

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

Chapter 0240-03-15  
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 (a) and (b) of paragraph (5) of Rule 0240-03-.05 Disciplinary Procedures are amended by deleting the text of the subparagraphs and substituting the following language, so that, as amended, subparagraphs (a) and (b) shall read:

- (a) Hearing Before Vice President for Student Services. The Vice President for Student Services shall hold a hearing, observe the procedures described in section (6) below, consider all evidence, determine the facts, render a decision and impose appropriate disciplinary sanctions as necessary. Hearings under this procedure shall be available to students charged with any violation of College rules; however, the Vice President for Student Services may refer any disciplinary case to the Ad Hoc Committee on Student Discipline if fairness and justice would require referral.
- (b) Hearing Before College Ad Hoc Committee on Discipline Pursuant to College Procedures. The Ad Hoc Committee on Discipline shall hold a hearing, observe the procedures described in section (6) below, consider all evidence, determine the facts, render a decision and impose appropriate disciplinary sanctions as necessary. Hearings under this procedure are available to students charged with any violation of College rules.

2. Subparagraph (d) (excluding the parts) of paragraph (5) of Rule 0240-03-15-.05 Disciplinary Procedures is further amended by deleting the text of the first sentence and substituting the following language, so that, as amended, subparagraph (d) (excluding the parts) shall read:

(d) Cases of Alleged Sexual Assault. In all cases involving alleged sexual assault, both the accuser and the accused shall be informed of the following:

3. Part 3. of subparagraph (c) of paragraph (6) of Rule 0240-03-15-.05 Discipline Procedures is further amended by deleting the text of the part and substituting the following language, so that, as amended, part 3. shall read:

3. The right to call witnesses on his/her behalf; and

Authority: T.C.A. § 49-8-203.

4. Subparagraph (d) of paragraph (3) of Rule 0240-03-15-.06 Traffic and Parking Regulations is amended by deleting the text of the subparagraph and substituting the following language, so that, as amended, subparagraph (d) shall read:

(d) Parking regulations are enforced from 6:00 a.m. to 5:00 p.m., five (5) days a week. Exception: On Saturday and Sunday, individuals may park in staff parking. "Disabled" parking is enforced seven (7) days a week, twenty-four (24) hours a day. Parking decal display will be enforced during campus operating hours 6:00 a.m. to 11:00 p.m. Note: A Student Safety Handbook/Parking Policy can be found in its entirety on the VSCC Campus Police Website (<http://www.volstate.edu/CampusPolice>). The Handbook is also available in the Campus Police Department located in Wood Campus Center.

5. Parts 1. and 2. of subparagraph (a) of paragraph (4) of Rule 0240-03-15-.06 Traffic and Parking Regulations are further amended by deleting the text of the parts and substituting the following language, so that, as amended, parts 1. and 2. shall read:

1. Each citation for violation of traffic and parking regulations carries a fine of \$10.00.

2. After the third citation is received, the student's vehicle may be towed from campus and parking/driving privileges suspended on campus.

6. Subparts (i) and (ii) of part 2. of subparagraph (b) of paragraph (4) of Rule 0240-03-15-.06 Traffic and Parking Regulations are further amended by deleting the text of the subparts and substituting the following language, so that, as amended, subparts (i) and (ii) shall read:

- (i) An official Traffic Appeal form must be secured from the Office of Student Life.
- (ii) The completed form may be returned to the Office of Student Life or submitted to the Student Traffic Appeals Committee for review.

7. Subparagraph (b) of paragraph (4) of Rule 0240-03-15-.06 Traffic and Parking Regulations is further amended by adding a new part 4. and renumbering the remaining parts accordingly, so that, as amended, new part 4. shall read:

- 4. The student has the right to appeal a denied decision to the Vice President for Student Services.

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 09-25-07; DBID 2696)