(15) Suspension from the component for a specified period of time. During suspension, a student shall not attend classes or participate in any component campus activities.

(16) Loss of or ineligibility for student grant or loan.

(17) Expulsion from the component. A student who is expelled from the component is not eligible for readmission to the component.

(18) Dismissal from the component. A student, who is dismissed, is separated from the component for an indefinite period of time.

(19) Recording sanctions in Subsections 5.9(9), (11), (13), (14), (15), (17), and (18) may be made on a student's permanent transcript. The component may maintain confidential records of all other sanctions and may consider any prior sanction received by a student in assessing a subsequent sanction. The component shall develop a procedure for expunging those records not transcribed on a student's permanent transcript within a reasonable time not to exceed five (5) years after the student ceases to be enrolled.

(20) A student who, by a preponderance of the evidence, under these Rules and Regulations, is found to have illegally possessed, used, sold or distributed any drug, narcotic, or controlled substance, whether the infraction is found to have occurred on or off campus, shall be subject to discipline, ranging from mandatory, university or college approved counseling to expulsion. Mitigating or aggravating factors in assessing the proper level of discipline shall include, but not necessarily be limited to, the student's motive for engaging in the behavior; disciplinary history; effect of the behavior on safety and security of the university or college community; and the likelihood that the behavior will recur.

A student who has been suspended, dismissed, probated or expelled from any system component shall be ineligible to enroll at any other system component during the applicable period of discipline. The registrar of each component is authorized to make an appropriate notation on the student’s transcript to accomplish this objective and to remove the notation when the student's disciplinary record has been cleared. A second infraction for a drug-related offense shall result in permanent expulsion from the component and from all other institutions in The Texas State University System.

(21) The levying of a monetary fine.

5.10 Appeal. Neither party may appeal if the hearing officer or hearing committee determines that the allegations against the accused student are true but the only punishment assessed is verbal or written warning. In those cases, the determination of the hearing officer or hearing committee is final. However, in all other cases, either party may appeal to the chief student affairs officer. If the hearing officer has been an appointee designated by the chief student affairs officer or if the determination has been made by a hearing committee, the appeal will be made to the chief student affairs officer or designated appointee. If the chief student affairs officer has served as the hearing officer, the appeal will be made to the vice president in charge of student affairs. Written notice of appeal must be received by the appeal officer within five (5) business days after the decision. An appeal is not simply a rehearing of the original case. An appeal must be based on: 1) whether or not a fair hearing was afforded. A fair hearing includes notice of the alleged misconduct, and an opportunity to present evidence; 2) whether or not the sanctions levied were appropriate to the offense; 3) whether or not the finding was supported by the evidence; and/or 4) whether or not new evidence is introduced that was not available at the time of the hearing. Both parties, at the discretion of the appeal officer, may submit oral or written arguments, to support their positions. In order for the appeal to be considered, the appealing party must submit all necessary documentation, including written arguments, when appropriate, to the appeal officer within five (5) business days after giving notice of appeal. The appeal officer may approve, reject, modify the decision, or remand the matter to the original hearing officer or hearing committee for reconsideration. The appeal officer shall respond to the appeal within ten (10) business days after all the documentation was received and all testimony was heard, or he or she may postpone a decision for good cause.