbills and leaflets for all other purposes must conform to the general policy statement outlined above as well as to the provisions of the Code of Student Affairs.

All individuals and groups who distribute materials on the campus are required to obtain specific permission as follows: (1) Bookstore—Secure permission from Bookstore Manager; (2) Tech Union—Secure permission from Director of the Union; (3) Academic Buildings—Secure

permission from the Vice President for Academic Affairs; (4) On-Campus Grounds—Adhere to this policy statement and the Code of Student Affairs. Students and/or organizations who attempt to distribute materials without observing these procedures will be subject to disciplinary action as outlined in the Code of Student Affairs.

Policy on the Use of Loudspeaker Equipment on the Texas Tech Campus

The use of loudspeakers, or any type of amplification equipment or amplified musical instruments, by students or student organizations and groups on the grounds of the Texas Tech campus is by permission only. Requests for such permission are handled in the office of the Assistant Dean of Students for Programs. The use of loudspeaker equipment normally falls into one of two broad categories: (1) Use of loudspeakers for solicitations purposes and (2) Use of loudspeakers at student assemblages (e.g. rallies, demonstrations, speak-outs, happenings, outdoor dances, etc.). The following procedures must be followed in securing permission to use loudspeakers:

A. Loudspeakers for *solicitations purposes*

1. Apply for permission under the Policy and Procedures for Solicitations and Sale of Publications on the Texas Tech Campus.
2. Apply for permission from the Assistant Dean of Students for Programs (Room 171, Administration Building) to use loudspeakers. (Sound trucks and automobile speaker units will not be permitted in the vicinity of classrooms during class hours.)

B. Loudspeakers to be used at *student assemblages* (and other requests not covered in A above)

Request permission from the Assistant Dean of Students for Programs for the use of the University Center east green assembly area and request the use of the loudspeaker equipment. This requires the completion (in duplicate) of a brief form. Permission should be requested as far in advance as possible, although there will be no formal deadline. Individuals and groups will be expected to conduct their meetings in such a manner so as to conform to all provisions outlined in this bulletin. Persons using the area will be subject to the canons of good taste and judgment, as well as to all applicable statutes. The following guidelines have been established for all student assemblages on the campus:

1. All student assemblages utilizing amplification equipment are to be held on the green east of the University Center sun porch *only*, except as noted below.
2. Assemblages may be held in this area at any time from 7:30 a.m. until 10:00 p.m. and are normally limited to three hours duration.
3. Any student organization recognized by the Committee on Student Organizations or any individual student with a current ID card may reserve the east green and the loudspeaker equipment on a first come, first served basis.

4. Any group or individual using the green must use only the sound equipment which will be provided by the Assistant Dean of Students for Programs. (The party reserving the east green will be held financially responsible for any damage to said equipment.) The sound equipment which will be provided is adequate to permit speakers to be heard without causing undue disturbance to classes in adjacent buildings, residence halls, University Health Center, or to activities in the University Center.

5. No amplified musical instruments or drums are permitted at gatherings on the green. No bands or additional sound equipment of any type may be used at any time on the east University Center green or elsewhere on campus grounds, except as provided in Paragraph 6 and Section C below.

6. Outdoor dances may be held in approved locations with prior approval by the Dean of Students on Friday and Saturday nights only, terminating no later than 12 midnight. Bands may use their own sound equipment for such dances. Other special events utilizing bands and/or amplification equipment, such as pep rallies, ceremonies, or recreational activities, may be held in selected locations with prior approval of the Dean of Students.

C. Loudspeakers for use in *official University operations* inside buildings or on the campus as a part of the academic instructional program will be approved by the Vice President for Academic Affairs.

D. Requests for permission to use the *bells or loudspeaker system* in the tower of the Administration Building should be directed to the Vice President for Academic Affairs.

Any use of loudspeakers or amplification equipment without approval as outlined in this policy will subject organizations and/or individuals to disciplinary action as provided in this bulletin.

Policy and Procedures for Solicitations and Sale of Publications on the Texas Tech Campus

All solicitations, including sale of publications, on the campus of Texas Tech University must have some benefit for the University, its student body, faculty and staff, in its primary educational mission. If the principal purpose of a solicitations project is to raise money, the uses of this money shall be clearly identified in terms of its contribution to the educational, intellectual, or cultural growth and development of the institution and/or the members of its academic community. In other cases, the standard is a determination of whether the project will contribute to the educational, intellectual, or cultural growth and development of the institution and/or the members of its academic community.

A. SOLICITATIONS

Solicitations, other than publications, may be made on campus only in compliance with the following regulations:

1. *Definition of Solicitation.* Solicitation is defined as requesting money, seeking agreement to pay, taking of subscriptions, the selling of merchandise, tickets, and the offering of all other comparable materials and privileges in person or by handbills or the like to promote sales.

2. *Exceptions to the Solicitations Policy.* Should exception to this policy be allowed, the soliciting organization must follow all other provisions of this policy statement, including the section on procedure listed below and obtaining the sponsorship of a recognized student organization on the campus. Examples of exceptions which have been allowed are (1) sales intended to provide community-wide benefits such as symphonies, theater productions, and service projects; (2) solicitations of contributions for charitable purposes, public or particular.

3. *Exemptions from this Solicitations Policy.*

a. Canvassing of membership by campus organizations. The canvassing of their own membership by campus organizations in money-raising projects, or in the sale of tickets to programs sponsored by them to their own membership is recognized by the Solicitations Committee as a permissible privilege which does not require approval through the procedures established in the policy. If the request for money is made to persons other than members of the organization, such as the sale of tickets at the door to the general public, the entire solicitation is not exempted and is subject to approval as a solicitations project.

b. Use of public agencies. Solicitations are permitted through such public agencies as the U.S. Mail and advertisements in the local newspapers which include the *University Daily* and are not within the jurisdiction of this policy.

c. University Departments. Occasionally University departments may wish to sponsor activities which have an educational value for students at the University. Such activities by University departments should be approved by appropriate University authorities.

d. Bulletin Boards. The posting on a bulletin board of material which would otherwise be a solicitation is not within this Solicitation Policy.

e. Other agencies of Texas Tech University. This policy applies to all activities of Texas Tech University, with the exception of solicitation by the Ex-Students Association within the Ex-Students Association Building on campus, the Texas Tech Museum, and contract vending machines.

4. *Solicitations by and of Texas Tech University Students and Student Organizations Normally Fall into One of Two Broad Classifications.*

a. Off-Campus Solicitations. Consideration of off-campus solicitations in the name of the University or its affiliated organizations by individual students, faculty and staff members, and student organizations is vested in the office of the Director of Development. Requests regarding off-campus solicitation by the above-mentioned groups should be addressed to that office.

Solicitation of individual students, faculty and staff members, and student organizations at off-campus locations by other individuals or organizations is at the option of the party being solicited and is not within the concerns of this policy statement.

b. *On-Campus Solicitations.* On-campus solicitations by individual students, faculty, staff, or student organizations must be conducted in accord with the provisions listed below.

On-campus solicitations of individual students, faculty, staff, or student organizations by individuals or organizations not associated with the University is prohibited, except as noted under "Exceptions" and item 2 under "Exceptions" above set forth. This prohibition includes solicitation by a telephone call.

5. *Eligibility to Solicit on the Campus of Texas Tech University.* Proof of eligibility to solicit will be a valid, current student or faculty/staff identification card. Persons who are not currently registered students at Texas Tech University or members of the faculty or staff may not solicit on the campus, except as is specifically provided in this policy. Groups may use voluntary persons to sell if approved as a part of the original request.

6. *Place of Solicitations on the Campus of Texas Tech University.*

a. *University Center and University Bookstore.* The sale of merchandise is restricted to the University Center or the University Bookstore and must be conducted under regulations set out by the management of those agencies.

The criteria are (1) compatibility with the University educational purpose, (2) whether the sale interferes with the operation of these facilities, and (3) beyond that on a space-available standard.

b. *Campus Buildings.* Solicitation is not permitted within a University building, except as provided for in the University Center, University Bookstore, and residence halls as outlined in this policy statement, or by exception granted by the Assistant Dean of Students for Programs, for such purposes as are provided for under Part A, Section 2 of this policy.

c. *Residence Halls.* Only limited solicitations are permitted in the residence halls, and all sales must be conducted entirely from within the student's room or in an assigned public area. Solicitations within the student rooms require the consent of the roommate(s), and there may be no parties or group demonstrations to advertise a product. There can be no advertising on room doors or within the residence halls. Application for permission for solicitation privileges in the residence halls should be referred to the Assistant Dean of Students for Programs who may involve the Director of Residence Halls and appropriate student organizations in his investigation.

7. *Procedures.* The Solicitations Committee is charged with the responsibility of development and recommendation of solicitations policies for

Texas Tech University. The Assistant Dean of Students for Programs is responsible for administering these policies.

a. All inquiries and requests for solicitations privileges on the campus of Texas Tech University should be addressed to the Assistant Dean of Students for Programs.

b. All requests to solicit on the Texas Tech University campus must be submitted in writing and should include the name, address, and phone number of individual or organization making the request, and in the case of an organization making a request, the name, address, and phone number of the individual authorized by such organization to make the request; the nature of the requested solicitation (for what purpose, benefit to the University, etc.); the proposed procedures for conducting the requested solicitation; and the date(s) of the requested solicitation.

c. Requests to solicit are granted for specified periods of time, e.g., one date and time only, one week, one month, one semester, or one academic year. Under no circumstances will permission to solicit on the campus be given for longer than one academic year.

d. The Assistant Dean of Students for Programs may, at his option, consult the Solicitations Committee concerning the interpretation of this policy.

e. All requests to solicit will be answered in writing by the Assistant Dean of Students for Programs. For information purposes, a carbon copy of all answers will be sent to the Chairman of the Solicitations Committee.

f. A person who desires to appeal a decision of the Assistant Dean of Students for Programs may do so by contacting the Associate Vice President for Academic Affairs, who, together with the University Appeals Committee, shall hear the appeal. The person desiring appeal must notify the Associate Vice President for Academic Affairs of his intent to appeal in writing within 24 hours after notice of disapproval. The petitioner must also file within five days in writing with the Associate Vice President for Academic Affairs a written statement describing the objections to the decision of the Assistant Dean of Students for Programs and set forth his reasons for appealing such decision. The petitioner shall be granted a hearing if the same is requested. The hearing shall be held after adequate notice to the petitioner of the time and place of such hearing with adequate time to allow petitioner the opportunity to prepare his appeal. Such hearing shall be held within ten days from date of written notification of appeal. The appeal decision shall be communicated in writing to the petitioner and the Assistant Dean of Students for Programs. Within 24 hours the petitioner may request in writing a review of the appeal decision by the Executive Vice President. He shall communicate his decision to both the petitioner and the Associate Vice President for

Academic Affairs. *A person will have exhausted his/her rights of appeal within the institution at this level.*

8. *Revocation of Solicitations Privileges.* A privilege to solicit may be revoked by the Assistant Dean of Students for Programs for violations of the Texas Tech University Solicitations Policy even though the time period for which the permission was granted has not expired. An appeal from the decision of the Assistant Dean of Students for Programs is conducted under the procedures for appeal outlined above.

B. PUBLICATIONS

Publications may be sold on the campus only in compliance with the following regulations:

1. *Place of Sale on the Campus of Texas Tech University.*

a. University Center and University Bookstore. Publications may be sold in the University Center or the University Bookstore and such sales must be conducted under regulations set out by the management of those agencies. The criteria are (1) compatibility with University educational purpose, (2) whether or not the sale of the publications unreasonably interferes with the operation of those facilities, (3) and beyond that a space-available standard shall apply.

b. Publications also may be sold on campus grounds near the entrances to the University Center and the University Bookstore, Library, and Residence Halls. It is the intent of this section to permit sales of publications in such areas in addition to those set forth above in Section B, 1, a, but not to permit sales in campus streets or other campus areas where salesmen would interfere with other activities. A salesman must be at least 15 feet from such respective building entrances and not beyond 200 feet from the respective building entrances to be within the intent of this provision. The sale of publications on campus grounds in locations other than as above set forth is not permitted. Persons selling publications under authority of this section must not use any type of amplification equipment to advertise their publications, must not block or obstruct the free passage of pedestrian or vehicular traffic, and must not erect any type of structure or shelter or sign on the campus grounds.

2. *Prior Approval of Publication.* The right to sell a publication on the campus of Texas Tech University does not require the prior approval of the publication. All that is required is compliance with the regulations as to place of sale set out in Section 1 of Part B of these policies.

C. This Policy is hereby declared to be severable to the extent that should any clause, sentence, paragraph, section, or other part of the same be held invalid for any reason, then the same shall not affect the validity of the remaining portions of this policy.

Approved February 5, 1971, by the Texas Tech University Board of Regents.

Educational Institutions— Disruptive Activities

Article 295a, Vernon's Penal Code of the State of Texas

An Act prohibiting the engaging in certain disruptive activities or disrupting a lawful assembly on the campus or property of private or public schools or institutions of higher education or public vocational and technical schools or institutes; prescribing certain penalties; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Sec. 1. No person or group of persons acting in concert may willfully engage in disruptive activity or disrupt a lawful assembly on the campus or property of any private or public school or institution of higher education or public vocational and technical school or institute.

Sec. 2. (a) For the purposes of this Act, "disruptive activity" means:

(1) obstructing or restraining the passage of persons in an exit, entrance, or hallway of any building without the authorization of the administration of the school;

(2) seizing control of any building or portion of a building for the purpose of interfering with any administrative, educational, research, or other authorized activity;

(3) preventing or attempting to prevent by force or violence or the threat of force or violence any lawful assembly authorized by the school administration;

(4) disrupting by force or violence or the threat of force or violence a lawful assembly in progress; or

(5) obstructing or restraining the passage of any person at an exit or entrance to said campus or property or preventing or attempting to prevent by force or violence or by threats thereof the ingress or egress of any person to or from said property or campus without the authorization of the administration of the school.

(b) For the purposes of this Act, a lawful assembly is disrupted when any person in attendance is rendered incapable of participating in the assembly due to the use of force or violence or due to a reasonable fear that force or violence is likely to occur.

Sec. 3. A person who violates any provision of this Act is guilty of a misdemeanor and upon conviction is punishable by a fine not to exceed \$200 or by confinement in jail for not less than 10 days nor more than 6 months, or both.

Sec. 4. Any person who is convicted the third time of violating this Act shall not thereafter be eligible to attend any school, college or university receiving funds from the State of Texas for a period of two years from such third conviction.

Sec. 5. Nothing therein shall be construed to infringe upon any right of free speech or expression guaranteed by the constitutions of the United States or the State of Texas.

Sec. 6. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provisions or application, and to this end the provisions of this Act are declared to be severable.

Sec. 7. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Approved March 19, 1969.

Effective 90 days after date of adjournment.

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THE TEXAS TECH PRESS
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