

Proposed Rules
of
The Tennessee Board of Regents
State University and Community College System of Tennessee
Jackson State Community College

Chapter 0240-03-11
Student Disciplinary Rules

Presented herein are proposed amendments of the Tennessee Board of Regents submitted pursuant to Tennessee Code Annotated § 4-5-202 in lieu of a rulemaking hearing. It is the intent of the Tennessee Board of Regents to promulgate these rules 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 Suite 350 of the Genesco Park Building located at 1415 Murfreesboro Road, Nashville, TN 37217 and in the Department of State, Eighth Floor, Tennessee Tower, William R. Snodgrass Building, 312 Eighth Avenue, North, Nashville, TN 37243, and must be signed by twenty-five (25) persons who will be affected by the rules, or submitted by a municipality which will be affected by the rule, or an association of twenty-five (25) or more members, or any standing committee of the General Assembly.

For a copy of this proposed rule, contact: Mary M. Slater, 1415 Murfreesboro Road, Suite 350, Nashville, Tennessee 37217, Tennessee Board of Regents, 615-366-4437.

The text of the proposed amendments is as follows:

Amendments

1. Subparagraph (a) of paragraph (3) of Rule 0240-03-11-.05 Disciplinary Procedures is amended by deleting the text of the subparagraph and substituting the following language, so that, as amended, subparagraph (a) shall read:

- (a) The principle of due process in student discipline is assured at Jackson State Community College. Any student accused of a disciplinary offense or academic misconduct will be afforded an opportunity to contest the charge through procedures initiated by and coordinated with the Vice President for Student Services.

2. Subparagraph (a) of paragraph (25) of Rule 0240-03-11-.05 Disciplinary Procedures is further amended by deleting the text of the subparagraph and substituting the following language, so that, as amended, subparagraph (a) shall read:

- (a) Allegations of violation of this policy shall be referred by the designee of the President (typically, the Computer Center Director) to the appropriate person(s) for disciplinary action. If a student, the policy violation will be referred to the Vice President for Student Services under TBR Policy 3:02:00:01. If an employee, the policy violation will be referred to the immediate supervisor. If there is a policy violation, which the designee believes rises to the level of a serious violation of this or any other TBR policy, the designee is authorized to temporarily revoke

access privileges. In those cases, the revocation of access must be reviewed by the appropriate disciplinary authority for review and final determination of access privileges. In such cases, the authorization of the designee carries with it the authorization to make subjective judgments, such as whether material or statements violate TBR Policy.

3. Subparagraph (a) of paragraph (27) of Rule 0240-03-11-.05 Disciplinary Procedures is further amended by deleting the text of the subparagraph and substituting the following language, so that, as amended, subparagraph (a) shall read:

- (a) Sanctions imposed upon students at Jackson State Community College and imposed at the discretion of the Computer Center Director (or other designee of the President) may be appealed to the Vice President for Student Services. Other sanctions may be appealed under established institution procedure.

Authority: T.C.A. § 49-8-203.

The proposed rules set out herein were properly filed in the Department of State on the 20th day of September, 2007, 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 28th day of January, 2008. (FS 09-14-07; DBID 2685)