

Proposed Amendments
of
The University of Tennessee - 1720
The University of Tennessee at Chattanooga
1720-2-2

Student Housing Regulations

Presented herein are proposed amendments of The University of Tennessee submitted pursuant to Tennessee Code Annotated, Section 4-5-202, in lieu of a rulemaking hearing. It is the intent of The University of Tennessee to promulgate these amendments without a rulemaking hearing unless a petition requesting such hearing is filed within thirty (30) days of the publication date of the issue of the Tennessee Administrative Register in which the proposed amendments are published. Such petition to be effective must be filed in Room 719, Andy Holt Tower, The University of Tennessee, Knoxville, Tennessee 37996-0170, and in the Department of State, 8th Floor, William R. Snodgrass Tennessee Tower, 312 8th Avenue North, Nashville, Tennessee 37243, and must be signed by twenty-five (25) persons who will be affected by the amendments, or submitted by a municipality which will be affected by the amendments, or an association of twenty-five (25) or more members, or any standing committee of the General Assembly.

For a copy of the proposed amendments, contact Ronald C. Leadbetter, Associate General Counsel, The University of Tennessee, Office of General Counsel, 719 Andy Holt Tower, Knoxville, TN 37996-0170, telephone number (865) 974-3247.

The text of the proposed amendments is as follows:

Amendments

Chapter 1720-2-2 is amended by deleting the current language and substituting new language so that, as amended, the chapter shall read:

Chapter 1720-2-2
Student Housing Regulations

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1720-2-2-.01 Residence Requirements.

- (1) Single out-of-town students attending the University are expected to live in University housing when space is available unless they commute from their homes in nearby towns.
- (2) They may not live off campus when residence hall space is available without permission from the Housing Office.

- 1720-2-2-.02 Differentiated Housing.
- (1) The concept of Differentiated Housing at The University of Tennessee at Chattanooga campus offers students, with parental involvement, the choice of the housing facility and living atmosphere in which he or she will live. The plans available are:
 - (i) TYPE A – Visitation privileges are allowed in the living-dining area from 12:00 noon until 12:00 midnight.
 - (ii) TYPE B – This plan involves minimal rules, regulations, and supervision. This option is available to upper class students only.
- 1720-2-2-.03 Contractual Arrangements. Each resident student signs an individual contract with the University for the premises he/she will occupy. This agreement covers occupancy for the entire academic year unless specifically indicated otherwise on the contract itself. Any student who for any reason wishes to alter the terms of his/her contract, must apply in writing to the University Housing Office at least thirty days prior to the anticipated change. If the contract is modified, notification will be sent in writing to all parties concerned prior to the effective date of action. Unless written exception is granted by the University, he/she is liable for the full extent of the original statement.
- 1720-2-2-.04 Damage.
- (1) The student is responsible for the condition and proper care of the accommodations assigned and shall reimburse the University for all damages done within or to said accommodations in which he/she is housed, for all damages to Resident Hall non-public areas, and all damage to, or loss of University fixtures, furnishings, or property furnished under the contract. Charges for damages and/or necessary cleaning will be assessed against the student, or students, by the University and must be paid promptly. Failure to pay assessment will result in a hold on a student's registration, graduation and/or transcript.
 - (2) Non-public areas refer to the studies, lounges and restroom facilities, hallways and other areas of a floor of the residence hall which are provided primarily for the use of students having accommodations on that floor.
- 1720-2-2-.05 Room Changes.
- (1) The University expects students to continue residency in the room to which they are assigned. However, it realizes that changes are sometimes mutually beneficial.
 - (2) Through regularly scheduled procedures, room changes may be made. A \$25.00 fee will be assessed any time a student is allowed to move. Failure to obtain the written prior approval of both the Resident Director and the Housing Office will result in a minimum \$25.00 assessment for administrative costs and also could result in the imposition of disciplinary sanctions.
- 1720-2-2-.06 Check Out. When a student is assigned specific accommodations, the University assumes occupancy by that student until notified otherwise. When vacating the premises, either for another on-campus facility or to leave University housing it is the occupant's responsibility to check out in person with a staff member of the residence hall. At that time, an evaluation of the facility is made in the occupant's presence and a report is completed on deficiencies or damages for which the student is responsible. Failure to

check out in the prescribed manner will result in the occupant's being held liable for any or all deficiencies or damages found, as well as for the cost to replace keys, locks or other such items that affect the appearance or security of the unit. He/she will also be assessed administrative costs incurred by this failure to check out.

1720-2-2-.07 Inspection and Search Policy.

- (1) Entry by University authorities into occupied rooms in residence halls will be divided into three categories: inspection, search, and emergency. Inspection is defined as the entry into an occupied room or apartment by University authorities in order to ascertain the health and safety conditions in the areas, or to check the physical condition of the area, or to make repairs on facilities, or to perform cleaning and janitorial operations. Search is defined as the entry into an occupied room by on-campus authorities for the purpose of investigating suspected violations of campus regulations and/or city, state, or federal law. An emergency situation exists when the delay necessary to obtain search authorization constitutes a danger to persons, property, or the building itself.
 - (a) Inspection: Scheduled inspection by on-campus authorities with the exception of daily janitorial operations, shall be proceeded, if possible, by twenty-four hours notice to the residents.
 - (b) During the inspection, there will be no search of drawers or closets or personal belongings.
 - (c) Search: On-campus authorities will not enter a room for purposes of search except in compliance with state law or with the permission of the resident or the written permission of the Vice Chancellor for Student Development or his/her representative. University authorities shall have, if possible, the Resident Director of the hall or his/her designee accompany them on the search.
 - (d) For purposes of maintenance, and fire and safety evaluation, rooms will be inspected periodically by the University staff. Normally the resident assistant will be involved in this part of the program and will work out arrangements with the individual occupant beforehand.

1720-2-2-.08 Residence Hall Regulations.

- (1) Telephone Services. Telephones have been installed in the rooms of all residence halls and apartments. Each phone may be reached directly from without the University as well as within it by merely dialing its assigned number. There is no additional charge for local service. However, long distance calls may be made or accepted collect only by those persons who have an official charge-card number from the UTC Telephone Services, or a private company or the Bell Telephone Company. No calls may be charged to the telephone number that is listed on the telephone instrument. No collect calls will be accepted and extensions are prohibited.
- (2) Safety Prohibitions.
 - (a) Percolators, hot plates, immersion heaters, and popcorn poppers are prohibited in dorm rooms.
 - (b) No candles, open flames, or incense burning is allowed.

- (c) Light bulbs should not be touching or near clothing or other flammables.
 - (d) Extension cords must be underwriter laboratory approved or equal. Covering must be in good condition. Plugs and cords must be the same size or larger than appliance wire and not hidden under rugs, trash, paper, clothing, or books, nor near heat sources.
 - (e) Storage of gasoline, other fuels or vehicles containing them is prohibited.
 - (f) Hot plates or other cooking equipment may not be used in dormitory rooms because of fire regulations and sanitary reasons.
 - (g) Cooking in individual rooms is prohibited.
- (3) Fire Drills. Each dormitory must have at least one fire drill per month. These are conducted so that each resident can vacate the building quickly and safely in case of emergency. The drills are planned and supervised by the Housing Office, the Security Office, and the Resident Directors. Anytime that the fire alarm is sounded in a University building every occupant of the building is required to evacuate immediately. The University police will assist with the evacuation to see that the building is totally vacated and no one will be allowed to re-enter prior to the expressed consent of the security officers on duty. Reports are filed with the offices concerned.
 - (4) Guests. Residents may have overnight guests of the same sex only, if prior arrangements have been made with roommate(s). The maximum length of any visit is three days and three nights. All guests are governed by the University and residence hall regulations, and it is the host's responsibility to make guests aware of this. In cases where the guest is in violation of University regulations, disciplinary action may be brought against the host.
 - (5) Alcohol and Drugs. The possession or use of alcoholic beverages, other illegal drugs or intoxicants of any kind is prohibited on campus.
 - (6) Pets. Only fish tanks no larger than 10 gallons are allowed. Otherwise, no animals are permitted.
 - (7) Weapons or Explosives, Fireworks. The possession of firearms, hunting knives, fireworks or other type of weapons and explosives is not allowed in the residence halls or on the University property.
 - (8) Keys. Misuse or loss of them may jeopardize the safety of others and constitutes grounds for disciplinary action. There is a charge for lost keys and other security measures that must be taken due to the loss of such keys.
 - (9) Quiet Hours. If a student consistently violates Quiet Hours, he/she will be subject to disciplinary action.

Authority: Tenn. Code Ann. § 49-9-209(e).

Legal contact and/or party who will approve final copy for publication:

Ronald C. Leadbetter, Associate General Counsel
The University of Tennessee
Office of Vice President, General Counsel, and Secretary
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Contact for disk acquisition:

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Signature of the agency officer or officers directly responsible for proposing and/or drafting these rules:

James S. Hicks
Associate Dean of Student Life

The roll-call vote by the Board of Trustees of The University of Tennessee on these rules was as follows:

<u>Name</u>	<u>Aye</u>	<u>No</u>	<u>Abstain</u>
Governor Bredeesen			
Commissioner Seivers	X		
Commissioner Givens			
Dr. Petersen	X		
Dr. Rhoda	X		
Mrs. Amonette	X		
Ms. Carroll	X		
Mrs. Castleman	X		
Mr. Driver	X		
Mr. Ennis			
Mr. Haslam	X		
Mr. Hickman	X		
Dr. Hurd	X		
Mr. Jackson	X		
Mrs. Loughry	X		
Mr. Murphy	X		
Dr. Pfeffer	X		
Ms. Prevost	X		
Dr. Rice	X		
Mr. Schledwitz	X		
Mr. Stansberry	X		
Mr. Stokely	X		
Mr. Sturdivant	X		
Mr. Thornton	X		
Mrs. Williams	X		
Mr. Wolford	X		

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I certify that this is an accurate and complete copy of rules lawfully promulgated and adopted by The University of Tennessee on the ____ day of October, 2005.

The Secretary of State is hereby instructed that, in the absence of a petition for rulemaking hearing being filed under the conditions set out herein and in the locations described, he is to treat the proposed rules as being placed on file in his office as rules at the expiration of thirty (30) days after the publication date of the issue of the Tennessee Administrative Register in which these proposed rules are published.

 Ronald C. Leadbetter
 Associate General Counsel

Subscribed and sworn to before me this the ____ day of _____, 2006.

 Notary Public

My commission expires on the _____.

All proposed rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

Paul G. Summers
Attorney General and Reporter

The proposed rules set out herein were properly filed in the Department of State on the 19th day of June, 2006, and pursuant to the instructions set out above, and in the absence of the filing of an appropriate petition calling for a rulemaking hearing, will become effective on the 27th day of October, 2006.