

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

Chapter 0240-03-16
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. Subparagraphs (h) and (i) of paragraph (2) of Rule 0240-03-16-.02 General Offenses are amended by deleting the text of the subparagraphs and substitute the following language, so that as amended, subparagraphs (h) and (i) shall read:

- (h) Firearms and Other Dangerous Weapons. Any possession of or use of firearms or dangerous weapons of any kind. No firearms shall be permitted or worn by any person at any time on the college campus or property owned or controlled by the institution, at an institution-sponsored event, on property owned or controlled by an affiliated clinical site by students who are at the clinical site for clinical instruction or other reasons related to their participation in a clinical program of the college, except as provided in T.C.A. § 39-17-1309. The prohibition of the possession of or use of firearms or dangerous weapons by students who are at a clinical site for clinical instruction or other reasons related to their participation in a clinical program of the college shall not apply to students participating in clinical training for courses in the college's Public Safety Division when the possession of firearms is necessary for instructional purposes.
- (i) Explosives, Fireworks, and Flammable Materials. The unauthorized possession, ignition, or detonation of any object or article which would

cause damage by fire or other means to person or property or possession of any substance which could be considered to be and used as fireworks on the college campus or property owned or controlled by the institution, at an institution-sponsored event, or on property owned or controlled by an affiliated clinical site by Students who are at the clinical site for clinical instruction or other reasons related to their participation in a clinical program of the college.

Authority: T.C.A. § 49-8-203.

2. Paragraph (2) of Rule 0240-03-16-.06 Traffic and Parking Regulations is amended by adding a new subparagraph (f) which shall read:

- (f) Student Lot P is designated parking for any vehicle with an attached trailer, likely to take up multiple parking spaces. Vehicles with attached trailers, parked in any lot not designated for such parking will be subject to receiving a citation.

3. Part 2. of subparagraph (b) of paragraph (7) of Rule 0240-03-16-.06 Traffic and Parking Regulations is further amended by deleting the text of the part and substituting the following language, so that, as amended, part 2. shall read:

- 2. The WSCC Traffic Court shall hear only those cases for which an appeal has been filed. The necessary appeal form may be obtained in the Office of Student Affairs, Room 100 CCEN.

4. Part 8. of subparagraph (b) of paragraph (7) of Rule 0240-03-16-.06 Traffic and Parking Regulations is further amended by deleting the text of the part and substituting the following language, so that, as amended, part 8. shall read:

- 8. Faculty and staff citation appeals should be directed to the Director of Campus Police who will forward the request to the Vice President for Business Affairs.

Authority: T.C.A. § 49-8-203.

5. Paragraph (7) of Rule 0240-03-16-.07 Motor Vehicle Registration is amended by deleting the text of the paragraph and substituting the following language, so that, as amended, paragraph (7) shall read:

- (7) Visitor permits are available to persons not connected with the college who occasionally have business or other reasons to be on campus. Visitor spaces are provided and designated by appropriate signs.

6. Rule 0240-03-16-.07 Motor Vehicle Registration is further amended by adding a new paragraph (8) and renumbering the subsequent paragraphs appropriately, so that, as amended, new paragraph (8) shall read:

- (8) The parking permit obtained during fall semester expires August 15 of the following year. Therefore, it is not necessary for students returning for

the following spring and summer semester to obtain a parking permit each semester.

7. Rule 0240-03-16-.07 Motor Vehicle Registration is further amended by adding new paragraphs (11) and (12) which shall read:

- (11) WSCC Police. The WSCC Police Department, located in the Information Center, is operated for the safety and benefit of the students attending WSCC. Walters State Police Officers are fully certified police officers under the Peace Officer's Standards and Training Commission of Tennessee. Officers have full investigative and arrest powers on all WSCC properties. Uniformed officers are on duty twenty-four (24) hours a day, seven (7) days a week for your protection. You should not hesitate to contact them in regard to special needs.

Pursuant to the provisions of the College and University Security Information Act, Public Chapter No. 317, enacted by the 1989 General Assembly, WSCC makes available crime rates and statistics as well as security policies and procedures to interested parties. If you wish to review or receive a copy of this information, please contact: WSCC Police Department, Walters State Community College, 500 South Davy Crockett Parkway, Morristown, Tennessee 37813-6899, Phone 423-585-6752.

- (12) Disability Parking Procedures. All students, faculty, and staff with disabilities who intend to park a motor vehicle in an area designated for individuals with disabilities must have a valid state disability parking permit (e.g., plates, hang tags and placards). All vehicles parked in areas designated for individuals with disabilities must also display a current WSCC hang tag.
 - (a) The number from the valid state disability parking permit (plates, placards or hang tags) must be registered with Campus Police. Students, faculty and staff must furnish proof (copy of application submitted for the state parking permit) that the state disability parking permit is registered in the individual's name.
 - (b) Any student or employee who becomes temporarily disabled may apply for a temporary disabled permit at the Department of Services for Individuals with Disabilities, CCEN, Room 262. Temporary WSCC disabled permits are available for three (3) weeks duration. Persons who have a disability that is not visible will need to have a doctor's statement to verify the disability. After three (3) weeks, an individual will be required to have a temporary state placard or hang tag.
 - (c) Applications for State of Tennessee disability parking permits are available at the county clerk offices and local municipal offices.
 - (d) As a state institution, the Campus Police Department is mandated to ensure that operators of motorized vehicles are in compliance with all disabled parking regulations.

- (e) The Campus Police work closely with the State Department of Motor vehicle Records to verify that disabled placards used in vehicles parked on the Walters State campus are registered to currently enrolled students. Vehicles displaying disabled placards which are not registered to a currently enrolled Walter State student will be cited and assessed a \$100.00 fine.
- (f) Students, faculty and staff utilizing disabled parking must come by the Campus Police Office to register their vehicle license tag number, disabled placard number and student hang tag number.
- (g) The fine for parking in areas designated for individuals with disabilities without the valid state parking permit or the WSCC three-week temporary hang tag will be \$100.00. This policy will be strictly enforced.

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 09-18-07; DBID 2689)