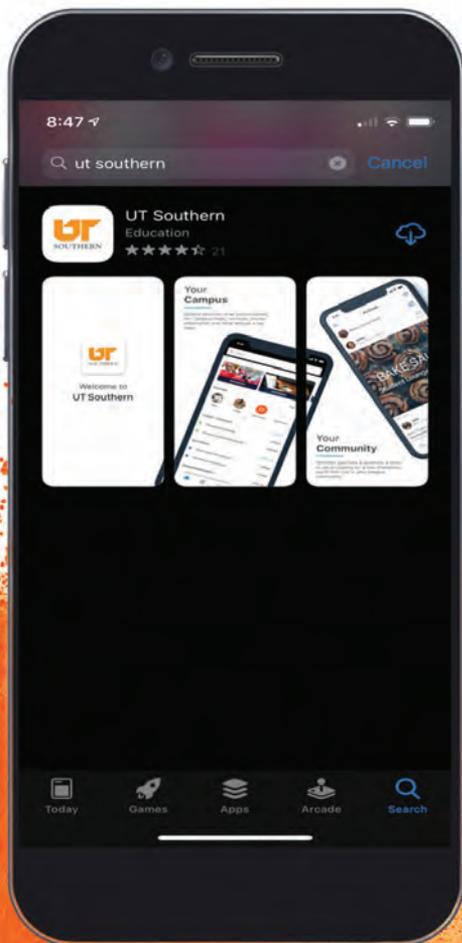
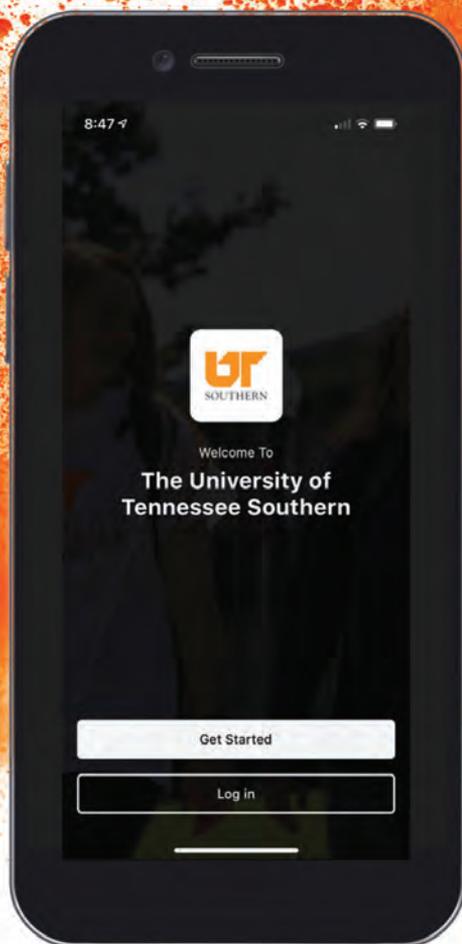


# THE UNIVERSITY OF TENNESSEE SOUTHERN

## STUDENT HANDBOOK AND STUDENT CODE OF CONDUCT

A PUBLICATION OF STUDENT AFFAIRS  
2023-2024

# THE OFFICIAL APP OF THE UNIVERSITY OF TENNESSEE SOUTHERN



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This publication puts in reference form most of the information needed by students attending the University of Tennessee Southern. All students are responsible for reading and observing the regulations contained in this Student Handbook. For the most up-to-date information and version of this Handbook, please refer to the University website at [utsouthern.edu](http://utsouthern.edu).

Students should also check the University Academic Calendar located at [utsouthern.edu/academics/academic-calendar](http://utsouthern.edu/academics/academic-calendar) and on the home page of the UT Southern App for important dates and events. The UT Southern App (available for download on most mobile devices) also keeps students informed of activities and events and includes a calendar of events.

Students are responsible for checking their UT Southern e-mail regularly. If students are unable to access their UT Southern e-mail accounts, they should contact Information Technology as soon as possible at 931-363-9838 or via [infotech@utsouthern.edu](mailto:infotech@utsouthern.edu).

If you have any questions or seek additional information, contact the Dean of Students at 931-424-4073, or the Vice Chancellor for Student Affairs at 931-424-7334.

This handbook belongs to:

Name \_\_\_\_\_

Phone \_\_\_\_\_

Email \_\_\_\_\_

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## ACADEMIC CALENDAR 2022-2023

### Fall 2023

August 1	Fall Tuition Due
August 3	Last Day to Withdraw from S2 Classes
August 10	Summer S2 Ends
August 11	S2 Grades Due at 4:30pm
August 19	Move-In Day
August 20	Welcome Week & FYE Classes Begin
August 23	All Classes Begin (Fall and S1)
August 24	Last Day to Add Fall S1 Classes
August 29	Last Day to Add Fall Day Classes
September 4	University Closed
September 5	Census Day
September 6	Last Day to Withdraw from Fall S1 as "W"
September 8	Opening Convocation, 11:00 AM, Curry Athletic Complex
September 11	Veterans Day
September 18	Spring and Summer Schedules Due to Registrar's Office
September 20	Last Day to Withdraw from Fall as "W"
September 20	Summer 2023 Incomplete Grades Turn to "F"
October 11	Last Day to Withdraw from Fall S1
October 16-17	Fall Break: No Classes Meet
October 18	Fall S1 Ends
October 20	Fall S1 Final Grades due at 8:00am
October 23	Fall S2 Classes Begin
October 23	Registration Begins for Spring 2023, Veterans, at 8 AM
October 24	Last day to Add Fall S2 Classes
October 24	Registration Begins for Sp. 2023, Senior, at 8 AM
October 25	Registration Begins for Sp. 2023, Junior, at 8 AM
October 26	Registration Begins for Sp. 2023, Sophomore at 8 AM
October 27	Registration Begins for Sp. 2023, First Year, at 8 AM
November 6	Last Day to Withdraw from Fall S2 with a Grade of "W"
November 21	Last Day to Withdraw from Fall Day Classes
November 22	Thanksgiving Break: No Classes Meet
November 23-24	University Closed: Thanksgiving
December 6	Last day to Withdraw from Fall S2 Classes
December 6	Fall Day and Graduate Classes End
December 7	Reading Day
December 8	Final Exams Begin
December 13	Fall S2 Ends
December 13	Final Exams End
December 15	Fall Day and S2 Grades Due at 8:00am

December 25	University Closed
Spring 2024	
January 2	University Re-opens
January 9	Spring Day Classes Begin (Spring and S1)
January 10	Spring S1 Classes Begin
January 11	Last Day to Add Spring S1 Classes
January 15	University Closed
January 16	Last Day to Add Spring Classes
January 24	Last Day to Withdraw from Spring S1 as "W"
January 29	Census Day
February 6	Last Day to Withdraw from Spring as "W"
February 6	Fall 2023 Incomplete Grades Turn to "F"
February 12	Fall 2024 schedule Due to Registrar's Office
February 23	Last Day to Withdraw from Spring S1
February 29	Spring S1 Classes End
March 1	Spring S1 Final Grades Due at 4:30pm
March 4	Spring S2 Classes Begin
March 5	Last Day to Add Spring S2 Classes
March 18-22	Spring Break: No Classes Meet
March 25	Last Day to Withdraw from Spring S2 Classes as "W"
March 29	University Closed
April 1	Registration Begins for Sum/Fall '24, Veterans, at 8 AM
April 2	Registration Begins for Sum/Fall '24, Sr. & Jr., at 8 AM
April 2	Assessment Day/Math Contest: No Classes Meet
April 3	Registration Begins for Sum/Fall '24, Soph., at 8 AM
April 4	Registration Begins for Sum/Fall '24, First Year, at 8 AM
April 5	Honors Convocation at 11:00am
April 10	Last Day to Withdraw from Spring Day Classes
April 24	Last Day to Withdraw from Spring S2 Classes
April 25	Spring Day Classes End
April 26	Reading Day
April 29	Final Exams Begin
May 1	Spring S2 Ends
May 1	Final Exams End
May 3	Pinning Ceremony
May 3	Graduation Practice
May 4	Commencement
May 7	All Spring and S2 Grades Due at 8:00am
Summer 2024	
May 20	Summer S1 Classes Begin
May 21	Last Day to Add Summer S1 Classes

May 27	University Closed
June 3	Last Day to Withdraw from Summer S1 Classes as "W"
June 20	Last Day to Withdraw from Summer S1 Classes
June 27	Summer S1 Ends
June 28	Summer S1 Grades Due at 4:30pm
July 1	Summer S2 Classes Begin
July 2	Last Day to Add Summer S2 Classes
July 4	University Closed
July 15	Last Day to Withdraw from Summer S2 as "W"
August 1	Last Day to Withdraw from Summer S2 Classes
August 8	Summer S2 Ends
August 9	Summer S2 Grades Due at 4:30pm

### REFUND CALENDAR

Dates listed below are the **last day** for the indicated tuition credit.

	Fall 2023		Spring 2024
August 29	100% tuition credit	January 15	100% tuition credit
September 5	80% tuition credit	January 22	80% tuition credit
September 12	60% tuition credit	January 29	60% tuition credit
September 19	40% tuition credit	February 5	40% tuition credit
September 20	0% tuition credit	February 6	0% tuition credit
<b>Fall S1</b>		<b>Spring S1</b>	
August 26	100% tuition credit	January 12	100% tuition credit
August 30	80% tuition credit	January 16	80% tuition credit
September 3	60% tuition credit	January 20	60% tuition credit
September 7	40% tuition credit	January 24	40% tuition credit
September 8	0% tuition credit	January 25	0% tuition credit
<b>Fall S2</b>		<b>Spring S2</b>	
October 26	100% tuition credit	March 9	100% tuition credit
October 30	80% tuition credit	March 20	80% tuition credit
November 3	60% tuition credit	March 24	60% tuition credit
November 7	40% tuition credit	March 28	40% tuition credit
November 8	0% tuition credit	March 29	0% tuition credit
<b>Summer 2024</b>			
<b>Summer S1</b>		<b>Summer S2</b>	
May 23	100% tuition credit	July 4	100% tuition credit
May 27	80% tuition credit	July 8	80% tuition credit
May 31	60% tuition credit	July 12	60% tuition credit
June 4	40% tuition credit	July 16	40% tuition credit
June 5	0% tuition credit	July 17	0% tuition credit



## STUDENT RIGHTS & RESPONSIBILITIES

### STUDENT RIGHTS

The rights that the University strives to guarantee are:

- To a drug free campus
- To non-discrimination
- To file grievances
- To privacy of personal records
- To challenging the content of educational records
- To review the annual security report
- To be free from sexual harassment
- To review the University graduation rates
- To review the athletic gender equity, participation, financial and graduation rates
- To smoke/tobacco free campus buildings

The right to a deferment on student loans is included in the financial aid section entitled "Loan Deferment Terms".

The University has personnel available to answer questions about consumer information, financial aid information and academic information during normal operating hours 8:00 AM through 4:30 PM Monday – Friday. For appointments during other hours, please call to schedule a time. The phone directory is located on the last page of this handbook.

#### Access

Within the limits of its facilities and resources, The University of Tennessee at Southern is open to all students who are qualified by its admission standards.

#### Participation in Policy Making

Students may participate in the orderly process of formulating and changing policies, regulations, and procedures that affect their welfare. It is expected that such participation will occur through appropriate student government agencies and University committees.

#### Fair Disciplinary Hearing

Students have the right to a fair hearing and an opportunity for appeal when charged with violations of the standards of conduct that have been established for University students.

#### Freedom from Unwarranted Search

Entry by University authorities into occupied rooms in residence halls or University apartments will be divided into two categories: inspection and search. "Inspection" is defined as entry into a room to ascertain health and safety conditions, to make repairs, or to perform cleaning and janitorial operations. "Search" is defined as entry into a room by campus authorities for the purpose of investigating suspected violation of campus regulations and/or local, state, or federal laws. On-campus authorities will not enter a room for purposes of search without the permission of the resident unless they have a campus authorization to search, authorized by the Associate Vice Chancellor for Student

Affairs or his/her designee which specifies the reasons for the search and the objects or information sought or unless they enter in compliance with state law. If possible, the student should be present during the search. Normally these searches will not be made unless the Associate Vice Chancellor for Student Affairs or his designee is present. Should the search reveal objects that the possession of which violates a law or a University regulation, the University may take appropriate disciplinary action even though the objects were not listed on the search authorization.

#### Freedom from Abuse or Harassment During an Interrogation

No form of intimidation will be used by University authorities to coerce admissions.

#### Freedom of Assembly

Students have the right to gather in groups to express their views and opinions, so long as such a gathering is held in an orderly manner; does not interfere with vehicular or pedestrian traffic, classes, meetings, events, ceremonies, or other educational processes of the University; and is not held in University buildings other than an area approved by the Division of Student Affairs or in residential areas of the campus. No amplification devices are permitted during class hours except by special permission from the Division of Student Affairs. The UT Board of Trustee's Policy Affirming Principles of Free Speech for Students and Faculty can be found at [universitytennessee.policytech.com/dotNet/documents/?docid=268&public=true](http://universitytennessee.policytech.com/dotNet/documents/?docid=268&public=true).

#### Freedom of Inquiry and Expression

Students have the right to engage in discussions and speak freely on any subject in accordance with guarantees of the state and national constitutions. As citizens, they are obliged to inform themselves regarding issues and problems of the day, to formulate stands regarding these, and to give expression to their view. In discharging these rights and obligations, students should also recognize their responsibilities to other members of the academic community and to the University.

The University of Tennessee Southern takes pride in the fact that its campus is open to free discussion and examination of views with the condition that such discussion be conducted in an orderly manner and under peaceful conditions consistent with the scholarly nature of an academic community. Speakers who are not related to the University may be invited to the campus by University departments and registered student organizations.

The University of Tennessee Southern reports demographic information, retention rates, and graduation data to the U.S. Department of Education using the Integrated Postsecondary Education Data Systems (IPEDS) Web-based Data Collection System's Graduation Rate Survey (GRS). The graduation rate of those entering the University in 2013 and graduating by 2019 is 36%. Other information required by the Student Right-To-Know Act can be found online at [utsouthern.edu](http://utsouthern.edu) under Consumer Information.

#### Faculty / Student Relationships

Every faculty member has the responsibility to discharge his/her duties in a fair and conscientious manner in accordance with standards generally recognized within the academic community. At a minimum, these standards include:

1. Meeting his /her class commitments when scheduled and, if possible, informing students in advance if he/she must be absent;
2. Utilizing a portion of the first or second class period to discuss plans for the course. This presentation should include: a general outline of the course as to content or topics to be studied; a description of the kinds of learning activities expected; guidelines for the type and expected amount of course work; a description of the means for evaluating student performance; and an explanation of expectations regarding Academic Integrity;
3. Encouraging acceptable academic conduct by all members of the academic community at all times;
4. Informing classes, in advance of any evaluation, of the permissible materials or references allowed during evaluation;
5. Taking thorough precautions against student cheating on examinations or other required class work;
6. Basing all academic evaluations upon professional judgment, avoiding consideration of factors such as race, color, religion, sex, national origin, handicap, political or cultural affiliation, life-style, or activities or behavior outside the classroom unrelated to academic achievement;
7. Performing grading duties in a timely manner and encouraging consultation with students concerning any grade they feel to be incorrect;
8. Being available at reasonable times for appointments with students and using care to keep such appointments;
9. Respecting the confidentiality of student information contained in University records and refraining from releasing such information, except in connection with intra-University business or with student consent or as may be required by law;
10. Avoiding the exploitation of his/her professional relationship with students for private advantage, and refraining from soliciting the assistance of students for private purposes in a manner which infringes upon such student's freedom of choice;
11. Giving appropriate recognition to contributions made by students to research and publication;
12. Refraining from any activity which involves risk to the health, safety, and welfare of a student except with the student's informed consent and, where applicable, in accordance with University policy relating to the use of human subjects in experimentation;
13. Respecting the dignity of students individually and collectively in the classroom and other academic contexts.

The above responsibilities of University faculty should not be considered inflexible or inclusive, but rather as general guides.

In their relationships with students, it is expected that faculty and staff members will conduct themselves with the highest level of professionalism. An open, fair, and effective educational environment depends on the respect of all members of the community for the appropriate roles of those who work and learn together.

Right to Drug-Free Schools and Communities

UT Southern has developed its drug and alcohol abuse prevention program for the safety and well-being of students, employees and campus visitors.

The unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on the University property or as part of any University activity is strictly prohibited. All State or Federal laws and applicable legal sanctions including fines and jail apply. The use of illicit drugs and the abuse of alcohol are hazardous to the health and severe illness or death can result. In an effort to meet its educational responsibility to its students and employees, the University annually schedules an assembly program dedicated to drug and alcohol abuse prevention. At this required program the health risks associated with the use of illicit drugs or the abuse of alcohol will be described in detail. Information about drug and alcohol counseling, treatment or rehabilitation is available through the University counselor.

UT Southern will impose disciplinary sanctions on students and employees (consistent with local, State, and Federal law) up to and including expulsion or termination of employment and referral for prosecution, for the unlawful possession, use, or distribution of illicit drugs and alcohol. Employees are required to self-report drug convictions to the Associate Vice Chancellor for Finance and Administration.

#### Protection from Discrimination

UT Southern does not discriminate on the basis of race, sex, color, religion, national origin, age, handicap, or veteran status in provision of educational opportunities or employment opportunities and benefits.

UT Southern does not discriminate on the basis of sex or handicap in the education programs and activities that it operates, pursuant to the requirements of Title IX of the Education Amendments of 1972, Pub. L. 92-318; and Section 504 of the Rehabilitation Act of 1973, Pub. L. 93112; respectively. This policy extends to both employment and admission to the University.

Student inquiries concerning Title IX should be directed to the Vice Chancellor for Student Affairs. Charges of violations concerning Section 504 should be directed to the Provost, Vice Chancellor for Academic Affairs.

#### STUDENT RESPONSIBILITIES

When persons enroll in The University of Tennessee Southern, they retain the rights and duties of a citizen. Additionally, they must assume the duties and observe the regulations imposed by the University community.

Failure or refusal to comply with the rules and policies established by the University may subject the offender to disciplinary action up to and including permanent dismissal from the University.

The University requires (2) two requisites in order for students to retain compliance for continued enrollment. These requirements are both good academic and disciplinary standings.

The policies and procedures described below have been established to insure the rights and privileges of all members of the University community, to communicate the expectations of the community to its members, and to provide a basis for orderly conduct of the University.

It is therefore acknowledged that all students are subject to be held accountable for their knowledge of, participation in, or being in the presence of alleged misconduct whether on or off campus while actively enrolled at the University.

#### Adherence to Student Code of Conduct

Students at the University of Tennessee Southern are members of both the University community and the larger community of which the University is a part. Accordingly, students are responsible for conducting themselves in a lawful manner and in compliance with University rules and policies. The Student Code of Conduct is included in Appendix A of this Handbook for convenience, and it is available online at [utsouthern.edu/students/](https://utsouthern.edu/students/).

#### Email

Every student is issued a University email address. Students are responsible for checking their University email account regularly, preferably daily, as many notices cannot be sent to personal email addresses due to privacy concerns. Important financial aid deadlines, graduating senior, registration information, etc. are sent to students using the UT Southern email address. Students should contact Information Technology for email access issues.

#### Insurance

Students are expected to have adequate medical and health insurance. Check with your family and/or an independent insurance agent. International students will be charged each semester for insurance through an insurance carrier chosen by UT Southern.

#### ID Cards

Every student is required to obtain and carry an official UT Southern identification card. The initial card is provided at no additional charge, but a replacement card costs \$25. This card is used for checking out books in the library, meal plans, Bookstore purchases, and gaining entrance to University facilities. Discounts may also be available from certain local businesses.

#### Computing Practices

The list below constitutes a code of computing practice for all persons using the University network system. It is important for all users to practice ethical behavior in computing activities because of the many valuable and sensitive resources involved and because of the effect one user's practices can have on the work of others.

Disciplinary action for violating the code will be governed by the applicable provisions of the Student Handbook, Code of Computing Practice Violations, and the Computer Crimes Act of the State of Tennessee.

1. The University is not liable for your actions when connecting to the Internet through University network. You assume liability for your own actions.
2. You are responsible for being aware of and following the published procedures for accessing the computer network system.
3. You are responsible for complying with laws protecting software or other accessed information. Downloading programs and files may violate United States copyright laws that protect information and software. All files downloaded from a source external to the University must be scanned for viruses.
4. You should be aware that usage statistics in archived log files, used for monitoring system performance and usage patterns, are maintained by the University concerning traffic initiated from the University network.
5. You must use only the user account which has been authorized for your use. You must use your user account only for the purpose for which they are authorized. Use of your University's network resources for personal or business financial gain without express authorization is prohibited.
6. You are responsible for the use of your user account. You should make use of system-provided protection features such as passwords, and you should take precautions against others obtaining access to network resources under your provided credentials. Sharing your network credentials (username and password) is prohibited at all times.
7. Do not access or copy the programs, files, or data belonging to other persons or to the University without prior authorization to do so. Do not attempt to access files for which you do not have authorization. Programs and data provided by the University are not to be taken to other computer sites without permission. You may not use personal software on the school's computer. **Do not install any programs on the school's computers.**
8. To minimize the impact of your activities on the work of other persons, you must not attempt to encroach on others' use of the facilities or deprive them of resources. Deliberate wasteful use of resources, such as printing or storing large amounts of unnecessary data or the downloading or uploading of large or excessive number of files for purely recreational purposes is prohibited.
9. You are expected to conduct yourself in a manner that does not offend or harass others and that does not interfere with individual and campus activities. Resources are not to be used to store or transmit obscenities or other potentially offensive material.
10. The use of any network packet sniffing tool or "booter/stresser services" or any personal wireless router on the University network is prohibited.
11. Do not attempt to modify system facilities. Do not misuse, damage, or misappropriate computer equipment, campus network resources or property.

Tennessee law provides that certain computer offenses are criminal acts and prescribes penalties for unlawful activities related to computer usage. The University of Tennessee Southern believes it is important for users to be aware of the Tennessee Computer Crimes Act and its provisions, which are found in Tennessee Codes Annotated, Sections 39-14-601, et seq.

Motor Vehicles

All vehicles parked on UTS property must be registered with the Office of Safety and Security and have a valid UTS parking permit properly displayed. Everyone is expected to operate their vehicles in compliance with the current Parking and Traffic Regulations that are available online. One (1) vehicle registration decal is included in the student's comprehensive fee at the rate of \$50 per year. Failure to register vehicles and/or violations of parking and traffic regulations can result in ticketing and fines and can result in disciplinary action. Additional traffic rules and regulations are available and will be issued with the parking permit or can be viewed on the Safety and Security website along with the UT Southern Annual Security/Fire Safety Report.

Persons on UTS property are authorized to park a vehicle only in a designated parking space located in those areas or lots for which a UTS parking permit authorizes the vehicle to be parked. Lack of an available authorized designated parking space will not excuse a person from violating any of these rules.

On special occasions (including but not limited to athletic events, concerts, and graduation exercises) or in emergency situations, the UTS Office of Safety and Security may impose parking limitations more restrictive or permissive than in these rules, as it determines to be appropriate under the circumstances. The UTS Office of Safety and Security reserves the right to alter, block, reserve, or reallocate designated parking spaces on UTS property at any time.

#### Temporary Vehicles

Registered parking permits are not transferrable to any person, but may be transferred between registered and temporary vehicles. Temporary parking passes are available for visitors and may be requested by contacting Security ([jtrev@utsouthern.edu](mailto:jtrev@utsouthern.edu) or 931-309-7502). Temporary Passes are acquired at the Office of Safety and Security.

#### Display of Parking Permit

Parking permits must be displayed on the rear-view mirror of the vehicle at all times while on UTS property. Lost or stolen parking permits will be replaced without charge.

#### Information Needed to Register the Vehicle

Students should provide the vehicle license plate state and number, and the vehicle make, model, and color.

#### Parking Citations

Fines range from \$25 to \$200 based upon the violation. A citation for any type of parking violation must be paid or appealed within fourteen (14) calendar days after the issuance of the citation. Failure to pay or appeal a citation within fourteen (14) calendar days after issuance of the citation constitutes a separate violation of these rules. If a fine is not paid or appealed within fourteen (14) calendar days after the issuance of the citation, a ten dollar (\$10.00) late charge will be added.

Payments for all parking violations must be made to the Security Office located in the Justice Center or the Business Office located in Colonial Hall between 8:30 a.m. and 4:30 p.m., Monday through Friday.

If more than five (5) citations are issued to a student in one semester, the student will be notified that his/her vehicle is subject to towing or immobilization. If, after this notification, the student receives another citation during the same semester, the student's vehicle will be subject to towing or immobilization for that citation and subsequent citations for the remainder of that semester, even if the previous citations have been satisfied by paying the fines or other penalties.

Registrants/owners/operators of vehicles that are towed or immobilized pursuant to these rules will be required to pay a fee of forty dollars (\$40.00) as a condition of the vehicle being released or mobilized. Vehicles that are towed/booted/immobilized under these traffic and parking regulations will be released only upon the owner or registrant of the vehicle providing identification and paying to UTS all previously unpaid parking fines, penalties, and towing/booting charges levied by UTS. The release of a vehicle impounded in an impound lot not owned or operated by UTS also may be subject to payment of additional fees or charges levied by the owner/operator of the impound lot.

Any student who receives \$100.00 or more in traffic and/or parking violations on UTS property during any semester or academic term may be subject to disciplinary action in accordance with applicable rules. UTS students and employees with unpaid parking fines or charges will not be allowed to register a vehicle, renew their UTS parking permits, or purchase UTS parking permits until all fines and penalties are paid.

#### Ticket Appeals

Citations may be appealed to the UTS Office of Safety and Security within fourteen (14) calendar days from the issuance of the citation, using the form provided by the Office of Safety and Security. Persons who fail to appeal a citation within fourteen (14) calendar days of issuance of the citation forfeit their right to appeal the citation.

#### Traffic Appeals Board

If a vehicle is towed or immobilized, with or without advance notice, the registrant (if a registered vehicle) or the owner/operator (if an unregistered vehicle) shall have the right to a hearing upon request to the UTS Office of Safety and Security to contest the parking violation(s) for which the vehicle was towed or immobilized. A request for a hearing may be made within fourteen (14) calendar days of the date of the towing or immobilization. A registrant/owner/operator may pay any fines, penalties, immobilization fees and/or towing charges required for the mobilization or release of the vehicle prior to the hearing. Persons who fail to request a hearing within fourteen (14) calendar days of the towing or immobilization forfeit their right to a hearing. If the underlying parking citation for which the vehicle was immobilized or towed is successfully appealed, then UTS shall refund any fines, penalties, immobilization fees or towing charges paid by the registrant/owner/operator.

The Traffic Appeals Board, composed of faculty, staff, and students, will review appeals of citations and hear challenges involving the towing or immobilization of a vehicle. All decisions of the Traffic Appeals Board will be communicated to the appealing person in writing and are final.

### **STUDENT REMINDERS**

### Political Activities on Campus

The University of Tennessee Southern recognizes and appreciates the growing interest of students in the political processes related to local, state, and federal governments. It is the intent of the University to provide, within the constraints of University regulations and local, state, and federal laws, a campus environment in which students may participate fully in appropriate political activity. Toward that end, the following guidelines shall apply to the activities of students on UT campuses:

1. Registered student organizations may invite candidates for public office to speak on or in University property or facilities. Scheduling of politically related activities shall be handled in accordance with applicable University regulations.
2. Registered student organizations may announce a campus visit of a political candidate through the use of posters and signs. However, campaign posters and signs promoting candidacy for public office may not be attached to or placed on or in University property and buildings.
3. Students may distribute campaign literature on campus so long as such distribution is in accord with University policy governing distribution of literature in general (solicitation guidelines).

### Peaceable Assemblies

The University of Tennessee Southern adheres to state law (Rules of The University of Tennessee – 172-1-8). All peaceable assemblies and/or informational meetings must be approved in advance by the Office of Student Affairs. All such assemblies and/or meeting must be conducted in an orderly and peaceful manner. The University must designate and/or approve the location and time frame for such assemblies or meetings. (Approval is secured through the Director of the University Center and/or the Vice Chancellor of Student Affairs and with an approved solicitation form).

### Publications

The Division of Student Affairs, in cooperation with University Marketing and Communications, establishes policies governing student publications. All publications must be submitted for approval before publication or campus distribution.

### Weapons

Any device, instrument, or substance that is designed to, or reasonably could be expected to, inflict a wound, incapacitate, or cause serious bodily injury or death, including, without limitation, firearms (loaded and unloaded, real firearms and devices that would reasonably appear to a law enforcement officer to be real firearms), ammunition, electronic control devices (including but not limited to tasers and stun guns), devices designed to discharge an object (including but not limited to bb guns, air guns, pellet guns, potato guns, and slingshots, but not water guns), explosives, dangerous chemicals (including but not limited to mace, tear gas, and oleoresin capsicum), martial arts weapons, bows and arrows, artificial knuckles, nightsticks, blackjacks, dirks, daggers, swords, and knives with fixed blades longer than four (4) inches. The term “weapon” does not include pocket knives that fold (but not excluding switchblades); chemical repellents available over-the-counter for self-defense; instruments used solely for personal hygiene,

preparation of food, maintenance, University-related instruction, or University employment-related duties.

#### Tennessee Criminal Law

UT Southern Safety and Security enforces Tennessee's criminal law concerning weapons. Among other prohibitions concerning weapons, Tennessee's criminal law generally prohibits persons from possessing or carrying, whether openly or concealed, with the intent to go armed, any firearm, explosive, explosive weapon, crossbow, bow and arrows, bowie knife, hawk bill knife, ice pick, dagger, slingshot, leaded cane, switchblade knife, blackjack, knuckles, fireworks, firecrackers, stun guns, TASERs, or any other weapon of like kind, not used solely for University instructional or University-sanctioned ceremonial purposes, on any property owned, used or operated by the University. Anyone illegally possessing, carrying, or using any of those weapons will be subject to criminal sanctions. (T.C.A. §§ 39-17-1309 and 39-17-1359).

#### University Policy for Employees

In addition to being subject to Tennessee's criminal law, University employees are subject to the University's Code of Conduct for employees. The University of Tennessee's Code of Conduct for employees, HR 580, prohibits the possession of firearms, explosives, or other dangerous materials on University property or during University activities, unless the employee is authorized either by University policy or law to carry firearms, explosives, and other dangerous materials and it is also necessary to do so in the course of employment (police officers, R.O.T.C. personnel, etc.).

#### University Policy for Students

In addition to being subject to Tennessee's criminal law, University students are subject to the University's Code of Conduct for students. The Code of Conduct prohibits students from possessing, using, storing, or manufacturing any weapon or any facsimile of a weapon on University-controlled property or in connection with a University-affiliated activity, unless authorized in writing by the UT Southern Director of Safety and Security. The Code of Conduct for students defines "weapon" to mean any device, instrument, or substance that is designed to, or reasonably could be expected to, inflict a wound, incapacitate, or cause serious bodily injury or death, including, but not limited to, firearms (loaded and unloaded, real and replica), ammunition, electronic control devices (such as TASERs and stun guns), devices designed to discharge an object (such as bb guns, air guns, pellet guns, potato guns, and slingshots), explosives, dangerous chemicals (such as mace, tear gas, and oleoresin capsicum), martial arts weapons, bows and arrows, artificial knuckles, nightsticks, blackjacks, dirks, daggers, swords, and knives with fixed blades longer than four (4) inches. The term "weapon" does not include chemical repellents available over-the-counter for self-defense; instruments used solely for personal hygiene, preparation of food, maintenance, University-related instruction/athletics, or University employment-related duties. University-related instruction/athletics may be transported on campus only to and from the Department of Public Safety for the purposes of checking the weapons in/out or to/from authorized University instruction/athletics events, which can be done at any time, 24 hours a day. All weapons shall remain unloaded while being checked in/out and stored.

## Alcohol/Drugs

The possession of and/or being under the influence of drugs and/or alcohol are prohibited on University owned or controlled property including the residential life facilities or student auxiliary affiliations. If students are found possessing drugs and/or alcohol, whether on or off campus, these incidents will be documented and referred to the Office of Student Affairs for disciplinary action.

University policy prohibits any student and/or student organization from serving or permitting the consumption, possession or display of any alcoholic beverage or containers at any time, or by anyone on University premises. Student organization officers are responsible for initiating risk management procedures and refusing admission to their social gatherings of persons under the influence of alcoholic beverages. Student organizations sponsoring any social affairs are responsible for the general decorum of the event. Any student and/or organization can be sanctioned for violations of the UT Southern Standards of Conduct, whether on or off campus, if the Office of Student Affairs is notified or contacted.

## Solicitation on Campus

Solicitation is defined as the seeking of funds or support by student(s), registered student organization(s), and University employees from sources on campus and other forms of support including the procurement of supplies and the selling and distribution of items, materials, or products and services.

Solicitation will not be authorized for personal benefit of individual students or individual members of student organizations.

Solicitation and (posted) advertising of regular business enterprise sales by students and student organizations are not allowed. Students and student organizations may use designated bulletin boards and the UT Southern App to advertise occasional sales or rentals, such as personal autos and auto accessories, electronic devices, pets, homes, books, etc., that are not a part of a business.

Door-to-door solicitation in residential halls, University apartments, and offices by individuals on or off campus is prohibited. Certain types of philanthropic solicitation in designated areas of University buildings might be permitted with approval of the Office of Student Life.

Student representatives of magazines, service or mail-order companies may not solicit door-to-door in residence halls. They may post notices on bulletin boards in the halls, giving their own names and phone numbers or room numbers by which the students may seek their products, as long as the companies represented are bona fide agencies. Clearance for the posting of these notices should be given by the Division of Student Affairs where a check may be made as to the reputation of the firm.

In accordance with the state law, the University does not allow any raffling or other forms of gambling in its name or in any of its facilities.

Registered organizations are encouraged to contact the Office of Student Life for the specifics of any additional guidelines regarding solicitation for private, political or public philanthropy.

Any individual(s) or organization(s) wanting to solicit on campus must first get approval from the Vice Chancellor for Student Affairs via a solicitation request.

#### Solicitation Off-Campus

Student(s) or student organization(s) interested in soliciting off campus, e.g. door-to-door sales, bake sales, car washes, etc., are required to obtain a Solicitation Permit and approval from Pulaski City Hall.

In addition, if a student organization wishes to set up near a business establishment for a bake sale, car wash, etc., the organization should first have approval from that business entity.

#### Pet Policy

For health and safety reasons, pets are not permitted on campus. Exceptions are made for service and emotional support animals approved through Disability Services.

#### Overnight Guests and Visitors

While the University encourages students to invite family and friends to share in their collegiate experience, no one under 18 is permitted to visit as an overnight guest without prior approval from the Residential Life Coordinator. Also, the maximum time allowed for overnight guests is three days, within a one week period, unless otherwise approved by Residential Life. Overnight guests can only be of the same sex.

#### Emergency Procedures

In the event of a medical emergency, Giles County EMS should be called first at **911**. After EMS is contacted, UT Southern Security should be called at: **931-363-7502**. Campus Security will then notify the Vice Chancellor for Student Affairs about the emergency, including the name of the injured and all those involved. It is the responsibility of the Vice Chancellor for Student Affairs to notify the families of severely injured students who have been taken to the hospital and to assist with making arrangements for further treatments, transportation home, etc.

In the event of an emergency such as a fire, active shooter, bomb threat, etc., **9-1-1** must be contacted first. Once **9-1-1** has been contacted, Campus Security must then be contacted and made aware of the situation. Campus Security will then notify the Vice Chancellor for Student Affairs so that appropriate actions are taken on behalf of the University.

#### Mail Services

The Mail Services Office (Mailroom) is located in the Starnes Student Union Building. The office is open to assist students during the following times:

Mail Room Hours: Monday-Friday, 8 AM – 5 AM

Check your UT Southern email for any changes to office hours.

The Office provides several different services to both residential and commuter students, such as receiving mail & packages, sending mail & packages, and on-campus mailbox management.

Student mailboxes are located on the first floor of the Starnes Student Union Building and each enrolled student is eligible for a mailbox. Students wishing to acquire a mailbox may complete an application during Welcome Week or anytime the Mail Services Office is open.

#### Lost and Found

Lost items found on campus must be turned into Campus Security located in the Criminal Justice House. If you have lost an item on campus please contact Campus Security. The UT Southern mobile application also has a lost and found section that may be utilized.

## Financial Aid Regulations

### **Satisfactory Academic Progress**

To obtain federal and state financial aid funds the grade point average must be at the proper level for retention in the University and satisfactory academic progress must be made. Students are required to meet the satisfactory academic progress and retention standards outlined in the section titled, Academic Information, of this Student Handbook in order to remain eligible to receive Title IV financial aid funds. Students may appeal their aid package as well as the termination of aid for lack of satisfactory progress by preparing a written appeal for the Admissions and Financial Aid Appeals Committee. The committee will meet within ten days and return to the student its decision, which will also be in writing. The student may, at his or her request, attend the meeting of the committee to present the appeal personally.

Please refer to the catalog for more detailed information regarding Satisfactory Academic Progress.

### **Loan Deferment Terms**

Under certain circumstances, students have a right to defer (postpone) repayment of Federal Stafford and/or Direct Loans. Students whose loans were obtained after July 1, 1993, may defer payments for the following conditions:

- Enrolled at least half-time at an eligible institution.
- Engaged in a full-time course of study in a graduate fellowship program.
- Engaged in a full-time rehabilitation training program for individuals with disabilities (if the program is approved by the Department of Education)
- Conscientiously seeking, but unable to find, full-time employment (for up to three years)
- Experiencing an economic hardship as determined by federal law (for up to three years)

Each “Federal Direct Loan Master Promissory Note Instructions and Notices” carries all details for student loans including grace period, interest rates, deferment, forbearance, and consequences of default. Students are required to sign that they have read and understand the guidelines for student loans prior to loan certification.

### **On-Line Direct Loan Entrance, Exit, and Master Promissory Note Procedures**

The Federal government requires these forms to be completed on-line. UT Southern is directing all students and parents to complete these loan forms on-line. On the UT Southern website there is a “Financial Aid Forms” bullet under the Financial Aid Heading. This opens a list of forms and the links to complete the on-line forms for Direct Loan Entrance, Direct Loan Master Promissory Note (MPN), Parent Plus Loan MPN, and the Direct Loan Exit. This information can also be accessed at [studentaid.gov](http://studentaid.gov). These forms are required by the U.S. Department of Education.

### **Notification of Federal Loan Disbursement Policy**

UT Southern hereby notifies students who have accepted Federal Direct Loans as part of their financial aid award package (or whose parents are receiving Federal Plus Loans) that loan disbursements will arrive at the University in the form of an Electronic Funds Transfer (EFT) with a roster of all loans in the transfer. The loan amounts, by federal regulation, must be released by the lenders in equal installments to cover the periods of enrollment of the academic term. If eligible, the loan disbursements will be disbursed to the University after census day. Loan proceeds will be credited to the student's account within 3 days of receipt and any excess refunded to the borrower within 14 days after the University's receipt of the funds if a credit balance is generated and a request to hold a credit balance is not on file in the business office. Under rules dictated by the federal government the University is not allowed to release the first loan disbursement to a first-year, first time undergraduate until thirty days after the first day of class of the semester or module have elapsed.

### **Cohort Default Rate**

The 3 year cohort default rate was 4.7% for 2019.

### **Institutional Review Panel**

To participate in the Tennessee Educational Lottery Scholarship program the University must have a TELS Institutional Review Panel. The purpose of the panel is to hear appeals from students who for justifiable reasons did not comply with the continuous fulltime enrollment rule that is the TELS requirement. Possible appeals will result from medical and personal problems experienced by the student such as illness, death of a family member, religious requirements, employment requirements, etc. The IRP is composed of one member of the faculty, one member of the staff and one student. The IRP will consider appeals and student requests for leaves of absence.

### **Procedures for the IRP:**

1. Decisions must be made and communicated in writing to the student within 14 days of appeal.
2. The reason for the appeal by the student must be documented and maintained by the IRP. The IRP decision must be maintained on file for four years or until the student graduates whichever comes first.
3. The student who files an appeal will be notified that the IRP decision may be appealed to the TELS Award Appeals Panel at the following address:  
Tennessee Student Assistance Corporation  
c/o TELS Award Appeals Panel  
404 James Robertson Parkway, Suite 1950  
Nashville, TN 27243

The appeal to the TELS Award Appeal Panel must be made within 45 days of the IRP decision. The TELS Panel will mail a decision to the student within 14 days of receiving the appeal. The decision of the TELS Award Appeal Panel is the final administrative appeal.

### **Official University Census Day (for Lottery Scholarships)**

To administer the Tennessee Educational Lottery Scholarship (TELS) the University must declare an official census day. A census day is the date:

- before which classes dropped do not count toward the 24 hours attempted rule for calculating a continuing student's eligibility for the lottery scholarship and
- after which any class dropped will be counted as hours attempted (and for which no quality points will be assigned thereby making it imperative that the student perform well on other classes in order to attain a grade point average that will enable them to continue to receive the TELS).

It has been determined that the 14<sup>th</sup> day of the term be the official census date.

## **GENERAL POLICIES**

### Administrative Policies and Non-Discrimination

UT Southern is committed to the principles of equal opportunity as defined under Federal and State law and does not discriminate unlawfully on the basis of race, color, creed, disability, national/ethnic origin, age, religion, sex, sexual orientation, or veteran status in its admission Policy, programs, or activities, educational policies, scholarship and loan programs, athletic and other University-administered programs, or employment practices and programs.

The following person has been designated to handle staff inquiries regarding the Non-Discrimination Policy:

Vice Chancellor for Human Resources & Operations  
433 West Madison Street  
Pulaski, Tennessee 38478  
931-424-7379, ext. 3079

The University reserves the right to change the rules regulating admission to the institution and any other regulations affecting the student body or the granting of degrees.

The University also reserves the right to withdraw courses, to change its calendar, and to alter charges and fees as conditions may require. Such changes shall go into force whenever the proper authorities may determine and shall apply not only to prospective students but also to those who may, at such time, be matriculated in the University.

The University further reserves the right to refuse to release any student their transcript, grade report, or degree for failure to return University property or to pay any accounts due the University.

It is the policy of the University that no otherwise qualified handicapped individual be discriminated against on the basis of his or her physical or mental handicap, as covered under Section 504 of the Rehabilitation Act of 1973, in admission to the University. All programs of the University are open to all regularly admitted students without regard to handicap. In the event that a student is enrolled in a course not accessible, the course will be moved to such location as will be accessible to handicapped students. Students with 504 plans should contact Academic Affairs, Colonial Hall. Any student, employee, or job applicant who has a complaint or grievance in regard to this matter should contact Dean of Students during regular office hours to make an appointment to have their grievance heard.

## Admissions

Student recruitment activities, high school relations, and admission of undergraduate students come under the jurisdiction of this office. Methods of admissions and requirements for admissions and retention are contained in the current school catalog. The Office of Admissions is located in Colonial Hall. Procedures and requirements can be found at: [utsouthern.edu/academics/registrars-office/](https://utsouthern.edu/academics/registrars-office/)

Prior to matriculation in the university all students must provide immunization records. Records must be submitted to the admissions office and will be shared with appropriate personnel when required.

## Financial Aid & Scholarships

The University of Tennessee Southern offers financial assistance to students based on need and academic achievement. To determine student need, the University utilizes the Free Application for Federal Student Aid (FAFSA), which takes into consideration certain factors relating to family financial status. Three basic types of financial aid are made available by the University:

1. Scholarships/grants
2. Loans
3. Part-time employment.

Some funds for grants and loans are provided through programs sponsored by the federal and state governments. To receive federal and/or state financial assistance, students must be admitted as a regular student seeking a degree and maintaining satisfactory academic progress. Students are strongly encouraged to review the Satisfactory Academic Progress policy and other rules and regulations regarding financial aid.

Application for financial assistance, should be made as early as possible after January 1 of the upcoming academic year in which the student plans to attend academic year by completing an Application for Admission and a FAFSA. The FAFSA is completed online (recommended) at [studentaid.gov](https://studentaid.gov). A paper FAFSA may be requested by calling 1-800-4-FED-AID (1-800-433-3243) if you are hearing impaired, contact TYY line at 1-800-730-8913. The school code for UT Southern is 003504. To receive priority consideration for the coming year, the FAFSA should be processed by February 15.

The Federal Pell Grant and Federal Supplemental Educational Opportunity Grant (FSEOG) program is reserved for undergraduate students seeking their first bachelor's degree. Students who have completed undergraduate degree requirements must not accept Pell Grant and/or FSEOG funds. Failure to begin attendance in one or more classes may cause a reduction in financial aid which could result in the student owing money back to the university. Students who have completed the requirements for a bachelor's degree are no longer eligible to receive federal or state grants.

## Complaints or Grievances

UT Southern attempts to maintain an atmosphere that encourages students to discuss their questions and concerns with the appropriate instructors or staff members before involving others. However, should discussion not resolve a perceived problem, after all other means are exhausted, there is an official grievance procedure. The Dean of Students is the University official responsible for assisting in this process. In certain areas there are standing committees that handle appeals (e.g., Admissions and Financial Aid Appeals Committee). A student grievance is any registered dissatisfaction, complaint, or injustice a person may perceive while affiliated with UT Southern, either as a prospective, currently enrolled, or recently graduated student.

UT Southern provides a procedure to assist faculty and students in resolving student concerns about academic integrity, policy, and grades issued. The teaching faculty is responsible for issuing grades; however, students who believe a faculty member has violated their academic rights may seek recourse through the grievance procedure. This procedure also is followed if students believe they have been subjected to discrimination or harassment, their basic civil rights have been violated or their privacy has been invaded, in which case the Dean of Students would be the point of contact. Students can initiate grievance resolution but must attempt to resolve their grievance through the informal process first.

### **Informal Process**

In academic matters, the student should request a conference with the instructor involved within five working days after the event occurs (or after grades are received, if this is the case). If the conference does not resolve the dispute or problem, the student should request a conference with the division chair. If this discussion does not resolve the dispute or problem, at that point, the student may request a meeting with the Provost and Dean of Students in hopes to resolve the issues.

### **Formal Process**

A student who has completed the informal process within the specified times and is not satisfied with the results may then appeal in writing to the Provost within seven calendar days after the conference with the appropriate division chairperson and/or Provost. The Provost will meet with the division chairperson to review and reach a decision regarding the grievance. This decision will be final and the student will be notified in writing within five working days.

Accurate records of all written student grievances will be confidential and will be maintained by the Dean of Students or Provost and Vice Chancellor for Academic Affairs, depending on the nature of the grievance. The procedure for student grievances will be consistent for all students. Students should be aware that should they have concerns or complaints about their program or their financial aid, this institution has a complaint procedure. To the extent possible, students should seek a resolution of such matters through the institution's complaint procedure (see Student Handbook, under "Grievance and Problem Resolutions") before involving others. Should the institution not be able to resolve a financial aid problem, the student may contact either the State Postsecondary Review Program office at the Tennessee Higher Education Commission at (615) 532-8276 or the federal Office of the Ombudsman at 1-202-401-4498 or toll free 1-877-557-2575 in Washington, DC.

## **State of Tennessee Complaint Procedures**

Should the institution not be able to resolve the student complaint, the student has the right to contact the state of Tennessee and its appropriate agency to determine the course of action. Complaints can be filed with the following agencies in Tennessee:

- Complaints related to the application of state laws or rules related to approval to operate or licensure of a particular professional program within a postsecondary institution shall be referred to the appropriate State Board (i.e., State Boards of Health, State Board of Education, and so on) within the Tennessee State Government and shall be reviewed and handled by that licensing board ([tn.gov/](http://tn.gov/), and then search for the appropriate division);
- Complaints related to state consumer protection laws (e.g., laws related to fraud or false advertising) shall be referred to the Tennessee Division of Consumer Affairs and shall be reviewed and handled by that Unit ([tn.gov/attorneygeneral/working-for-tennessee/consumer/file-a-complaint.html](http://tn.gov/attorneygeneral/working-for-tennessee/consumer/file-a-complaint.html)).

## **Southern Association of Colleges and Schools Commission on Colleges (SACS- COC)**

Allegations regarding noncompliance with accreditation standards, policies, and procedures may be made to SACS-COC, 1866 Southern Lane, Decatur, GA 30033-4097. (The Commission's complaint policy, procedure, and the Complaint form may be found on their website, [sacscoc.org/app/uploads/2020/01/ComplaintPolicy-1.pdf](http://sacscoc.org/app/uploads/2020/01/ComplaintPolicy-1.pdf))

## **Non-Tennessee Resident Students in State Authorization Reciprocity Agreement States**

Student complaints relating to consumer protection laws that involve distance learning education offered under the terms and conditions of the State Authorization Reciprocity Agreement (SARA) must first be filed with the institution to seek resolution.

Complainants not satisfied with the outcome of the Institution's internal process may appeal, within two years of the incident about which the complaint is made, to the Tennessee Higher Education Commission ([tn.gov/thecc/bureaus/student-aid-and-compliance/postsecondary-state-authorization/request-for-complaint-review.html](http://tn.gov/thecc/bureaus/student-aid-and-compliance/postsecondary-state-authorization/request-for-complaint-review.html)).

For purposes of this process, a complaint shall be defined as a formal assertion in writing that the terms of SARA or the laws, standards or regulations incorporated by the SARA Policies and Standards ([nc-sara.org/content/sara-manual](http://nc-sara.org/content/sara-manual)) have been violated by the institution operating under the terms of SARA.

For a list of SARA member States, please visit the NC-SARA website ([nc-sara.org/sara-states-institutions](http://nc-sara.org/sara-states-institutions)). Students residing in non-SARA states should consult their respective State of residence for further instruction for filing a complaint.

## **Sexual Harassment**

The University of Tennessee Southern is committed to ensuring an environment which prevents sexual harassment. Sexual Harassment by any member of the University is a violation of University policy and will not be tolerated in the University community. Both males and females can be perpetrators and/or victims of Sexual Harassment. Sexual

Harassment is a particularly sensitive issue which may affect any member of the University community and as such will be dealt with promptly and as confidentially as possible by the University administration.

Sexual Harassment is a form of Sex Discrimination. To determine whether conduct constitutes Sexual Harassment, consideration must be given to the totality of the circumstances, including without limitation: the context in which the conduct and/or words occurred; and the frequency, nature, and severity of the conduct and/or words. Depending on the severity of the conduct, a single incident may be considered Sexual Harassment.

With respect to an employee's conduct, Sexual Harassment means conduct prohibited by University of Tennessee System Human Resources Policy 0280 ([policy.tennessee.edu/hrpolicy/hr0280/](http://policy.tennessee.edu/hrpolicy/hr0280/)).

With respect to the conduct of a student or other non-employee, Sexual Harassment is defined as unwelcome conduct of a sexual nature that is so severe or pervasive, and objectively offensive, that it substantially interferes with the ability of a person to work, learn, live, or participate in or benefit from the services, activities, or privileges provided by the University. In no event shall the term "Sexual Harassment" be construed to prohibit speech protected by the First Amendment to the United States Constitution (e.g., mere insulting or offensive speech). Sexual Harassment may include, for example, unwelcome sexual advances, requests for sexual favors, and acts of Sexual Assault. (This definition is based on Code of Conduct Number 6 for students, which can be found at: [share.tn.gov/sos/rules/1720/1720-05/1720-05-01.20151213.pdf](http://share.tn.gov/sos/rules/1720/1720-05/1720-05-01.20151213.pdf).)

In determining whether alleged conduct constitutes Sexual Harassment, the University will look at the circumstances, such as the nature of the alleged conduct and the context in which the alleged conduct occurred. The determination of whether a particular alleged action constitutes Sexual Harassment will be made from the facts on a case-by-case basis.

Harassment on the basis of sex is prohibited by Title IX of the Education Amendments Act of 1972 and Title VII of the Civil Rights Act of 1964.

Appropriate disciplinary action will be taken against individuals found to have engaged in Sexual Harassment.

Students who believe they have been Sexually Harassed are encouraged to report the matter to the Title IX Coordinator, Sarah Catherine Richardson, Title IX Office, 931-424-4073. The University of Tennessee Title IX Policy on Sexual Misconduct, Relationship Violence, and Stalking contains details about reporting options and what to expect after making a report of Sexual Harassment or other prohibited conduct. More information is available at [utsouthern.edu/about/title-ix/](http://utsouthern.edu/about/title-ix/).

#### Tobacco Free Campus

To protect the health and safety of UT Southern students, employees, and visitors; to promote a healthy and safe work, educational, and living environment; and to comply

with the Tennessee Non-Smoker Protection Act and other applicable state laws, UT Southern is a Smoke-Free Campus effective January 1, 2016.

For the purposes of this policy, tobacco is defined to include any lighted or unlighted cigarette (clove, bidis, kreteks), e-cigarettes, cigars, cigarillos, pipes and hookah products; and any other smoking product; along with any smokeless, spit or spit-less, dissolvable, or inhaled tobacco products, including but not limited to dip, chew, snuff or snus, in any form (orbs, sticks, strips, pellet, etc.).

It is the responsibility of University faculty, staff, student, visitor or contractor to voluntarily comply with the no smoking policy. Violation of this policy may be regarded as a willful safety violation. If someone is non-compliant, the supervisor (or other authority) has a responsibility to speak with person(s) and encourage compliance. Each member of the University community will be responsible for respectfully informing or reminding others of the smoke-free environment if coming upon someone smoking. Effective approaches for talking with individuals who smoke must be employed with respect. Please consult with Student Affairs or Human Resources should you need further assistance in addressing compliance.

#### Inclement Weather

The University of Tennessee Southern will remain open except in the most severe weather conditions. The Chancellor, Provost, and/or Vice Chancellor for Student Affairs may officially close or suspend selected activities of the University due to extreme weather conditions. When a decision to close is made, Students will receive a text message and an email alerting them of the cancellation of classes. Additionally, the campus and appropriate radio and TV stations will be notified, and closing information will be posted on the UT Southern home page at [www.UTSouthern.edu](http://www.UTSouthern.edu), and through the UT Southern App.

Because weather conditions sometimes vary widely within the surrounding area, students are advised to use their own discretion in attempting to attend classes during inclement weather. Students are advised to contact their instructors about such absences, but normally will not be penalized if they are unable to get to campus during adverse weather conditions. Since online courses generally are not affected by inclement weather, assignment due dates and times will remain fixed throughout the semester and will not be rescheduled due to weather. Students should contact the instructor by phone or email if weather becomes a concern. Students will be responsible for any academic work that they miss due to absences caused by severe weather conditions. It is the individual student's responsibility to take the initiative to make up any missed class work, and it is the instructor's responsibility to provide a reasonable opportunity for students to complete assignments or examinations missed due to such absences.

#### Sign Posting Procedures

The Dean of Students or the Provost must approve any signs, posters, or announcements before posting. Approval for posting does not represent University endorsement of the information posted or the actual function(s) advertised.

Posted materials must clearly promote the activity publicized and the sponsoring University organization or sponsor/partner as its primary message, rather than the commercial advancement of the non-affiliated entity or product. If the name, logo, trademark, slogan, or similar identifier of a non-University affiliate appears on the posting, it must not appear as the dominant message. The Student Handbook governs signage for general elections of government officials under the section "Political Activities on Campus" found in the Student Reminders section.

Individuals not affiliated with the University (for example: vendors, organizations, businesses, entities, etc.) are permitted to advertise on campus by contacting the Dean of Students or the Director of Career Services.

Bulletin Boards are provided in various areas, some of which are for class or departmental use only. No tape of any kind can be used on painted walls. No signs may be posted on doors.

Violations of these procedures by students or student organizations are a violation of the Student Handbook and will be subject to the University student conduct process.

#### Use of University Property & Use of University Property for Free Expression

Certain rules on the use of University property, such as a rule on the use of University property for free expression activities, have been promulgated by the University in accordance with the rulemaking provisions of the Tennessee Uniform Administrative Procedures Act. Copies of those rules can be found at [publications.tnsosfiles.com/rules/1720/1720-01/1720-01-12.20141015.pdf](http://publications.tnsosfiles.com/rules/1720/1720-01/1720-01-12.20141015.pdf).

### **ACADEMIC POLICIES**

Detailed academic policies and information can be found in the University Catalog. The Catalog is available online at [UTSouthern.edu](http://UTSouthern.edu), and physical copies are available through the Registrar's Office or the Provost's Office (second floor of Colonial Hall.)

#### CLASS ATTENDANCE

The faculty and administration expect students to attend class regularly and to develop effective study habits. University policy dictates that students must attend a minimum of 80% of class meetings for each class in which they are enrolled. Successful students may not accrue absences in excess of three times the number of class meetings per week in the regular day semester, or a total of three absences in the Evening Program. Each individual faculty member will establish reasonable consequences for absences and publish these in the course syllabus.

When a student misses more than the allowed absences for any class the professor is empowered to assign a grade of "F." No student may be penalized for work missed due to required attendance at a school sanctioned function. However, it is the student's responsibility to notify the instructor, generally in advance of attendance at such an event, and to arrange to complete any makeup work in a timely manner. It is the individual professor's right to set terms and deadlines for makeup work. Dues to the specialized nature of some program requirements (e.g., laboratories, practica,

internships, clinicals), programs may of necessity deviate from this policy by establishing more stringent guidelines.

#### **DROP, ADD, & WITHDRAWAL FROM THE UNIVERSITY**

Withdrawal from a Course Students may withdraw from courses with the grade of “W” during the first four weeks of day classes or first two weeks of evening and summer sessions by completing a Drop/Add Request form with appropriate signatures (the form is also available electronically). After that time, a Drop/Add Request with appropriate signatures must be completed, and instructors assign a grade of “WP” or “WF,” as appropriate. Course withdrawal is not permitted during the last two weeks of the semester prior to the first day of final examinations or during the last week of a session in evening or summer sessions. Remember, dropping below 12 hours may carry financial aid implications, so students should check with the Financial Aid Office and the Business Office before dropping or withdrawing from a course. A student who stops attending a class without officially withdrawing will receive a grade of “F” in the course.

#### **Withdrawal from the University**

If a student finds it necessary to leave school during the course of a semester, he/she must officially withdraw from the University in order to remain in good standing. A student who leaves the University without completing an official withdrawal form in the Registrar’s Office will receive a grade of “F” in each course scheduled. If students complete the official withdrawal form and if there are satisfactory reasons for their leaving the school (e.g., serious illness), the official record sheet will show a grade of “WP” in subjects which they were passing at the time of withdrawal and a grade of “WF” in those which they were failing. Sometimes, occasions arise that merit a grade of “W” for all classes.

To withdraw from the University, a student should observe the following withdrawal procedures:

- Obtain a Withdrawal Form from the Registrar’s Office, and complete an exit interview,
- Secure clearance from all offices specified on the Withdrawal Form,
- Return the completed form to the Registrar’s Office. In cases of emergency, a student may need to withdraw, but there is not sufficient time or ability to complete paperwork.

These will be examined on a case-by-case basis, will require documentation, and must be approved by the Provost. This policy also applies to online students; they should email their instructors and the Registrar’s Office to initiate the process. Bottom line: Failure to withdraw will result in a grade of “F” in all courses. All withdrawals may have financial ramifications.

#### **ACADEMIC SERVICES**

##### **Academic Records**

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. §1232g; 34 CFR Part 99) is Federal law that protects the privacy of student education records. The law applies to

all schools that receive funds under an applicable program of the U.S. Department of Education. FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students." (For purposes of FERPA, UT Southern students are "eligible students.")

Eligible students have the right to inspect and review their education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for eligible students to review the records. Schools may charge a fee for copies.

Eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the eligible student has the right to place a statement with the record setting forth his or her view about the contested information.

Generally, schools must have written permission from the eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

- School officials with legitimate educational interest;
- Other schools to which a student is transferring;
- Specified officials for audit or evaluation purposes;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the school;
- Accrediting organizations;
- To comply with a judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies; and
- State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, major field of study, date and place of birth, honors and awards, participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees and awards received, most previous school attended, photograph, email address, classification, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, student handbook, or newspaper article) is left to the discretion of each school. For additional and more complete information, please refer to the Registrar's Office [utsouthern.edu/academics/registrar-office/](https://utsouthern.edu/academics/registrar-office/).

Current or former students may receive copies of their academic records (transcript) or have them sent to other institutions, agencies, or firms by requesting these from the Registrar. Requests may be made through the University website and the National Student Clearinghouse. Fax, email, or phone requests will not be accepted. A fee of \$7.00 will be charged for each official transcript, and students and alumni may access unofficial transcripts through the University's administrative software system. Transcript requests will not be honored for any student whose financial account with the University has not been cleared.

### **Academic Advising**

The faculty and staff of The University of Tennessee Southern want every student to have a successful college experience and are committed to providing them the best academic advisement possible. Each student who enters the University is assigned a faculty advisor who assists with schedules and academic concerns. For first year students, the academic advisor is the FYE instructor in coordination with an advisor in the discipline and the Director of Academic Advising. Undecided majors work with faculty and career services. It is the immediate responsibility of all students, including Evening Program students, to make contact with their assigned advisor or the Director of Academic Advising in person, by phone, or by e-mail in order to ensure proper scheduling of the academic program of study while at UT Southern.

Generally, new first-time freshmen or transfer students are advised and may register during summer orientation. During the initial semester of enrollment, all students are assigned a faculty advisor as assigned by the Director of Academic Advising. All students are encouraged to meet regularly with their advisor throughout their stay at The University of Tennessee Southern. Should there be a need to change advisors, students may complete a Change of Major/Advisor form available in the Registrar's Office or electronically.

Additionally, the Director of Academic Advising works closely with faculty and students providing degree audits upon request, checking to ensure that students are registered for appropriate courses each semester, and sending degree audits each semester to the student and advisor beginning the junior year. Effective academic advising is vital to the success of students; however, the ultimate responsibility for enrolling in appropriate classes lies with the student.

## **STUDENT SERVICES**

### **DIVISION OF STUDENT AFFAIRS**

The University's non-academic student support programs, services, and activities operate under the supervision of the Division of Student Affairs, the goal of which is to provide students with the opportunity to grow socially and culturally. Headed by the Vice Chancellor for Student Affairs, the Division of Student Affairs oversees and coordinates the operations of the following offices.

### **CARE Team**

The CARE (Coordination, Assessment, Response, and Education) Team exists to assist with any situation that could potentially disrupt a student's academic or social wellbeing. The

CARE Team is led by the Dean of Students and includes representatives from Student Engagement, Student Success, Residential Life, Athletics, Safety & Security, and Counseling Services. When a student experiences a crisis, the student will be assisted by the Behavioral Intervention Team, a sub-committee of the CARE Team.

Concerns for a student's mental, physical, or emotional health can be submitted to the CARE Team online at [utsouthern.edu/care-team](https://utsouthern.edu/care-team).

A member of the CARE Team is on call 24/7/365 to respond to immediate emergencies.

CARE on Call can be reached at 931-309-1670.

## **Counseling & Health Services**

Campus health services are provided by the University Clinic. The Clinic provides primary care and preventive care in addition to care for acute and chronic health issues. Counseling services are also available to all students. A professional counselor provides free counseling and supportive services.

For all emergencies, the local emergency room will be used. Emergency room expenses are borne by the student, and the university encourages all students who do not have a health insurance plan to consider enrolling in one. International students are required to show proof of health insurance or will be required to purchase a health insurance policy through the university.

## **Disability Services**

The University provides reasonable accommodations (academic adjustments and auxiliary aids) to ensure equal access to educational content and university programs for students with disabilities. Any student eligible for and requesting accommodations due to a disability must document the disability and the request for reasonable accommodations with the appropriate personnel:

1. For Reasonable Academic Accommodations, contact Vice Chancellor for Academic Affairs, Dr. Judy Cheatham. The Office of Academic Affairs maintains the files and shares the appropriate or recommended accommodations to the faculty teaching the student, with the student's permission.
2. For Reasonable Non-Academic Accommodations, contact Director of Student Engagement, Ashley Allison. The Office of Student Affairs maintains the files and shares the appropriate or recommended accommodations to the appropriate University personnel (i.e. Residential Life staff), with the student's permission.

All reasonable accommodations are individualized and based on the nature of the documented disability and the requirements of specific courses and/or activities. Accommodations are designed to meet the needs of students without fundamentally altering the nature of the University's instructional programs and/or facilities.

1. Below are examples of commonly requested academic accommodations:
  - Extended time on exams
  - Testing in a distraction-limited environment
  - Use of computer for in-class written work
  - Preferential classroom seating
  - Permission to record lectures to supplement note-taking
  - Services for students with temporary conditions, such as concussion, broken leg/arm, or surgery recovery
2. Below are examples of commonly requested non-academic accommodations:
  - Emotional support animals
  - Housing access accommodations
  - Services for students with temporary conditions, such as concussion, broken leg/arm, or surgery recovery

The Vice Chancellor for Student Affairs and the Vice Chancellor for Academic Affairs consult with each other regularly to make sure the student is being served appropriately.

Information regarding accommodations is also placed on every syllabus published by the University.

### **Veteran Services**

The University of Tennessee Southern is fully approved by the State Approving Agency to provide training under the Vocational Rehabilitation and War Orphans' Assistance programs, the Veterans Readjustment Benefits Act of 1966 and the Veterans Educational Assistance Program. The University of Tennessee Southern is approved by the Tennessee State Approving Agency for the training of veterans and their eligible dependents.

Veterans seeking admission to the University should notify the Director of Financial Aid concerning eligibility under the various chapters of the G.I. Bill. All applicants for benefits are subject to Veterans' Admission approval. Please request a Certificate of Eligibility from [www.benefits.va.gov](http://www.benefits.va.gov) and submit to the Financial Aid Office. Veteran benefit recipients will not be penalized for any delayed VA benefit payment. A VA benefit recipient, whether a veteran or a dependent of a veteran, must complete a "Request to Certify VA Benefits" form at the beginning of each semester. Veteran's Benefits are also available to all qualifying students at The University of Tennessee Southern.

Financial Aid assistance for veterans is available in the Office of Financial. All students planning to enter under provisions of a veterans' educational program are urged to apply to the appropriate agency for necessary authorization well in advance of their registration date.

### **Student Food Bank**

The Student Food Bank seeks to alleviate the barriers and challenges associated with food insecurity and hunger so that students can remain in school and ultimately earn their degrees. The Student Food Bank promotes the academic success of students dealing with food insecurity by providing a reliable source of food on-campus that is free of charge to current UT Southern students. The Student Food bank is located on the second floor of the Guthrie Student Life Center.

## **Student Activities**

Student Activities help students enhance their University experience by offering events, programs, and projects that are personally engaging for every student. If you want to be more involved on campus and learn about leadership development, the Student Activities staff is available to guide you in the right direction. Student Activities range from large events like Fall Festival to weeknight programs like Trivia Nights and Paint Nights, to on-going programs like Wellness Wednesdays.

## **Intramural Sports**

The University offers opportunities for all students to participate in intramural sports throughout the year, including water polo, racquetball, volleyball, flag football, basketball, ultimate frisbee, power puff flag football, dodgeball, soccer, and softball. Varsity athletes are not allowed to play in the same intramural sport in which they are receiving a scholarship for during the school year.

## **Clubs & Organizations**

We know how important it is for students to be actively engaged in campus life and in our surrounding community. We will help you find the organizations that are the best fits for you. Whether you choose to be an active member or accept a leadership position, your contributions will be invaluable to the organizations you join.

Student organizations are voluntary associations of University of Tennessee Southern students, which are legally separate entities from the University. Student organizations are student initiated and student run. Student organizations that are registered with the University through the Office of Student Activities have access to certain University-controlled benefits and resources, such as facilities use and funding eligibility. Any group of at least 5 students meeting the requirements whose purpose for existing is presumed to endure beyond a given academic semester is considered a Registered Student Organization.

## **Steps to Register a Student Organization**

- Step 1: Pick up Chartering a New Student Organization packet, and receive information regarding the process.
- Step 2: Use samples in the packet to guide completion of application paperwork.
- Step 3: Find an Advisor.
- Step 4: Submit paperwork packet.
- Step 5: Receive approval or denial of new charter with instructions on next steps.

An organization is on provisional status until it is approved by Student Affairs for conditional chartered status. During provisional status, organizations cannot use the college name, cannot fundraise, and cannot sponsor or promote programs. The primary privilege of an organization on provisional status is the ability to meet as an organization for the purpose of creating or revising the charter application and its subsequent forms.

No student organizations, which have any restrictive clauses with regard to race, color, creed, or national origin will be granted recognition. No student or organization of the University shall engage in hazing or committing an act that injures, frightens, degrades,

or disgraces a person attending the university. Students and/or organizations involved in hazing shall be subject to disciplinary action per the Student Code.

All RSOs are expected to maintain a minimum of five (5) currently enrolled UT Southern students as active members. Membership in registered student organizations shall be limited to currently enrolled students of the University. Accurate membership records must be maintained with Division of Student Affairs and updated annually.

All RSOs are required to have a full-time UT Southern faculty or staff member an advisor.

### **Registered Student Organization Policies**

All Registered Student Organizations are responsible for knowledge of and adherence to the policies and processes described in the Student Organization Policies and Processes document. This document is available online and through the Division of Student Affairs.

In addition to maintaining the processes outlined in Registering a Student Organization, all RSOs must also meet the requirements below:

- Attendance at Annual Presidents Meeting
- Meet Programming Requirements
- Complete the Annual Re-Registration Process
- Complete the Charter Review every four years

### **Civic Engagement**

Established in 2006, Civic Engagement brings students, faculty, and staff together with various community agencies in far-reaching service efforts. The goal of the program is to create in students a lifelong commitment to service.

### **Student Union**

The Starnes Student Union contains the dining hall, the student resource center, the cafe, a study room with computers, and student gathering spaces. The Mail Services office is located in the Starnes Student Union. In order to receive a student mail box, students must complete an application; mail boxes are not automatically assigned. Students will receive e-mails (usually via their student university e-mail address) whenever they have a package.

### **Residential Life**

The Office of Residential Life seeks to provide residents with the opportunity to take their college experience beyond the walls of the classroom while helping residents continue to grow and develop by living in community with others. All full-time students under the age of 21 and enrolled in at least 12 hours of coursework each semester are required to live on campus or at home with a parent, legal guardian, sibling (over the age of 25), or grandparent within a 40 mile radius of campus. All students must complete an application through the Office of Residential Life, either for on-campus housing or for off-campus residency. All residential students board at the Dining Hall, located in the Student Union Building. Meals are provided at regular, stated hours seven days per week (see Dining Service).

## **Dining Services**

The Dining Hall and FireHawk Café are operated by Metz, a contracted food service company, and are located in the Student Union Building. Menus are posted weekly online at [utsouthernmetz.com](http://utsouthernmetz.com). If you have any questions, concerns, or requests, please contact the General Manager, whose office is located in the Dining Hall, or via 931-424-4064 or [ma4028@metzcorp.com](mailto:ma4028@metzcorp.com).

Commuting students are provided \$25 of Flex Dollars to use in the Dining Hall or at the Café, and can purchase commuter meal plans. All commuter plan pricing can be found on their website [utsouthernmetz.com](http://utsouthernmetz.com).

### **Meal Plans**

Commuter meal plans can be purchased at the Dining Hall Register.

Residential meal plans are included in the resident's Room and Board charges.

Students with special dietary needs should contact the General Manager, Pedro Reyes, or the Executive Chef who will provide meals that are consistent with a physician's instructions.

### **Dining Hall** (subject to change)

Second floor of the Student Union Building

Serving Hours:

Monday-Friday: 7 AM – 7 PM

Saturday-Sunday: Brunch: 11 AM – 1 PM

Dinner: 5 PM – 7 PM

A valid Student ID card is required for meal exchanges in the Dining Hall. Other forms of payment accepted are cash, credit card, and Flex Dollars.

No meals, food trays, glasses, silverware, etc. shall be removed from the Dining Hall without consent from the Dining Hall Manager. Proper attire is required for entry into the Dining Hall.

### **FireHawk Café**

First floor of the student building

Serving Hours: Monday-Thursday: 7 AM – 10 PM

Friday: 7 AM – 2 PM

Starbucks Hours: Monday-Thursday: 7 AM – 7 PM

Friday: 7 AM – 2 PM

## **Student Government**

The student body is represented in the governing of life at the University through elected representatives who compose the Student Government Association (SGA). See Appendix B: Student Government Association Constitution for details on the operations of SGA at UT Southern.

## SAFETY & SECURITY

### **Homeland Security Act**

The University of Tennessee Southern maintains contact with the Tennessee Office of Homeland Security and follows all guidelines issued by that office.

### **Campus Security Information**

The University of Tennessee Southern participates in Uniform Crime Reporting to the Tennessee Bureau of Investigation (TBI) using the TBI Tennessee Incident Based Reporting System (TIBRS). A record of crime on campus is kept in the Campus Security Office and is available to be viewed upon request. Crime statistics for the previous four (4) years is referenced later in this section of the handbook. A copy of the statistics for The University of Tennessee Southern in the "Crime on Campus Report" published annually by the TBI is available upon request. Please contact the Campus Security Office for a copy. The phone directory is the last page in this handbook.

### **A Statement of Current Campus Policies Relating to The Student Right to Know and Campus Security Act Title II of Public Law 101-542, As Amended**

- A. **Current Campus Policies Regarding Procedures and Facilities for Students and Others to Report Criminal Actions or Other Emergencies Occurring on Campus and Policies Concerning the Institution's Response to Such Reports:** Anyone becoming aware of a crime or an emergency should immediately notify the campus authority under who they are working: i.e. teacher, dorm supervisor, coach, administrator, work-study supervisor, etc. That person will notify the proper campus or local authority. In circumstances where students are not under direct supervision they should call Campus Security and/or the 911 emergency numbers for police, fire department or ambulance response in the event of an emergency.
- B. **Current Campus Policies Regarding Security and Access to Campus Facilities:** Campus Security checks each building on campus at closing time, monitors access to buildings, and contacts the police department and fire department if necessary. The campus is well lighted outside and a number of areas in each building remain lighted throughout the night. Campus Security is responsible for reporting any lights that are not functioning. The Vice Chancellor for Finance and Administration monitors the issue of all keys to campus buildings and rooms. Master keys are locked in the key safe in the Business Office.
- C. **Campus Law Enforcement:** The University of Tennessee Southern does not have its own law enforcement agency. The Campus Security Office is located in The Justice Center on S. 4th Street. The Director of Campus Safety and Security, the Campus Security Supervisors, UT Southern Security Officers, Resident Directors, and employees of the University contact the local police department when a crime is committed or suspected.
- D. **Description of The Type and Frequency of Programs Designed to Inform Students and Employees About Campus Security Procedures:** The parents of students are written each year and advised to discuss personal security issues with their students before they leave for University. At the beginning of each term security is discussed

at required dorm meetings with resident students and at required meetings for those students who commute. In these meetings the following topics are discussed: Campus Security Office location and hours of availability, phone numbers for Campus Security, E-911, & local Police Departments, personal safety and safety of others on campus, securing personal belongings in vehicles and housing. These same issues are discussed with employees of the university in executive, faculty, and staff meetings.

- E. **Programs Designed to Inform Students and Employees About the Prevention of Crimes:** Every student and every employee of the University receives a publication entitled "Campus Safety and Security Guidelines".
  
- F. **Policy Concerning Off-Campus Student Organizations:** The University of Tennessee Southern does not sponsor any off-campus student organizations.
  
- A. **Crime Statistics Concerning the Occurrence on Campus for The Past Years (July 1, 2019 – May 31, 2023) of the Following Criminal Offenses Reported to Campus Security Authorities or Local Police Agencies:**
  - i. Murder/Non-Negligent Manslaughter (0)
  - ii. Negligent Manslaughter (0)
  - iii. Rape (2)
  - iv. Fondling (0)
  - v. Incest (0)
  - vi. Statutory rape (0)
  - vii. Robbery (0)
  - viii. Aggravated Assault (1)
  - ix. Burglary (2)
  - x. Motor Vehicle Theft (3)
  - xi. Arson (1)
  
- B. **Statistics Concerning the Number of Arrests for the Following Criminal Offenses Occurring on Campus During the Time Period July 1, 2019 – May 31, 2023:**
  - i. Liquor Law Violations (0)
  - ii. Drug Abuse Violations (5)
  - iii. Weapons Possession (0)
  
- C. **Statistics Concerning the Number of Referrals for the Following Criminal Offenses Occurring on Campus During the Time Period July 1, 2019 – May 31, 2023:**
  - i. Liquor Law Violations (1)
  - ii. Drug Abuse Violations (0)
  - iii. Weapons Possession (0)
  
- D. **Statistics Concerning the Number of Hate Crimes Reported on Campus During the Time Period July 1, 2019 – May 31, 2023:**
  - i. There were no reportable hate crimes.
  
- E. Policy regarding the possession, use, and sale of alcoholic beverages, illegal drugs, firearms/weapons, arson and fireworks is listed in Section VII Academic Honor Code

and Student Life Honor Code, Rights, Rules and Regulations under subheading Student Code Regulations. The Policy statement on Sexual Harassment is listed after drugs in the section already noted.

#### TITLE IX

The University of Tennessee Southern is committed to creating and maintaining a safe and non-discriminatory learning, living, and working environment free from Sexual Harassment (including Sexual Assault, Domestic Violence, Dating Violence, and Stalking), Sexual Exploitation, and Retaliation (collectively, “Prohibited Conduct”). Prohibited Conduct will not be tolerated and will be grounds for disciplinary action up to and including expulsion from the University and termination of employment.

The following are summaries of policies and procedures regarding Title IX. The full Title IX Policy, as well as the most up-to-date information on resources and contacts, is available at [utsouthern.edu/about/title-ix/](http://utsouthern.edu/about/title-ix/).

#### **Title IX Coordinator**

The University’s Title IX Coordinator is  
Sarah Catherine Richardson  
931-424-4073 • [scrich@utsouthern.edu](mailto:scrich@utsouthern.edu)  
Guthrie Student Life Center  
420 W. Madison Street  
Pulaski, TN 38478

#### **Anti-Harassment Policy**

The University of Tennessee Southern is committed to providing a work environment that is free of discrimination and harassment based on race, sex, sexual orientation, religion, national origin, disability, age, veteran status (past, present, or future service in the Uniformed Services of the United States) and any other legally protected characteristic (referred to generally as a “protected class”) established by Federal or State law. The University does not tolerate any form of harassment based on a person’s protected status. Each student, employee and faculty member is responsible for fostering mutual respect, for being familiar with this policy, and for refraining from conduct that violates this policy. 105 With respect to the working environment at the University, actions, words, jokes, or comments based on an individual's being a member of a protected class will not be tolerated. Harassment based on gender or any other protected class (either overt or subtle) is a form of discrimination that is demeaning to another person, undermines the integrity of the employment relationship and the educational environment and is strictly prohibited. Harassment will also not be tolerated by or towards University contractors, applicants for employment, members or vendors. The University takes harassment seriously, whether it involves members of the University community or external business associates. This Policy applies to all University faculty and staff (including students who work as employees of the University). Incidents of sexual discrimination involving faculty or staff may be governed either by Title IX (and through the Title IX Coordinator for gender-based discrimination).

#### **Campus Sex Crimes Prevention Act**

The federal government requires that any person classified and registered as a state sex offender must notify the state of any institution of higher education in which the offender is a student or an employee. The University of Tennessee Southern will disclose, within ten days, information concerning sex offenders that it receives under state sex offender registration and community notification programs. The disclosure will be by e-mail to students and employees.

### **Title IX Definitions**

The following definitions are summarized below. Full definitions can be found in the Policy at [utsouthern.edu/about/title-ix/](https://utsouthern.edu/about/title-ix/).

**Sexual Harassment** is conduct on the basis of sex that satisfies one or more of the following:

- (1) An employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct;
- (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity; or
- (3) Sexual Assault, Dating Violence, Domestic Violence, and/or Stalking.

For the definition of Sexual Harassment, "*reasonable person*" means a reasonable person under similar circumstances as and with similar identities to the complainant.

**Sexual Assault** is an umbrella term for any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. Sexual Assault includes Rape, Fondling, Incest, and Statutory Rape.

**Rape** means the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

**Fondling** means the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

**Incest** means sexual intercourse between persons who are related to each other within degrees wherein marriage is prohibited by law.

**Statutory Rape** means sexual intercourse with a person who is under the statutory age of consent.

**Dating Violence** means violence committed by a person—

- (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- (B) where the existence of such a relationship shall be determined based on a consideration of the following factors:

- (i) The length of the relationship.
- (ii) The type of relationship.
- (iii) The frequency of interaction between the persons involved in the relationship.

**Domestic Violence** includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime occurs, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime occurs.

**Stalking** means engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- (A) fear for his or her safety or the safety of others; or
- (B) suffer substantial emotional distress.

**Sexual Exploitation** means taking sexual advantage of another person, without that person's active agreement. An active agreement is words and/or conduct that communicate a person's willingness to participate in an act. A person cannot actively agree to an act if: (1) the person is Incapacitated, if either the person claiming to have obtained the other person's active agreement knows that the other person is Incapacitated or a Reasonable Person would know that the other person is Incapacitated; or (2) the person is Forced to act or participate in an activity.

**Retaliation** means to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by this Policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing.

Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by this Policy constitutes retaliation.

- (1) The exercise of rights protected under the First Amendment does not constitute retaliation.
- (2) Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this part does not constitute retaliation. Retaliation is a violation of this Policy regardless of whether the underlying allegation of a violation of this Policy is ultimately found to have merit. Determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

**Consent** means an active agreement to participate in a sexual act. An active agreement is words and/or conduct that communicate a person's willingness to participate in a sexual act. Consent can be revoked at any time. Valid Consent cannot be given if:

- A person is Incapacitated and a Reasonable Person in the same situation as the Respondent would have known that the person is Incapacitated;
- A person is Forced; or
- The sexual penetration of a person by the Respondent would constitute mitigated statutory rape, statutory rape, or aggravated statutory rape under state law, based on the ages of the Respondent and the other person.

**Force** means words and/or conduct that, viewed from the perspective of a reasonable person, substantially impair(s) a person’s ability to voluntarily choose whether to take an action or participate in an activity.

**Incapacitation** means that a person lacks the ability to actively agree to sexual activity because the person is asleep, unconscious, under the influence of an anesthetizing or intoxicating substance such that the person does not have control over their body, is otherwise unaware that sexual activity is occurring, or their mental, physical, or developmental abilities renders them incapable of making a rational informed judgment. Incapacitation is not the same as legal intoxication. A person violates this Policy when they engage in sexual activity with another person who is Incapacitated under circumstances in which a reasonable person would have known the other person to be Incapacitated. For evaluating Incapacitation, a “reasonable person” means a sober, objectively reasonable person in the same situation, with ordinary sensitivities, and with similar identities as the Respondent.

#### Reporting a Complaint

The University requires immediate reporting of all perceived incidents of Prohibited Conduct. If you believe that you are being harassed, or if you believe that your employment is affected by such conduct directed at someone else, such conduct should be immediately reported. All incidents of Prohibited Conduct should be reported, even if involving someone other than you. Although a complaint may be made verbally, it is preferable for the complaint to be reduced to written form, signed by the person making the complaint. Prohibited Conduct should be reported to the Title IX Coordinator, Sarah Catherine Richardson, at [scrich@utsouthern.edu](mailto:scrich@utsouthern.edu), 931-424-4073, or in person at the Guthrie Student Life Center.

#### Investigation Process and Procedures

Formal Complaints of Prohibited Conduct will be investigated as confidentially and timely as possible.

All investigations are overseen by the Title IX Coordinator, and all Title IX Hearings are overseen and adjudicated by the appropriate University personnel.

Title IX Officials, investigators, Title IX Hearing Officers, and any other person who makes decisions in a case involving Title IX Allegations, at a minimum, receive annual training on the definitions of Prohibited Conduct included in this Policy; the scope of the University’s education program or activity; how to conduct the grievance process outlined in the Policy and Code (including investigations, hearings, appeals, and informal resolution processes); and how to serve impartially. In addition, all investigators will receive training

on issues of relevance and drafting an investigative report that fairly summarizes the evidence.

Where the University finds this policy has been violated, appropriate corrective action will be taken. There will be no retaliation for complaints of harassment made in good faith under this policy.

**Anti-Retaliation Policy**

The University prohibits retaliation against any individual for making a complaint of any form of harassment or for participating as a witness or otherwise participating in a harassment investigation. Employees and faculty can raise concerns, make reports and participate in investigations without fear of reprisal or retaliation.

Sanctions that may result from any act that could be reasonably considered retaliation for making a complaint or participating in the investigation process may include separation from the University.

**INTERCOLLEGIATE ATHLETICS**

A member of the National Association of Intercollegiate Athletes, the University participates in intercollegiate competition in a variety of sports. Our intercollegiate teams have distinguished themselves and consistently add value to our student athletes and to the University.

<b>Varsity Teams Men's and Women's Teams</b>	<b>Male Participants*</b>	<b>Female Participants*</b>
Baseball	39	0
Basketball	17	15
Bowling	20	18
Cross-Country	11	8
Golf	16	9
Soccer	24	28
Softball	0	24
Swimming	10	5
Tennis	13	12
Volleyball	0	19
Other Sport Coed Teams	4	14
<b>TOTAL **</b>	<b>154</b>	<b>152</b>

*\*Number of participants as of the day of the first scheduled contest*

*\*\*Unduplicated Count of Participants (Number of individuals who participated on at least one varsity team.)*

The total expenses for all teams for the year ending June 30, 2022, was \$1,298,088, with \$594,650 funding the male teams (46%) and \$531,956 funding female teams (41%), and \$171,482 expenses funding coed teams (13%).

The entire equity report can be viewed in the Equity in Athletics Equity Report online at [ope.ed.gov/athletics](http://ope.ed.gov/athletics).

## DIRECTORY OF SERVICES

For the most up-to-date information, visit  
[www.utsouthern.edu/directory](http://www.utsouthern.edu/directory).

All phone numbers use the area code (931) unless otherwise noted.

TITLE	PHONE	NAME	ADDITIONAL RESPONSIBILITIES
<b>Chancellor and Executive Cabinet</b>			
Interim Chancellor	363-9802	Martin, Linda	
Provost/VC for Academic Affairs	363-9823	Cheatham, Judy	Graduation, IEPs
VC for Finance & Administration	363-9890	Shelton, Robby	
VC for Student Affairs & Enrollment	424-7334	Wren, Brent	
VC for Strategic Communications & Marketing		Rose, Aimee	
VC for Advancement	363-9824	Beech, Evan	
Asst. VC for Human Resources & Payroll	424-7379	Hlubb, Jamie	
Assoc. VC for Finance	363-9820	Clinard, Rhonda	
Assoc. VC for Admissions & Prospective Student Services	424-2015	Cox, Tyler	
<b>Admissions</b>			
Director	363-9827	Evans, Alyssa	International Student Advisor
Application Coord.	363-9868	Hood, Robin	
<b>Alumni</b>			
Dir. of Alumni Relations & Annual Giving	363-9825	McMasters, Laura K.	
<b>Athletics</b>			
Director; VC for Athletics	363-9872	Paul, Brandie	
Director of Internal Operations	424-7374	Carroll, Jenn	
Director of Sports Information	363-9883	O'Kelly, Zach	
Director of Sports Medicine	363-9874	Fairchild, Grant	
Asst. Athletic Trainer	363-9874	Bennett, Madison	
Aquatics Coord. & Swim Coach	424-2007	Trimoe, Trevor	
Head Baseball Coach	424-2045	Hill, Mitch	East Campus Facility Coordinator
Asst. Baseball Coach	412-1877	Chaney, Jacob	
Head Women's Basketball Coach	363-9829	Evans, Billy	

Asst. Women's Basketball Coach	363-9829	Zimdars, Maria	
Head Men's Basketball Coach	363-9826	Lyne, Dugan	
Asst. Men's Basketball Coach	424-2030	Counts, Jordan	
Head Cheer Coach	870-7568	Matthews, Kevante	
Head Cross Country Coach/Outdoor Track and Field	424-7387	Watson, Justin	
Head Golf Coach	363-9881	Dochety, John	
Asst. Golf Coach	363-9881	Clem, Tommy	
Head Women's Soccer Coach	363-9880	Austin, Will	
Asst. Women's Soccer Coach	426-1033	Crownover, Zach	
Head Men's Soccer Coach	424-2014	Davies, Brian	
Asst. Men's Soccer Coach	424-2014	Boylan, Bret	
Head Shooting Coach	424-2023	Christman, Eli	
Head Softball Coach	363-9879		
Asst. Softball Coach	363-9879	Corbitt, Jennifer	
Head Tennis Coach	363-9885	Riddle, Bill	
Head Volleyball Coach	363-9878	Yancey, Janay	
<b>Bookstore</b>			
	363-9836		
<b>Bursar's Office</b>			
Student Account Coordinator	363-9817		
Financial Services Rep.	363-9817		
<b>Campus Services</b>			
Martin Movie Theater	424-7373	Lambert, Alex	
Technology & Events Coordinator	424-7351	Hood, Kevin	
Director of Metz Dining	424-4064	Reyes, Pedro	
University Photographer	424-4051	Schafer, Guy	
Dir. Campus Services/Mail	424-7356	Dicus, Jess	
<b>Career Services</b>			
Director	363-9854		Work Study
<b>Clinic</b>			
	424-7338		
Mental Health Counselor	Text 844-986-6946	Stone, Desiree	
<b>First Year Experience</b>			
Director	363-9808	Ford, Pat	Internships
<b>Financial Aid</b>			
Director	424-7366	Hlubb, Emma	Consumer Information & Veteran Certification

Counselor; Student Last Names A-F	424-2075	Bussell, Dana	
Asst. Director; Student Last Names G-N	424-7370	Crye, Liz	
Advisor; Student Last Names O-Z	363-9831	McAfee, Suzanne	
<b>Information Technology</b>			
Information Officer	424-4058	Nkulu, Cedrick	
Systems Administrator	424-4056	Calvert, Landon	
Database Assistant	393-9838	Adcock, Clara	
Network Admin.	363-9846	Beasley, Tim	
Help Desk Tech		Petit, Austin	
<b>Library</b>			
Director	363-9844	Madden, Richard	
Asst. Director		Barber, Jessica	
<b>Maintenance and Housekeeping</b>			
Maintenance Supervisor	424-2049	Hobbs, Chuck	
Housekeeping Supervisor	424-7357	Fralix, Serita	
<b>Registrar</b>			
Registrar	424-4060	Mattingly, Chris	
Director of Academic Advising	363-9809	Capps, Casey	Changes in Major
<b>Security</b>			
24/7 Hour Phone	931-309-7502		
Director	424-2055	Brown, Josie	ID Cards & Parking Permits; Emergency Management
<b>Student Affairs</b>			
Dean of Students	424-4073	Richardson, Sarah Catherine	Title IX Coordinator; Chief Diversity Officer; Grievance Procedures & Student Complaints
Asst. Director of Student Activities & Civic Engagement	424-7377	Thornton, Allie	Intramurals, Clubs & Organizations
Director of Student & Community Engagement	424-4115	Allison, Ashley	
Residential Life Coordinator	424-4086	Williams, Kara	
Oakwood & Student Apartments Resident Director	309-1023		
Criswell Hall Resident Director	309-1023		
Upperman Hall Resident Director	309-1226		
<b>Student Resource Center</b>			
Student Resource Center	363-9888		
Director of SRC	363-9863	Rich, Barry	



## APPENDIX A: STUDENT CODE OF CONDUCT

For the most up-to-date version of the Code, visit [utsouthern.edu/students](https://utsouthern.edu/students).

### RULES OF THE UNIVERSITY OF TENNESSEE (SOUTHERN)

#### CHAPTER 1720-07-01

#### STUDENT CODE OF CONDUCT

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#### 1720-07-01-.01 INTRODUCTION.

- (1) Students at the University of Tennessee (the “University”) are members of both the University community and the larger community of which the University is a part. Accordingly, students are responsible for conducting themselves in a lawful manner and in compliance with University rules and policies. The University has established the Student Code of Conduct (“Code”) in order to advance the mission of the University by maintaining a safe and secure learning environment; protecting the rights and privileges of all members of the University community; providing a basis for orderly conduct of the affairs of the University; promoting a positive relationship between the University and its surrounding community; preserving institutional integrity and property; encouraging students to engage in conduct that brings credit to themselves and the University; and ensuring that each student who matriculates at the University graduates ready to contribute to society as an ethical and law-abiding citizen.
- (2) The University is committed to respecting students’ constitutional rights. The Code shall be interpreted in a way that does not violate students’ constitutional rights, including, without limitation, the rights protected by the First Amendment to the United States Constitution.
- (3) Students are responsible for being fully acquainted with and for complying with the Code, the University catalog, handbook, and other rules and policies relating to students. Failure or refusal to comply with the rules and policies established by the University may subject a student to disciplinary action up to and including expulsion from the University.

**Authority: T.C.A. § 49-9-209(e).**

**1720-07-01-.02 DEFINITIONS.**

The following words, terms, or phrases, when used in the Code, shall have the following meanings:

- (1) **Business Day:** Any weekday not designated by the University as a holiday or administrative closure day. When calculating a time period of business days specified in this Code, the business day of the event that triggers a time period is excluded.
- (2) **Complainant:** An individual who may have been subjected to student conduct that violates the Standards of Conduct, regardless of whether that individual makes a complaint or report to OSC. This term does not imply pre-judgment concerning whether the Respondent violated the Standards of Conduct. OSC is the final decision maker with respect to whether an individual is a Complainant for purposes of the Code.
- (3) **Conduct Officer:** A University employee designated by OSC to hold administrative hearings or to present information on behalf of OSC to the Student Conduct Board.
- (4) **Disciplinary Hold:** The University hold described in Section .11(3) of these rules.
- (5) **Faculty Member or Instructor:** A person hired by the University to conduct teaching, research, or supervised clinical placements.
- (6) **Good Faith:** Having a belief in the truth of information that a reasonable person in the same position could have, based on the information known to the person communicating the information at the time the information was communicated by that person. Information is not communicated in good faith if it is communicated with knowing or reckless disregard for information that would negate the former information.
- (7) **Formal Complaint:** A document filed by a Complainant (or signed by the Title IX Coordinator) alleging that a Respondent engaged in sexual harassment, sexual assault, dating violence, domestic violence, stalking, or sexual exploitation, and requesting that the University investigate the allegation. There are two (2) types of Formal Complaints: (i) Formal Complaints that include Title IX Allegations (as defined under Section .02(20)); and (ii) Formal Complaints that do not include Title IX Allegations, but do otherwise include allegations of sexual harassment, sexual assault, dating violence, domestic violence, stalking, or sexual exploitation.
- (8) **Member of the University Community:** A person who is a student, University employee, University volunteer, invited visitor to University-controlled property, or participant in a University-affiliated activity.
- (9) **Notice:** Written notice transmitted by United States mail, courier service, or hand delivery to the address the University's Registrar has on file for the student; and/or by e-mail to a student's University-provided e-mail account. When a notice is transmitted by United States mail or courier service, the notice is effective on the date that it is mailed or delivered to the courier service. When a notice is transmitted by hand delivery, the notice is effective on the date that it is delivered to the person to whom the notice is addressed. When a notice is transmitted by email, the notice is effective on the date that the e-mail is sent. A student's University-issued email address is the official method of communication used by the University.
- (10) **OSC: Office of Student Conduct,** which acts through University employees designated by the Vice Chancellor for Student Affairs to act on behalf of the University in the student conduct process, including, without limitation University employees who work in OSC and University employees who work in University Housing.
- (11) **Possession:** Direct control of a substance or property, actual knowledge of a substance or property, and/or being in such close proximity to the substance or property that it is a reasonable presumption that a person had knowledge of the substance or property.
- (12) **Protected Activity:** A person's good faith: (a) opposition to conduct prohibited under the Standards of Conduct; (b) report to the University about conduct prohibited under the Standards of Conduct; (c) participation (or reasonable expectation of participation) in any manner in an investigation, meeting, hearing, or interim measure; or (d) exercise of rights or

- responsibilities under any provision of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.
- (13) Respondent: A student or student organization who has been accused of violating the Standards of Conduct and/or whose conduct is being investigated by OSC.
- (14) SCB: Student Conduct Board.
- (15) Sexual Harassment: Conduct on the basis of sex that satisfies one (1) or more of the following: (a) an employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct; (b) unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity; or (c) sexual assault, dating violence, domestic violence, or stalking.
- (16) Staff Member: A person employed by the University on a part- or full-time basis, primarily involved in planning, organizing, staffing, directing and/or controlling efforts to achieve the goals and objectives of the University.
- (17) Standards of Conduct: Rule 1720-07-01-.04.
- (18) Student: For purposes of the Code, the term "student" means:
- (a) A person enrolled or registered for study at the University, either full-time or part-time, pursuing undergraduate, graduate, or professional studies, as well as non-degree and non-credit programs and courses;
  - (b) A student organization;
  - (c) A person who has completed the immediately preceding Fall or Spring academic term and is eligible for re-enrollment;
  - (d) A person who is not officially enrolled but who has a continuing relationship with the University (e.g., on educational leave or other approved leave status);
  - (e) A person who attended the University during a previous academic term and who engaged in misconduct during the time of enrollment; and/or
  - (f) A person who has been admitted to the University and later matriculates at the University, with respect to misconduct:
    1. That occurs as part of the application process; or
    2. That occurs post-admission and pre-matriculation and falls within the jurisdiction of the Code (e.g., occurs on University-controlled property).
- (19) Student Organization: An organization composed of University students that has submitted a pending application or has completed the process for registration according to University rules.
- (20) Title IX Allegations: Allegations within a Formal Complaint that a Respondent's conduct constitutes Sexual Harassment (as defined under Section .02(15)) in the University's education program or activity and occurred within the United States, as defined in federal regulations, 34 C.F.R. 106.30(a).
- (21) Title IX Hearing Officer: As more fully described in Section .09(2), a person or persons appointed to conduct a Title IX Hearing.
- (22) UAPA: Uniform Administrative Procedures Act, T.C.A. § 4- 5-101 et seq.
- (23) University: The University of Tennessee (Southern), including without limitation its campuses, centers, institutes, and constituent parts.
- (24) University-Affiliated Activity: An activity on or off University-controlled property that is initiated, aided, authorized, sponsored, or supervised by the University.
- (25) University-Controlled Property: All land, grounds, structures, or any other property owned, controlled, or operated by the University. For purposes of this Code, University-controlled property includes, without limitation, all streets, alleys, sidewalks, and public ways abutting such property. University-controlled property also includes computers and network system owned, controlled, or operated by the University or funded by the University.
- (26) University Official: An employee of the University, including, without limitation, faculty members and staff members, or, for purposes of this Code, a University-recognized volunteer,

when acting in the performance of their duties. Student employees may be considered University officials when acting in the performance of their University duties.

- (27) **Weapon:** Any device, instrument, or substance that is designed to, or reasonably could be expected to, inflict a wound, incapacitate, or cause serious bodily injury or death, including, without limitation, firearms (loaded and unloaded, real firearms and devices that would reasonably appear to a law enforcement officer to be real firearms), ammunition, electronic control devices (including but not limited to tasers and stun guns), devices designed to discharge an object (including but not limited to bb guns, air guns, pellet guns, potato guns, and slingshots, but not water guns), explosives, dangerous chemicals (including but not limited to mace, tear gas, and oleoresin capsicum), martial arts weapons, bows and arrows, artificial knuckles, nightsticks, blackjacks, dirks, daggers, swords, and knives with fixed blades longer than four (4) inches. The term “weapon” does not include pocket knives that fold (but not excluding switchblades); chemical repellents available over-the-counter for self-defense; instruments used solely for personal hygiene, preparation of food, maintenance, University-related instruction, or University employment-related duties.
- (28) **Written:** To communicate words on paper or electronically. A notice delivered via e-mail constitutes a written notice under this rule.

**Authority: T.C.A. § 49-9-209(e).**

**1720-07-01-.03 JURISDICTION.**

- (1) **Jurisdiction.** The Code applies to the conduct of a student that occurs on University-controlled property. With respect to conduct that does not occur on University-controlled property, the University has the discretion to discipline a student for conduct in violation of the Code if the student’s conduct adversely affects the interests of the University, including, without limitation, when the conduct:
- (a) Occurs during or in connection with a University-affiliated activity, including, without limitation, an overseas study program, clinical or field placement, internship, or in-service experience;
  - (b) Consists of academic dishonesty or research misconduct;
  - (c) Is prohibited by local, state, or federal law;
  - (d) Involves another member of the University community; or
  - (e) Threatens, or indicates that the student may pose a threat to, the health or safety of the student or other person, or the security of any person’s property, including, without limitation, alcohol-related misconduct, drug-related misconduct, arson, battery, fraud, hazing, sexual assault or misconduct, stalking, or theft.
- (2) **Relation to Criminal and Civil Legal Proceedings.** The Code has been adopted in furtherance of the University’s interests and serves to supplement, rather than substitute for, the enforcement of the civil and criminal law. Accordingly, University disciplinary action may be instituted against a student charged with conduct that potentially violates both the criminal law and the Standards of Conduct without regard to the pendency of criminal charges or civil litigation. At the discretion of the Vice Chancellor for Student Affairs, disciplinary action relating to a violation of the Standards of Conduct may be carried out prior to, simultaneously with, or following criminal proceedings. Students accused of violating the Standards of Conduct may not challenge the University disciplinary proceedings on the grounds that criminal charges, civil litigation, or other University proceedings regarding the same incident are pending or have been terminated, dismissed, reduced, or not yet adjudicated.
- (3) **Responsibility for Conduct.** Each student shall be responsible for his/her conduct from the time of application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment (and even if his/her conduct is not discovered until after a degree is awarded). Should a student withdraw from the University with disciplinary charges pending, a disciplinary hold may be implemented or

remain in place, and the student's academic record and/or ability to register for classes may be encumbered by the appropriate University office.

- (4) Professional and Ethical Standards. Graduate or professional programs within the University may take separate and independent academic action against students for alleged violations of professional and/or ethical standards using procedures other than those contained in the Code.
- (5) Student Organizations' Responsibility for Violations of the Standards of Conduct. Notwithstanding anything in the Code to the contrary, a student organization may be found responsible for conduct that violates the Standards of Conduct only if the conduct is fairly attributable to the student organization. Whether conduct is fairly attributable to the student organization will be determined by OSC based on a totality of the following criteria:
  - (a) Whether the misconduct was endorsed by one (1) or more officers of the student organization ("endorsed by" means: having prior knowledge that the misconduct was reasonably likely to occur and failing to take reasonable preventative or corrective action; failing to attempt to stop known misconduct while it is occurring; and/or helping to plan, promote, or carry out the misconduct);
  - (b) Whether the misconduct occurred in connection with an activity:
    1. Financed by the student organization and/or one (1) or more members or alumni of the student organization who contributed personal funds in lieu of organizational funds;
    2. Related to initiation into, admission into, affiliation with, or as a condition for continued membership in the student organization; and/or
    3. Advertised, promoted, or publicized in such a way that a reasonable student viewing or hearing the advertisement, promotion, or publication would believe that the activity was affiliated with the student organization.
  - (c) Whether the misconduct occurred on property owned, controlled, rented, leased, and/or used by the student organization and/or any of its members/alumni acting on the student organization's behalf; and/or
  - (d) Whether a member of the student organization attempted to conceal the activity connected with the misconduct or conceal the misconduct of another member of the student organization.

**Authority: T.C.A. § 49-9-209(e).**

#### **1720-07-01-.04 STANDARDS OF CONDUCT.**

Students are prohibited from engaging in the following types of misconduct:

- (1) Academic Dishonesty. Cheating, plagiarism, or any other act of academic dishonesty, including, without limitation, an act in violation of the Honor Code.
- (2) False Information. Providing false information to a University official.
- (3) Misuse of Information in Connection with University Investigation or Hearing. Falsifying, distorting, misrepresenting, or withholding information in connection with a University investigation or hearing.
- (4) Misconduct Relating to Records or Identification. Forging, altering, destroying, falsifying, or misusing records or identification, whether in print or electronic form.
- (5) Harm to Others. Causing physical harm to any person; endangering the health, safety, or welfare of any person; engaging in conduct that causes a reasonable person to fear harm to their health or safety; or making an oral or written statement that an objectively reasonable person hearing or reading the statement would interpret as a serious expression of an intent to commit an act of unlawful violence to a particular individual or group of individuals.
- (6) Harassment. Unwelcome conduct that is so severe, pervasive, and objectively offensive, that it substantially interferes with the ability of a person to work, learn, live, or participate in or benefit from the services, activities, or privileges provided by the University. In no

- event shall this rule be construed to discipline a student for speech protected by the First Amendment to the United States Constitution (e.g., mere insulting or offensive speech).
- (7) Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, Stalking, Sexual Exploitation, and/or Retaliation. Violating the University's Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking, which includes sexual exploitation and retaliation.
  - (8) Invasion of Privacy. Invasion of another person's privacy when that person has a reasonable expectation of privacy, including, without limitation, using electronic or other means to make a video or photographic record of any person in a location in which the person has a reasonable expectation of privacy, without the person's knowledge or consent. This includes, but is not limited to, making a video or photographic record of a person in shower/locker rooms or restrooms. The storing, sharing, and/or distributing of such nonconsensual recordings by any means is also prohibited.
  - (9) Private or Public Property. Any of the following conduct with respect to private or public property, including, without limitation, University-controlled property: theft; misappropriation; unauthorized possession, use, sale, duplication, or entry; vandalism; destruction; damage; or conduct that is reasonably likely to cause damage.
  - (10) Hazing. Any intentional or reckless act, on or off University-controlled property, by one (1) student, acting alone or with others, which is directed against any other student, which endangers the mental or physical health, safety, or welfare of that student, or which induces or coerces a student to endanger his or her mental or physical health, safety, or welfare. Hazing does not include customary athletic events or similar contests or competitions and is limited to those actions taken and situations created in connection with initiation into or affiliation with any organization, regardless of the student's willingness to participate.
  - (11) Disorderly Conduct. Fighting or other physically violent or physically threatening conduct; creating a hazardous or physically offensive condition by any act that serves no legitimate purpose; making noise that could unreasonably disturb others who are carrying on lawful activities; or conduct that breaches the peace.
  - (12) Lewd, Indecent, or Obscene Conduct. Engaging in lewd, indecent, or obscene conduct, including, without limitation, public exposure of one's sexual organs, public urinating, and public sexual acts.
  - (13) Imminent Lawless Action. Engaging in speech, whether orally, in writing, or by electronic means, that is directed to inciting or producing imminent lawless action and is likely to incite or produce such action.
  - (14) Fire Safety. Any act of arson; falsely reporting a fire, the presence of an explosive or incendiary device, or other emergency; setting off a false fire alarm; or tampering with, removing, or damaging fire alarms, fire extinguishers or any other safety or emergency equipment from its proper location except when removed in a situation in which there is a reasonable belief of the need for such equipment.
  - (15) University Keys, Access Cards, and Identification. Possessing, using, or duplicating University keys, University access cards, or University identification cards without authorization from the University.
  - (16) Information Technology. Theft, misuse, or unauthorized use of information technology facilities, resources, or access codes, including, without limitation: unauthorized entry into or transfer of a file; using another person's identification and/or password without that person's consent; using information technology facilities or resources to interfere with the work of another student, faculty member, staff member, or other member of the University community; using information technology facilities or resources to interfere with normal operation of a University information technology system or network; circumventing University information technology system or network security; using information technology facilities or resources in violation of copyright laws; falsifying an e-

- mail header; and conduct that violates the University's policy on the acceptable use of information technology resources.
- (17) Weapons. Possessing, carrying, using, storing, or manufacturing any weapon if prohibited by federal, state, or local law; or possessing, carrying, using, storing, or manufacturing any weapon on University-controlled property or in connection with a University-affiliated activity, unless authorized in writing by the Director of Safety and Security or unless federal or state law affirmatively gives a student a right, irrespective of this Chapter, to possess or carry a weapon on University-controlled property or in connection with a University-affiliated activity.
  - (18) Alcohol-Related Conduct – University Property or University Activities. Consuming, manufacturing, possessing, distributing, dispensing, selling, or being under the influence of alcoholic beverages on University-controlled property or in connection with a University-affiliated activity unless expressly permitted by University rules or policy.
  - (19) Alcohol-Related Conduct Prohibited by Law. Consuming, manufacturing, possessing, distributing, dispensing, selling, or being under the influence of alcoholic beverages, if prohibited by federal, state, or local law.
  - (20) Providing Alcohol to Underage Person. Providing an alcoholic beverage to a person younger than twenty-one (21) years of age, unless permitted by law.
  - (21) Drugs and Drug Paraphernalia. Using, manufacturing, possessing, distributing, selling, dispensing, or being under the influence of drugs, if prohibited by federal, state, or local law; using, manufacturing, possessing, distributing, or selling drug paraphernalia, if prohibited by federal, state, or local law; using or possessing a prescription drug if the prescription was not issued to the student; or distributing or selling a prescription drug to a person to whom the prescription was not originally issued.
  - (22) Failure to Fulfill a University Financial Obligation. Failing to timely fulfill a University bill, account, or other financial obligation owed to the University.
  - (23) Failure to Respond, Comply, or Identify. Failing to respond to a request to report to a University administrative office; failing to comply with a lawful directive of a University employee or other public official acting within the scope of their duties; or failing to identify oneself to a University employee or other public official acting within the scope of their duties when requested to do so.
  - (24) Failure to Appear. Failing to appear at a University hearing, including, without limitation, a hearing of a University conduct board, following a request to appear either as a party or as a witness, unless the student has a right to not appear under state or federal law.
  - (25) Violation of Interim Administrative Actions, Disciplinary Sanctions, or Conditions of Re-Enrollment. Violating the terms of a no-contact directive, an interim restriction (e.g., interim suspension), a disciplinary sanction, or a condition of re-enrollment imposed by the University.
  - (26) Obstruction or Disruption of University Activity. Obstructing or disrupting teaching, learning, studying, research, public service, administration, disciplinary proceedings, emergency services, or any other University-affiliated activity, whether the activity is in person or remote, or the free flow of pedestrian or vehicular traffic on University-controlled property. In no event shall this rule be construed to discipline a student for speech protected by the First Amendment to the United States Constitution.
  - (27) Violation of University Policy or Rule. Violating a University policy or rule, including, without limitation, University policies or rules relating to facilities' use, smoking, the acceptable use of information technology resources, research misconduct, finder's fees relating to clinical investigations involving human subjects or access to University data or materials, University libraries, dining services, parking or transportation, University identification card use, sexual harassment, residence halls, and registered student organizations.
  - (28) Act Prohibited by Law. Committing an act that is prohibited by federal, state, or local law.

- (29) Attempted Violation; Accessory to Violation. Attempting to commit a violation of a Standard of Conduct or being an accessory to the commission of an act or attempted act in violation of a Standard of Conduct.
- (30) Retaliation. Engaging in retaliation. Retaliation is an act or omission committed by a student because of another person's participation in a protected activity that would discourage a reasonable person from engaging in protected activity, including, without limitation, any act or omission constituting "retaliation" under the University's Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking and University rules. Retaliation violates the Standards of Conduct regardless of whether the underlying allegation of a violation of the Standards of Conduct is ultimately found to have merit. Retaliation can include, without limitation: (a) an act or omission committed against a person's family, friends, advisors, and/or other persons reasonably expected to provide information in connection with a University investigation or hearing; and (b) an act or omission committed by a student through a third party.

**Authority: T.C.A. § 49-9-209(e).**

**1720-07-01-.05 NO-CONTACT DIRECTIVES.**

In cases involving allegations of assault, injury, sexual abuse, harassment, or in cases where there is reason to believe continued contact between a student and specific persons may interfere with those persons' security, safety or ability to participate effectively in work or studies, the University may issue a written instruction to a student, called a no-contact directive, that prohibits a student from having verbal, physical, written, and/or electronic contact with specific other persons for a definite or indefinite period of time. A no-contact directive also may prohibit a student from being present on designated University-controlled property. Any student, faculty, or staff member or other person with a reasonable justification may request that the University issue a no-contact directive to a student. However, the University retains ultimate authority to decide whether or not to issue a no-contact directive. Restrictions in a no-contact directive are not interim restrictions.

**Authority: T.C.A. § 49-9-209(e).**

**1720-07-01-.06 INTERIM RESTRICTIONS.**

- (1) When the Vice Chancellor for Student Affairs has reasonable cause to believe that a Respondent's continued presence on University-controlled property or at University-affiliated activities poses a significant risk of substantial harm to the health or safety of others or to property or poses an ongoing threat to the disruption of, or interference with, the normal operations of the University, the Vice Chancellor for Student Affairs may impose interim restrictions prior to the conclusion of the student conduct process. Examples of interim restrictions include, without limitation, restricting the student's privileges to participate in University-affiliated activities, restricting the student's privileges to access University-controlled property, University-owned housing removal and/or reassignment, and/or interim suspension.
- (2) Interim restrictions shall be confirmed by written notice to the Respondent that explains the basis for the interim restrictions and shall remain in effect until the conclusion of the student conduct process, which shall be completed without undue delay.
- (3) Within three (3) business days of the imposition of interim restrictions, the Respondent shall be offered an opportunity to appear personally before the Vice Chancellor for Student Affairs in order to discuss the following issues only: (a) the reliability of the information concerning the Respondent's conduct; and (b) whether the conduct and surrounding circumstances reasonably indicate that the Respondent's continued presence on University controlled property or at University-affiliated activities poses a significant risk of substantial harm to the health or safety of others or to property or poses an imminent threat of disruption of or interference with the normal operations of the University.

- (4) An interim suspension is an official separation of the Respondent from the University until the conclusion of the student conduct process or the interim suspension is lifted, whichever occurs first. While on interim suspension, the Respondent loses all University rights and privileges (e.g., enrollment privileges) except for the rights and privileges to contest the allegations pursuant to the Code, shall not represent the University in any official manner, and shall not be present on University-controlled property or participate in University-affiliated activities without the prior approval of the Vice Chancellor for Student Affairs.
- (5) When a Respondent is placed on interim suspension from the University, the Respondent may be assigned a grade of “W” or “I,” whichever is deemed more appropriate by the faculty member involved.
- (6) Notwithstanding any other provision in this Section .06, in any case in which a Formal Complaint is filed that includes Title IX Allegations, the Vice Chancellor for Student Affairs may impose an interim suspension on a Respondent only after undertaking an individualized safety and risk analysis, and determining that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Harassment justifies removal of the Respondent. The Vice Chancellor for Student Affairs will provide the Respondent notice and an opportunity for the Respondent to challenge an interim suspension or removal within three (3) business days.

**Authority: T.C.A. § 49-9-209(e).**

**1720-07-01-.07 STUDENT RIGHTS AND PRE-HEARING PROCEDURES.**

- (1) Conflicts of Interest.
  - (a) The student conduct process must be carried out in a manner that is free from conflicts of interest or bias and is consistent with due process of law.
  - (b) In all cases involving allegations of sexual assault, dating violence, domestic violence, or stalking, the student conduct process must include protections for the Respondent analogous to, and no less protective than, the conflict of interest provisions of T.C.A. §4-5-303. Notwithstanding the preceding sentence: 1. an attorney for the University is allowed to provide legal advice to multiple University employees who serve in different roles in the process of disciplining a student; and 2. the University is allowed to provide the Complainant with equivalent rights as the Respondent during the student conduct process.
- (2) Burden of Proof and Standard of Proof. The Respondent has the right to the presumption that the Respondent is not responsible for the allegations of misconduct. The University bears the burden of presenting information demonstrating that the Respondent is responsible for any violations of the Standards of Conduct. The University uses the preponderance of the evidence standard when making determinations about whether a Respondent is responsible for violating a Standard of Conduct, meaning the information must demonstrate that it is more likely than not that the Respondent violated a Standard of Conduct.
- (3) Right to an Advisor. The Complainant and the Respondent each may be assisted by one (1) advisor of their choice and at their own cost during all stages of the student conduct process. The advisor may be, but is not required to be, an attorney. The role of an advisor is limited to assisting, advising, and/or supporting a Complainant or Respondent during the student conduct process, including at all meetings, investigative interviews, and hearings. An advisor is not permitted to speak for or on behalf of a Complainant or Respondent, appear in lieu of a Complainant or Respondent, participate as a witness, or participate directly in any other manner during any phase of the student conduct process, except in a Title IX Hearing. If a Complainant or Respondent does not have an advisor present at a Title IX Hearing, the University must provide one (1) (selected by the University) without fee or charge to that party.

In a Title IX Hearing, the advisor is permitted to speak on behalf of a Complainant or Respondent for the purposes of asking questions of the other party and witnesses, in accordance with Section .09(5)(f). of this Chapter.

- (4) Allegations of Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, Stalking, or Sexual Exploitation. In cases involving allegations of sexual harassment, sexual assault, dating violence, domestic violence, stalking, or sexual exploitation, the student conduct process is initiated upon the filing of a Formal Complaint by a Complainant or by the Title IX Coordinator. As soon as practicable after the filing of a Formal Complaint, OSC will provide a Notice of Receipt of Formal Complaint to the parties who are known. The Notice of Receipt of Formal Complaint shall include the following information: (a) notice of the student conduct process that applies to the allegations; (b) the identities of the parties involved in the incident; (c) the conduct allegedly constituting the violation; (d) the date and location of the incident, if known; (e) a statement that the Respondent is presumed not responsible for the alleged conduct; (f) a statement that a determination regarding responsibility is made at the conclusion of the student conduct process; (g) the parties' right to have an advisor of their choice, who may be, but is not required to be, an attorney; (h) the parties' right to inspect and review evidence; and (i) notice of the provisions of the Code that prohibit providing false information to a University official.
- (5) Investigations.
- (a) OSC may investigate the allegations against the Respondent by interviewing witnesses and obtaining other information. If OSC investigates allegations against a Respondent, OSC will 1. ensure that the burden of proof of gathering evidence rests on the University and not on the parties; 2. provide an equal opportunity for the parties to identify and present witnesses for interview, including fact witnesses and expert witnesses, and other inculpatory and exculpatory evidence; and 3. provide written notice of the date, time, location, participants, and purpose of all investigative interviews and other meetings, with sufficient time to prepare to participate. OSC is not obligated to interview a witness identified by the Respondent or the Complainant if OSC believes the witness is not likely to possess relevant information, is not likely to lead OSC to the discovery of relevant information, or the information the witness is likely to possess is cumulative of other information gathered by OSC. OSC may interview and re-interview the Complainant, the Respondent, and/or any other person at any time during the investigation in order to obtain additional and/or clarifying information. Investigations conducted by OSC will be prompt, thorough, and equitable. In conducting an investigation, OSC will act as a fair and impartial party rather than a representative of the person, office, unit, organization, or entity that submitted the allegations to OSC. At the conclusion of its investigation, OSC may prepare a written investigative report of the findings of the investigation. The investigative report may include an assessment of the credibility of persons interviewed during the investigation and an assessment of whether it is more likely than not that the Respondent violated the Standards of Conduct.
- (b) In cases in which a Complainant or the Title IX Coordinator has filed a Formal Complaint alleging sexual harassment, sexual assault, dating violence, domestic violence, stalking, or sexual exploitation, OSC will provide both parties with an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint. Prior to completion of the investigative report, OSC will send to each party and the party's advisor, if any, the evidence subject to inspection and review. The parties must have at least ten (10) business days to submit a written response, which OSC will consider prior to completion of the investigative report. After the investigative report is final, the parties shall have ten (10) business days to submit a written response to the

report. No hearing shall occur until that 10-day period has expired, even if the parties have submitted responses prior to the expiration of the 10-day period.

- (6) Notice of Allegations and Notice of Sanctions.
- (a) A Notice of Allegations is a written notice that informs the Respondent that OSC has concluded that it is more likely than not that the Respondent violated the Standards of Conduct. A Notice of Allegations generally includes, without limitation, the following information: 1. a brief summary of the facts of Respondent's alleged misconduct; 2. notice that OSC has determined that it is more likely than not that Respondent violated the Standards of Conduct; 3. notice of the specific Standard(s) of Conduct that OSC has determined the Respondent more likely than not violated; 4. the Respondent's option(s) to elect a hearing to contest OSC's determination of responsibility for misconduct and/or the sanction(s); and 5. the names of witnesses likely to present information concerning the alleged misconduct if the Respondent elects to contest the allegations through a hearing.
  - (b) A Notice of Sanctions is a written notice that informs the Respondent of the disciplinary sanction(s) that OSC proposes for the violation(s) of the Standards of Conduct.
  - (c) If the Respondent fails to elect a hearing option available under Section .07(7) within seven (7) business days of OSC transmitting a Notice of Allegations and Notice of Sanctions in writing to the Respondent, then the Respondent waives all rights to a hearing, and OSC has the discretion to deem the Respondent to have accepted OSC's determination of responsibility for misconduct and may impose sanction(s) deemed appropriate by OSC (unless OSC extends the time for the Respondent to request a Formal Hearing for good cause).
  - (d) This Section .07(6) does not apply to Formal Complaints that include Title IX Allegations.
- (7) Hearing Options. A Respondent shall have the following options for a hearing:
- (a) An administrative hearing before the Conduct Officer, which is described in Section .07(9);
  - (b) A hearing before the Student Conduct Board, which is described in Section .08;
  - (c) A hearing before a Title IX Hearing Officer ("Title IX Hearing"), which is described in Section .09 and which is the only hearing option provided under the Code for determining responsibility for Title IX Allegations; or
  - (d) A contested case hearing under the Uniform Administrative Procedures Act, which is conducted in accordance with the University's procedures for conducting contested case proceedings under the UAPA, Chapter 1720-01-05.
- (8) Alternative Resolution and Informal Resolution.
- (a) Alternative Resolution. At any time during the student conduct process, allegations against the Respondent (except for Title IX Allegations which may be resolved through the Informal Resolution process set forth in Section .07(8)(b)) may be resolved through an alternative resolution. An alternative resolution is a resolution that is reached through a process and/or by a sanction or restriction not described in the Code. An alternative resolution concludes with a written agreement that confirms an agreement to resolve the allegations against the Respondent. To be valid, an alternative resolution agreement shall be signed by OSC and the Respondent, and shall include a waiver of the Respondent's right, if any, to have a hearing on the allegations. Prior to the execution of an alternative resolution agreement, if a Complainant has not participated with OSC in the discussion of an alternative resolution, then OSC will provide the Complainant with an opportunity to provide a timely objection to the proposed alternative resolution. In appropriate cases, OSC may request the Complainant to sign an alternative resolution agreement and determine that the alternative resolution agreement is not

effective without the Complainant's signature. Neither the Respondent nor the Complainant may revoke or appeal an alternative resolution agreement after that party has signed the agreement. If an alternative resolution agreement is not reached, then the student conduct process will proceed, and the allegations against the Respondent will be resolved through one (1) of the other resolution methods in the Code.

- (b) Informal Resolution. In cases that include Title IX Allegations, at any time prior to reaching a determination regarding responsibility, OSC may facilitate an informal resolution process that does not involve a full investigation and adjudication. To facilitate an informal resolution, OSC will (a) provide to the parties a written notice disclosing the allegations and the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a Formal Complaint arising from the same allegations, and (b) obtain the parties' voluntary, written consent to the informal resolution process. At any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the student conduct process with respect to the Formal Complaint.
- (9) Administrative Hearing Before Conduct Officer. A Respondent has a right to resolve a disciplinary case through an administrative hearing with the Conduct Officer by accepting responsibility for violating the Standards of Conduct. Following the Respondent's written acceptance of responsibility and written waiver of the right to a hearing under the UAPA, if applicable, the Conduct Officer will assess a sanction that is appropriate under Chapter 1720-07-01-.11. Following the assessment of the sanction, the Respondent may acknowledge the acceptance of the sanction in writing or appeal the sanction to the Vice Chancellor for Student Affairs in accordance with Chapter 1720-07-01-.10. A Respondent who resolves a disciplinary case through an administrative hearing with the Conduct Officer may only appeal the sanction to the Vice Chancellor for Student Affairs. A Respondent may not revoke a written acceptance of responsibility or a written acceptance of sanctions.

**Authority: T.C.A. § 49-9-209(e).**

**1720-07-01-.08 STUDENT CONDUCT BOARD HEARINGS.**

- (1) Notice of SCB Hearing.
  - (a) When a Notice of SCB Hearing Is Sent. If the Respondent requests a SCB hearing in accordance with Section .07(7)(b), then OSC will send the Respondent and the Complainant a Notice of SCB Hearing at least seven (7) business days in advance of the date of the hearing.
  - (b) Information in the Notice of SCB Hearing. The Notice of SCB Hearing generally will contain, or be accompanied by, the following information: 1. the date, time, and place of the SCB hearing (OSC may reschedule the SCB hearing for good cause and issue a revised Notice of SCB hearing that contains a new date, time, and place of the SCB hearing); 2. a copy of the Notice of Allegations; 3. the sanction(s) that the Conduct Officer will request the SCB impose on the Respondent; 4. the names of all witnesses through whom the Conduct Officer is likely to present information during the SCB hearing; 5. a notice of the right to the assistance and/or support of an Advisor during the SCB hearing; 6. a description of all tangible or electronic information that the Conduct Officer is likely to present to the SCB, such as an investigative report, police report, incident report, witness statements, video or audio recordings, photographs, text messages, or phone records; 7. notice of the right to request a copy of OSC's investigative file, redacted in accordance with the Family Educational Rights and Privacy Act of 1974, (20 U.S.C. § 1232g), and the federal regulations implementing that statute, as amended; and 8. notice of the right to request copies of all documents, copies

of all electronically stored information, and access to tangible evidence that the University has in its possession, custody, or control and may use to support claims or defenses, unless the use would be solely for impeachment.

- (c) More than One Respondent. In cases involving more than one (1) Respondent, SCB hearings concerning each Respondent's conduct may be conducted separately upon written request of a Respondent submitted at the time of the Respondent's request for a hearing. OSC has the discretion to make the final determination of whether to grant such a request and will notify the Respondents of the decision.
  - (d) Consequences of Failing to Attend a SCB Hearing. If the Respondent fails to attend a SCB hearing, then the Respondent waives all rights to an SCB hearing. The SCB may: proceed with the SCB hearing without the Respondent's participation; hold the Respondent accountable for all decisions made in the Respondent's absence, including, without limitation, decisions concerning responsibility for alleged violations of the Standards of Conduct; and may determine that the Respondent's failure to attend the hearing constitutes a separate violation of the Standards of Conduct. If the SCB determines, in the Respondent's absence, that it is more likely than not that the Respondent violated the Standards of Conduct, then OSC may implement the sanctions imposed by the SCB and conclude the student conduct process.
- (2) Composition of the Student Conduct Board.
- (a) Eligible Pool. The University shall appoint a pool of persons who are eligible to serve on a SCB. The University may appoint University students, University faculty members, or University staff employees; however, an employee who works in OSC is ineligible to serve on a SCB. Persons appointed by the University will be trained by OSC to serve on a SCB.
  - (b) Appointment of the SCB. The SCB is an ad hoc board composed of three (3) members of the eligible pool and one (1) non-voting member of the eligible pool designated as the Chairperson. The SCB and the Chairperson are appointed by the Vice Chancellor for Student Affairs.
  - (c) Fairness and Impartiality of SCB Members. Any member of the SCB who determines that they cannot decide a case fairly and impartially for any reason (e.g., having a personal prejudice or bias) shall excuse themselves from serving on the SCB. The Complainant and the Respondent have the right to request the removal of any member of the SCB, including the Chairperson, on the grounds that the person cannot be fair and impartial in deciding the case. Any request for the removal of a member of the SCB must be made in writing to the Vice Chancellor for Student Affairs at least three (3) business days in advance of the date of the hearing. If the Vice Chancellor for Student Affairs decides that any member of the SCB cannot be fair and impartial, then the Vice Chancellor for Student Affairs shall appoint a new member of the eligible pool.
- (3) General Rules Governing SCB hearings.
- (a) Required Pre-Hearing Information and Copies – Complainant and Respondent.
    - 1. At least five (5) business days prior to the SCB hearing, the Complainant and the Respondent must provide the following to OSC in writing:
      - (i) The name of their advisor, if any, who will attend the SCB hearing;
      - (ii) The names of all witnesses and a brief summary of the information that they reasonably anticipate that each witness will provide to the SCB; and
      - (iii) A copy of all tangible or electronic information that they plan to present to the SCB (including, but not limited to, witness statements, video or audio recordings, photographs, text

messages, phone records, medical bills, diagrams). However, they are not required to provide copies of information that is not in a form that allows copying (e.g., weapon; piece of clothing), in which case they should describe the information in writing.

2. During the SCB hearing, the Complainant and the Respondent may present witnesses who were not identified in the Notice of SCB Hearing only if they comply with this Section .08(3)(a) (i.e., other witnesses not identified to OSC in writing at least five (5) business days prior to the SCB hearing will not be allowed). The Complainant and the Respondent are responsible for contacting witnesses who were not identified in the Notice of SCB Hearing, informing them about the date, time, and place of the SCB hearing, and securing their attendance at the SCB hearing.
  3. During the sanctioning phase of the SCB hearing only, the parties may present statements that they want the SCB to consider in determining the appropriate sanction to impose on the Respondent if the SCB finds that the Respondent violated a Standard of Conduct. The Complainant's statement may include a description of the impact of the Respondent's conduct on the Complainant. The Respondent's statement may include a description of any factors the Respondent believes mitigates the conduct. The Respondent may also present character statements during the sanctioning phase of the hearing only.
- (b) Pre-Hearing Review of Information. Individuals involved with the hearing are responsible for contacting OSC to arrange a time to review the information prior to the hearing if such review is desired and the information has not been made available electronically. No less than three (3) business days prior to the hearing, OSC will make copies of information submitted by the Complainant, the Respondent, and the Conduct Officer available for review by the Complainant, Respondent, their respective advisors, and members of the SCB. Those individuals will be notified by OSC when materials are available for review. OSC may make the information available electronically. In its sole discretion, OSC may redact irrelevant information prior to making information available.
- (c) Recording of the SCB Hearing. The University shall be responsible for making a verbatim record (e.g., digital or other recording) of a SCB hearing. Deliberations of the SCB shall not be recorded. The record of the SCB hearing shall be the property of the University. The Complainant and the Respondent may take notes during a SCB hearing, which shall be their own property, but neither the Complainant nor the Respondent may record the hearing using any other method of recording. However, the University will provide a copy of the verbatim record to the Complainant and the Respondent upon request.
- (d) Attendance and Participation. Attendance during an SCB hearing generally is limited to members of the SCB, the Conduct Officer, the Complainant and the Complainant's advisor, the Respondent and the Respondent's advisor, and witnesses. The Conduct Officer, the Complainant, the Respondent, advisors, and witnesses may not be present during the deliberations of the SCB. Witnesses may attend the SCB hearing only while they are presenting information to the SCB, unless the witness is the Complainant or the Respondent. The Chairperson and OSC have the discretion to allow other persons to attend the SCB hearing, in accordance with state and federal law. The Complainant and the Complainant's advisor may attend any part of the SCB hearing (excluding the deliberations of the SCB), but the Complainant and the Complainant's advisor shall be excused

from the hearing room when the Respondent's education records or information obtained from the Respondent's education records are disclosed unless the information is also part of the Complainant's education records. However, the previous sentence shall not apply, and the Complainant and the Complainant's advisor shall have the right to attend the entire SCB hearing, in cases of sexual assault, dating violence, domestic violence, and stalking. The Chairperson may accommodate concerns for the personal safety, well-being, and/or fears of confrontations of the Complainant, the Respondent, and/or witnesses by permitting attendance or participation by closed circuit television, video conferencing, or other appropriate means, as determined in the discretion of the Chairperson. However, the identity of all persons who present information to the SCB must be made known to the Respondent and the Complainant. The Respondent and the Complainant must be allowed to simultaneously see, hear, and otherwise access the communications of any party or witness who is attending or participating by closed circuit television, video conferencing, or other similar means.

(4) Procedural Rules for SCB Hearings.

- (a) Authority of the Chairperson. The Chairperson has the authority to maintain order and make all decisions necessary for the fair, orderly, and expeditious conduct of the SCB hearing.
- (b) Exclusion of Information. Upon the Chairperson's initiation or upon request by the Conduct Officer, the Complainant, the Respondent, or a member of the SCB, the Chairperson may exclude the following information from the SCB's consideration: 1. irrelevant information; 2. information that unreasonably repeats information already provided to the SCB; 3. information that was not provided in advance of the hearing in accordance with Section .08(3)(a), or information from witnesses who were not disclosed in advance of the hearing in accordance with Section .08(3)(a); 4. Information that is protected from disclosure under federal or Tennessee law; and/or 5. information about a person's character or character trait, if the information is being presented to show that on a particular occasion the person acted in accordance with the character or character trait. Generally, in cases involving an allegation of sexual misconduct, neither the Complainant's nor the Respondent's prior sexual history is relevant to the issue of whether sexual misconduct occurred and will not be considered by the SCB. However, when the Respondent contends that the Complainant gave consent for a particular sexual act, the prior sexual history between the Complainant and the Respondent may be relevant to assess the manner and nature of communications between the parties, although the mere existence of a current or previous dating, romantic, intimate, or sexual relationship with the other person does not allow a Respondent to imply or infer consent. The Complainant's and the Respondent's prior sexual history may also be relevant in other limited circumstances, such as to show intent, motive, absence of mistake, or to explain an injury or physical finding.
- (c) Persons Who May Present Information. The only persons who may present information and/or witnesses during a SCB hearing are the Conduct Officer, the Complainant, and the Respondent. The Complainant and the Respondent are responsible for presenting their own information and/or witnesses, if any, to the SCB (an advisor shall not present and/or witnesses to the SCB).
- (d) Formal Rules. Formal rules of process, procedure, and/or technical rules of evidence, such as those applied in criminal or civil court, are not used in SCB hearings. The Chairperson shall decide all procedural questions that arise during a SCB hearing. The Chairperson may consult with OSC for assistance in resolving procedural questions fairly and in accordance with the Code.

- (e) Questioning of Witnesses. Witnesses will provide information to the SCB and answer questions from the Chairperson. The Chairperson may ask questions and/or submit a request for additional information to the Respondent, the Complainant, the Conduct Officer, and/or witnesses. The Conduct Officer, the Respondent and/or the Complainant shall not directly ask questions to each other or other witnesses. The Conduct Officer, the Respondent, the Complainant, and/or members of the SCB may propose questions for the Chairperson to ask witnesses by submitting the proposed questions to the Chairperson in writing during the hearing. The Chairperson has the discretion whether to ask a witness a question proposed by the Conduct Officer, the Respondent, the Complainant, and/or members of the SCB. The method of questioning witnesses outlined in this Section .08(4)(e) is used to preserve the educational tone of the SCB hearing and to avoid the creation of an adversarial environment.
  - (f) Closing Statements. At the close of the SCB hearing, the Chairperson may allow the Conduct Officer, the Complainant, and the Respondent equal opportunities to make statements to the SCB summarizing the information presented to the SCB and/or advocating the decision that the SCB should reach.
  - (g) Burden of Presenting Information Demonstrating Misconduct. The Conduct Officer bears the burden of presenting information demonstrating that it is more likely than not that the Respondent violated a Standard of Conduct, as alleged in the Notice of Allegations. Neither the Complainant nor the Respondent is required to present information or witnesses concerning the Respondent's alleged misconduct. The SCB shall not draw an inference adverse to the Conduct Officer, the Complainant, or the Respondent if the Complainant or the Respondent chooses not to present information or witnesses to the SCB.
- (5) Notice of Decision of the Student Conduct Board.
- (a) Deliberation of the SCB. After the Chairperson determines that all relevant information has been received by the SCB, the SCB will deliberate in private and decide, for each Standard of Conduct alleged in the Notice of Allegations to have been violated, whether it is more likely than not that the Respondent violated the Standards of Conduct. The SCB will decide by majority vote whether the Respondent violated the Standards of Conduct.
  - (b) Basis of Decision. The SCB shall base its decision solely on information presented during the SCB hearing. However, if the SCB requests that additional information be provided after the SCB hearing, the SCB may consider and base its decision on the additional information, as long as the Conduct Officer, the Respondent, and the Complainant have had a chance to review and respond to the additional information either in a resumption of the SCB hearing or in writing.
  - (c) Determination of Sanction(s). If the SCB decides that the Respondent violated the Standards of Conduct, then the SCB will decide the appropriate sanction(s) by majority vote. The Conduct Officer and the Complainant may advocate that the SCB impose a specific sanction(s), and the Respondent may respond. In deciding the appropriate sanctions for a Respondent's misconduct, the SCB may consider any statements provided by the Complainant and/or the Respondent as described in Section .08(3)(a)3. During the sanctioning phase, the SCB may also consider a statement provided by the Conduct Officer about the Respondent's conduct history.
  - (d) Issuance of Notice of Decision. Issuance of Notice of Decision. Within three (3) business days of the conclusion of the SCB hearing, the Chairperson shall issue a Notice of Decision and transmit a copy of the Notice of Decision to OSC. OSC shall notify the Respondent about the Notice of Decision and provide a copy of the Notice of Decision. If permitted or required under law, OSC shall notify the Complainant about the Notice of Decision (simultaneously with the notification

to the Respondent) and provide a copy of the Notice of Decision to the Complainant.

- (e) Information in Notice of Decision. The following information shall be included in the Notice of Decision: 1. for each Standard of Conduct identified in the Notice of Allegations, the SCB's decision concerning whether it is more likely than not that the Respondent violated the Standard of Conduct and the SCB's rationale for the decision concerning the alleged violation of the Standard of Conduct, including, without limitation, a brief summary of the information upon which the SCB relied in making its decision; 2. the sanction(s), if any, that the SCB has imposed on the Respondent; and 3. information about the Respondent's and the Complainant's options, if any, to appeal the decision of the SCB.

**Authority: T.C.A. § 49-9-209(e).**

**1720-07-01-.09 TITLE IX HEARINGS.**

- (1) The Title IX Hearing. Any case that includes Title IX Allegations that reaches the hearing stage will be resolved through a Title IX Hearing. The Title IX Hearing must be conducted in accordance with 34 C.F.R. 106.45.
- (2) The Title IX Hearing Officer. The Vice Chancellor for Student Affairs (or a designee) will appoint a qualified Title IX Hearing Officer to conduct the Title IX Hearing and will notify the parties and their Advisors, if any, of the appointment. The Title IX Hearing Officer may be a University employee, a team of University employees, an external person engaged to conduct the Title IX Hearing, or a team of external people engaged to conduct the Title IX Hearing. A party may object to the appointment of any Title IX Hearing Officer, in writing to the Vice Chancellor for Student Affairs. Any objection must be received within three (3) business days of the notice of appointment, and it must state the party's grounds for objecting. The Vice Chancellor for Student Affairs will decide whether an objection is justified, and that decision is final. If a Title IX Hearing Officer is removed based on an objection, the Vice Chancellor for Student Affairs will appoint a new qualified Title IX Hearing Officer to conduct the Title IX Hearing.
- (3) Notice of Title IX Hearing.
- (a) When a Notice of Title IX Hearing is Sent. The Title IX Hearing Officer will send the Respondent and the Complainant a Notice of Title IX Hearing at least ten (10) business days in advance of the date of the hearing.
- (b) Information in the Notice of Title IX Hearing. The Notice of Title IX Hearing will contain, or be accompanied by, the following information: 1. the date, time, and place of the Title IX Hearing; 2. notice of the right to have an advisor of the party's choice, who may be, but is not required to be, an attorney, and that, if the party does not have an advisor present at the hearing, the University must provide an advisor of the University's choice, without fee or charge, to ask the other party and any witnesses all relevant questions and follow-up questions on behalf of that party; 3. notice that any cross-examination of any other party or witness must be conducted by the advisor, and never by a party personally; and 4. notice that all of the evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint will be available to the parties at the hearing. Other pre-hearing information may also be included in the Notice of Title IX Hearing. Any Title IX Hearing may be rescheduled by the Title IX Hearing Officer or upon request of any party and for good cause shown.
- (c) More than One Respondent. In cases involving more than one (1) Respondent, Title IX Hearings concerning each Respondent's conduct may be conducted separately upon written request of a party submitted at least seven (7) business days in advance of the hearing. OSC has the discretion to make the

final determination of whether to grant such a request and will notify the parties of the decision.

- (d) Consequences of Failing to Attend a Title IX Hearing. If a party fails to attend a Title IX Hearing, the Title IX Hearing Officer may proceed with the Title IX Hearing without that party's participation.

(4) General Rules Governing Title IX Hearings.

- (a) The Title IX Hearing will take place no sooner than ten (10) business days after the parties' receipt of the written investigative report.
- (b) The Title IX Hearing Officer may conduct pre-hearing meetings or conferences with the parties and their advisors, if any, to discuss any pre-hearing issues, including but not limited to, the date of the hearing, the location of the hearing, any technology to be used at the hearing, the general rules governing the hearing, including any rules of decorum, the identification of witnesses, and the availability of evidence at the hearing.
- (c) Each party must notify the Title IX Hearing Officer at least five (5) business days before the hearing of the identity of the party's advisor, if any, or that the party does not have an advisor so that the University can provide an advisor.
- (d) At the request of either party, the University will provide for the hearing to occur with the parties located in separate rooms with technology enabling the Title IX Hearing Officer and parties to simultaneously see and hear the party or the witness answering questions.
- (e) Upon request of a party, and for good cause shown, the Title IX Hearing Officer may permit the participation of witnesses who were not identified by the party to the investigator, or the inclusion of evidence at the Title IX Hearing that was not provided by the party to the investigator.

(5) Procedural Rules for Title IX Hearings.

- (a) Authority of the Title IX Hearing Officer. The Title IX Hearing Officer has the authority to maintain order and make all decisions necessary for the fair, orderly, and expeditious conduct of the Title IX Hearing. The Title IX Hearing Officer shall be the final decision maker concerning what, how, and in what order witnesses are questioned and evidence is examined.
- (b) Exclusion of Information.
  1. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.
  2. The University cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the University obtains that party's voluntary, written consent to do so.
  3. The University cannot require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

- (c) Preliminary Matters. The Title IX Hearing Officer shall begin the hearing by explaining the substance of the allegations and the specific University rule or policy allegedly violated.
  - (d) Attendance and Participation. Attendance during a Title IX Hearing generally is limited to the Title IX Hearing Officer, a representative from OSC, the Complainant and the Complainant’s advisor, the Respondent and the Respondent’s advisor, and witnesses. Witnesses may attend the Title IX Hearing only while they are presenting information to the Title IX Hearing Officer, unless the witness is the Complainant or the Respondent. The Title IX Hearing Officer and OSC have the discretion to allow other persons to attend the Title IX Hearing, in accordance with state and federal law.
  - (e) Opening Statements. The Complainant and then the Respondent may each make an opening statement to the Title IX Hearing Officer, and they may provide a written copy of their opening statements to the Title IX Hearing Officer at the hearing. The Title IX Hearing Officer will provide a copy of any written opening statement received to the other party.
  - (f) Questioning the Witnesses. Following any opening statements, the Title IX Hearing Officer will question the Complainant, the Respondent, and any witnesses requested by the parties or deemed to have relevant information by the Title IX Hearing Officer. The Title IX Hearing Officer will permit each party’s advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination must be conducted directly, orally, and in real time by the party’s advisor of choice and never by a party personally. Only relevant cross-examination and other questions may be asked of a party or witness. Before the Complainant, the Respondent, or any witness answers a cross-examination or other question, the Title IX Hearing Officer must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. The Title IX Hearing Officer cannot draw an inference about the determination regarding responsibility based solely on a party’s or witness’s absence from the hearing or refusal to answer cross-examination or other questions. Alleged verbal conduct by a Respondent that constitutes any part of the Title IX Allegations at issue in the case may be considered by the Title IX Officer in reaching a determination regarding responsibility even if the Respondent does not submit to cross-examination during the Title IX Hearing.
  - (g) Closing Statements. At the close of the Title IX Hearing, the Title IX Hearing Officer may allow the Complainant and the Respondent equal opportunities to make closing statements summarizing the information presented to the Title IX Hearing Officer and/or advocating the decision that the Title IX Hearing Officer should reach.
- (6) Recording of the Title IX Hearing. The University will create an audio or audiovisual recording or transcript of the hearing and make it available to the parties for inspection and review.
- (7) Notice of Decision of Title IX Hearing Officer. Within ten (10) business days of the hearing, the Title IX Hearing Officer must issue a written determination regarding responsibility (“Notice of Decision of Title IX Hearing Officer”). The written determination must include:
1. identification of the allegations potentially constituting Sexual Harassment;
  2. a description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
  3. findings of fact supporting the determination;
  4. conclusions regarding the application of the Code to the facts;
  5. a statement of, and rationale for, the result as to

each allegation, including a determination regarding responsibility, any disciplinary sanctions imposed on the Respondent, and whether remedies designed to restore or preserve equal access to the University's education program or activity will be provided by the University to the Complainant; and 6. the procedures and permissible bases for the Complainant and Respondent to appeal. If the Respondent is determined responsible, the Title IX Hearing Officer may consider relevant information provided at the hearing by the Complainant, the Respondent, or any other witness in deciding the appropriate sanction for the Respondent's misconduct.

- (8) Notice of Decision of Title IX Hearing Officer to OSC. The Title IX Hearing Officer shall transmit a copy of the Notice of Decision of Title IX Hearing Officer to OSC. OSC shall notify the Respondent and the Complainant about the written determination and provide a copy of it simultaneously to the parties.

**Authority: T.C.A. § 49-9-209(e).**

**1720-07-01-.10 APPEALS.**

- (1) A decision of the Student Conduct Board, a decision of the Title IX Hearing Officer, or a decision of the Conduct Officer concerning a sanction following an administrative hearing, may be appealed to the Vice Chancellor for Student Affairs. Both Respondent and the Complainant (if any) may appeal a decision.
- (a) The request for appeal shall be submitted in writing to the Vice Chancellor for Student Affairs within five (5) business days of written notice of the decision being appealed. The request for appeal shall contain:
1. A statement identifying the decision from which the student is appealing; and
  2. A brief statement of the grounds for the appeal.
- (b) All appeals to the Vice Chancellor for Student Affairs are heard based upon the record made during the hearing, with the exception of an appeal based on new evidence in Section .10(d)2. below.
- (c) Pending the outcome of an appeal, the penalty specified in the decision on appeal shall not be imposed.
- (d) Grounds for Appeal. The grounds for the appeal shall be limited to one (1) or more of the following grounds:
1. Procedural Error. A procedural irregularity affected the outcome of the matter.
  2. New Evidence. New evidence that was not reasonably available at the time the determination regarding responsibility was made that could affect the outcome of the matter.
  3. Conflict of Interest or Bias. The Conduct Officer or member of the Student Conduct Board, or in the case of a Title IX Hearing, Title IX Coordinator, the investigator(s), or the Title IX Hearing Officer, had a conflict of interest or bias that affected the outcome of the matter.
  4. Clearly Unreasonable Sanction. The sanction(s) imposed by the Conduct Officer, Student Conduct Board, or Title IX Hearing Officer is clearly unreasonable (i.e., has no sound basis or justification in reason).
- (e) Appeal Process. A Complainant or a Respondent may submit a written statement in support of or challenging a decision of the Student Conduct Board, a decision of the Title IX Hearing Officer, or a decision of the Conduct Officer concerning a sanction following an administrative hearing. The written statement must be received by the Vice Chancellor for Student Affairs within five (5) business days of the date on which request for appeal was filed, or

within five (5) business days of the date on which the non-appealing party received notice that the other party requested an appeal. Within five (5) business days of the receipt of the last written statement, the Vice Chancellor for Student Affairs will issue a written decision describing the result of the appeal and the rationale for the result, which will be provided simultaneously to both parties.

- (f) The Vice Chancellor for Student Affairs may:
1. Affirm the decision;
  2. Amend the decision;
  3. Return the case to the Conduct Officer, Student Conduct Board, or Title IX Hearing Officer with instructions for reconsideration of the case; or
  4. Overturn the decision of the Conduct Officer, Student Conduct Board, or Title IX Hearing Officer.
- (2) The decision of the Vice Chancellor for Student Affairs is final and not appealable.

**Authority: T.C.A. § 49-9-209(e).**

**1720-07-01-.11 SANCTIONS.**

- (1) Disciplinary sanctions are primarily intended to educate students and student organizations about appropriate behavior, encourage students and student organizations to take responsibility for misconduct, promote the personal and professional development of students, discourage other students and student organizations from violating the Standards of Conduct, and protect members of the University community. The sanctions imposed should be appropriate for the particular case based on the gravity of the offense (including without limitation how the violation affected or reasonably could have affected other members of the University community). Consideration may also be given to the student's or student organization's conduct record; the student's or student organization's responsiveness to the conduct process; whether the student acted in self-defense, and, if so, whether the amount of force used was reasonable under the circumstances; student academic classification; and other aggravating or mitigating factors.
- (2) The following sanctions may be imposed on any student found to have violated the Standards of Conduct:
- (a) **Warning.** A warning is a notice that the student has violated the Standards of Conduct, that the misconduct must cease and/or not reoccur, and that further misconduct will likely result in the imposition of more serious sanctions.
  - (b) **Loss of Privilege.** Specified student privileges are lost or restricted. Such privileges include, without limitation, representing the University in any official manner, the use of or access to University-controlled property, University parking privileges, or participation in University affiliated activities (e.g., extracurricular activities).
  - (c) **Educational Activities.** Educational activities are designed to educate the student about why certain conduct was inappropriate. Examples of such activities include, without limitation, offering a formal apology (in writing and/or in person); attending an educational class, training, or workshop; giving or attending a presentation; preparing and submitting a research project or paper on a designated topic; or offering a written reflection responding to a prompt given by OSC. The student may be held responsible for the payment of reasonable expenses relating to the educational activity.
  - (d) **Restitution.** Restitution may be required in situations that involve destruction, damage, or loss of property, or unreimbursed medical expenses resulting from physical injury. Restitution may take the form of a monetary payment or

appropriate service to repair or otherwise compensate for the destruction, damage, or loss.

- (e) **Disciplinary Probation.** Disciplinary probation is imposed for a specified designated period of time during which the student may continue to be enrolled but must demonstrate conduct that conforms to the Standards of Conduct. Conditions may be placed on the student's continued enrollment. A student may be placed on disciplinary probation for moderate misconduct or in the case of repeated minor misconduct. Also, a student allowed to re-enroll following a suspension will be placed on disciplinary probation. Subsequent violations of the Standards of Conduct during a period of disciplinary probation may result in more serious sanctions such as suspension or expulsion from the University
  - (f) **Suspension.** A suspension is an official separation of a student from the University for a specific designated period of time and/or until certain conditions are met. A suspension may be imposed for serious misconduct. Suspension may include conditions that must be satisfied prior to a student being allowed to re-enroll and/or conditions that will be in place if the student is allowed to re-enroll. The effective date of a suspension may be imposed retroactively to the date that the misconduct occurred. While suspended, the student loses all University rights and privileges (e.g., enrollment privileges), shall not represent the University in any official manner, and shall not be present on University-controlled property without the prior approval of the Vice Chancellor for Student Affairs. The student may be required to meet with an assigned University staff member periodically while suspended to ensure the student is making satisfactory progress regarding the developmental sanctions issued. The Vice Chancellor for Student Affairs will determine whether the student is eligible for consideration for re-enrollment by the University's admissions office(s). Prior to reenrollment, the student must satisfy the terms and conditions of all sanction(s) that are required to be completed prior to re-enrollment. Students who are permitted to return to the University following a period of suspension will automatically be placed on disciplinary probation for a designated period of time, which is designed to facilitate a smooth transition back to the University community. A student on post-suspension disciplinary probation must abide by the Standards of Conduct and all terms and conditions placed on the student's re-enrollment.
  - (g) **Expulsion.** Expulsion is a sanction that permanently bars a person from re-enrolling as a student at the University. This sanction generally is imposed when the student's misconduct is deemed so serious as to warrant total and permanent disassociation from the University community without the possibility of re-enrollment; and/or when, by the student's repeated misconduct, a student has exhibited a blatant disregard for the health, safety, or welfare of other members of the University community or the University's right to establish rules of conduct. A person who has been expelled shall not be present on University-controlled property without the prior approval of the Vice Chancellor for Student Affairs.
  - (h) **Revocation of Degree.** The sanction of the revocation of a degree may be imposed if a student has obtained a degree at least in part through cheating, plagiarism, other academic dishonesty, or through research misconduct. Revocation of a degree shall be approved by the Chancellor before the revocation is effective. If approved by the Chancellor, this sanction will be noted on the student's academic transcript on a permanent basis
- (3) A disciplinary hold may be placed on a student's account until the completion of the student disciplinary process and/or until the student satisfies the terms and conditions of any sanctions imposed. A student who, at the time of commencement, is subject to a

continuing disciplinary sanction or an unresolved disciplinary charge shall not be awarded a degree before the conclusion of all sanctions and/or resolution of all disciplinary charges.

- (4) In addition to the sanctions in Section .11(2), the following sanctions may be imposed on a student organization found to have violated the Standards of Conduct:
  - (a) Social Probation. Social probation prohibits a student organization from sponsoring or participating in specified social activities. While on social probation, a student organization may not host social events or participate in University-affiliated activities. Any exceptions to social probation must be approved, in advance, by the Vice Chancellor for Student Affairs or his/her designee.
  - (b) Disciplinary Probation. Disciplinary probation means that a student organization is permitted to retain University registration on a probationary status. Violation of the Standards of Conduct during the period of disciplinary probation may result in more serious sanctions, including revocation of University registration.
  - (c) Revocation or Suspension of University Registration. In cases of serious or repeated misconduct, a student organization's University registration may be suspended or revoked.
- (5) More than one (1) of the sanctions listed above may be imposed for any single violation of the Standards of Conduct.
- (6) Voluntary intoxication or impairment because of alcohol, drugs, chemicals, or other substances does not diminish or excuse a violation of the Standards of Conduct.
- (7) Except for interim restrictions, disciplinary sanctions shall not become effective until after opportunities for appeal have been exhausted. Sanctions may be applied retroactively to the date of the offense. Coursework performed while disciplinary charges are pending or disciplinary proceedings are underway shall be considered conditional. Coursework may be affected or disregarded based on a final finding of misconduct or the sanction imposed, which may result in loss of course credit, a loss of tuition and/or fees, a delay in the awarding of a degree, or revocation of a degree that was awarded prior to a final decision in the disciplinary proceeding.
- (8) Parental Notifications. If a student accepts responsibility or is found responsible for violating a Standard of Conduct involving drugs or alcohol, and that student is under twenty-one (21) years of age, OSC shall inform the parent or legal guardian of that student of the violation, as required by state law. Typically, OSC fulfills the parental notification requirement by mailing written notification to the parent or legal guardian's address listed with the Office of the University Registrar. OSC may also notify parents or legal guardians through other means when necessary or appropriate. Parental notification is not considered a disciplinary sanction.

**Authority: T.C.A. § 49-9-209(e).**

**1720-07-01-.12 HONOR STATEMENT.**

- (1) Honor Statement. An essential feature of the University is a commitment to maintaining an atmosphere of intellectual integrity and academic honesty. As such the University utilizes an Honor Statement that reads, "As a student of the University, I pledge that I will neither knowingly give nor receive any inappropriate assistance in academic work, thus affirming my own personal commitment to honor and integrity." Each student is responsible for knowing and adhering to the terms and conditions of the Honor Statement.
- (2) Academic Dishonesty. The Honor Statement prohibits cheating, plagiarism, and any other type of academic dishonesty.
- (3) Plagiarism. Plagiarism is using the intellectual property or product of someone else without giving proper credit. The undocumented use of someone else's words or ideas in

any medium of communication (unless such information is recognized as common knowledge) is a serious offense, subject to disciplinary action that may include failure in a course and/or dismissal from the University. Specific examples of plagiarism include, but are not limited to: (a) using without proper documentation (quotation marks and citation) written or spoken words, phrases, or sentences from any source; (b) summarizing without proper documentation (usually a citation) ideas from another source (unless such information is recognized as common knowledge); (c) borrowing facts, statistics, graphs, pictorial representations, or phrases without acknowledging the source (unless such information is recognized as common knowledge); (d) collaborating on a graded assignment without the instructor's approval; and (e) submitting work, either in whole or in part created by a professional service or used without attribution (e.g., paper, speech, bibliography, or photograph).

(4) Examples of Other Types of Academic Dishonesty. Specific examples of other types of academic dishonesty include, but are not limited to: 1. providing or receiving unauthorized information during an examination or academic assignment, or the possession and/or use of unauthorized materials during an examination or academic assignment; 2. providing or receiving unauthorized assistance in connection with laboratory work, field work, scholarship, or another academic assignment; 3. falsifying, fabricating, or misrepresenting data, laboratory results, research results, citations, or other information in connection with an academic assignment; 4. serving as, or enlisting the assistance of, a substitute for a student in the taking of an examination or the performance of an academic assignment; 5. altering grades, answers, or marks in an effort to change the earned grade or credit; 6. submitting without authorization the same assignment for credit in more than one (1) course; 7. forging the signature of another or allowing forgery by another on any class or University-related document such as a class roll or drop/add sheet; 8. gaining an objectively unfair academic advantage by failing to observe the expressed procedures or instructions relating to an exam or academic assignment; and 9. engaging in an activity that unfairly places another student at a disadvantage, such as taking, hiding, or altering resource material, or manipulating a grading system.

(5) Academic Dishonesty.

(a) Notice of Academic Dishonesty and Informal Opportunity to Respond. When an act of alleged academic dishonesty, in violation of Section .04(1) is discovered by, or brought to the attention of, an instructor, the instructor shall notify the student about the alleged academic dishonesty, describe the information supporting the allegation, and give the student an informal opportunity to respond to the allegation(s) and information.

(b) Referral By Academic Department to OSC. After the instructor provides the student with an informal opportunity to respond, and if the instructor still believes that an act of academic dishonesty has occurred, the instructor shall refer the incident to OSC. In referring the incident to OSC, the instructor shall include the academic penalty that the instructor plans to impose, if any. The referring instructor will not assign an academic penalty or a final grade for the course pending resolution of the allegation by OSC. If a grade must be submitted at the end of the grading period, the student will receive a temporary grade of "Not Reported" (NR) until the case is resolved. The instructor does not have the authority under the Code to impose a sanction identified in Rule 1720-07-01-.11.

(c) Academic Penalties and Appeals of Academic Penalties. If, at the conclusion of the student conduct process, OSC determines that a student is not responsible for violating Section .04(1) of this Chapter, the instructor shall not impose any academic penalty. If OSC determines that a student is responsible for violating Section .04(1) of this Chapter, the instructor may impose an academic penalty, in addition to any sanctions imposed by OSC under Section .11(2) of this Chapter.

Academic penalties may include, without limitation, dismissal from a program of study; a failing or reduced grade in the academic exercise, assignment, examination, and/or course; loss of credit for the work involved; an assignment to repeat the work, to be graded on its merits; and/or a warning. An instructor may impose more than one (1) academic penalty. A student may appeal an academic penalty, as distinct from a student disciplinary sanction, through the appropriate institutional academic misconduct or grade appeal procedures.

- (6) Academic Dishonesty – Resolution through the Student Conduct Process. After receiving any conduct referral for academic dishonesty, OSC will proceed with the student conduct process. OSC may issue a Notice of Allegations for violating Section .04(1) of this Chapter regardless of the response of the instructor to the alleged academic dishonesty. If OSC issues a finding of responsibility and Notice of Sanctions for a violation of Section .04(1) of this Chapter, then the allegations shall be resolved through one of the hearing processes pursuant to Section .07(7) of the Code.

**Authority: T.C.A. § 49-9-209(e).**

**1720-07-01-.13 AMNESTY FOR INDIVIDUAL GOOD SAMARITANS AND STUDENTS IN NEED OF EMERGENCY MEDICAL ATTENTION.**

- (1) Background. The University of Tennessee holds paramount the health, safety, and welfare of students. Accordingly, all University students are expected to alert appropriate officials in the event of a health, safety, or welfare emergency, including, without limitation, a situation involving the abuse of alcohol or other drugs.
- (2) Expectations. When individual students know or reasonably should have known that other individual students are in need of emergency medical attention, the individual students are expected to: 1. contact appropriate people to report the incident and request assistance (e.g., University staff members, law enforcement), and provide those people with the names and contact information for the individual students reporting the incident and the impaired individual students; and 2. demonstrate cooperation and care by remaining with the impaired individual students and providing reasonable assistance during and after the incident. Individual students who take all of the steps described in this Section .13(2) will be referred to as a “Good Samaritan” under the Code. The individual students in need of emergency medical attention will be referred to as an “individual impaired student” under the Code.
- (3) Amnesty for Individual Good Samaritans. Unless individual Good Samaritans have engaged in a repeated or serious violation of the Standards of Conduct (e.g., physical or sexual assault, property destruction, disorderly behavior, theft, second incident of misconduct involving alcohol or drugs), individual Good Samaritans will not be subject to formal University disciplinary action for misconduct discovered by the University as a result of the Good Samaritan’s report. While no formal University disciplinary action may be taken, the individual student who acted as a Good Samaritan may be required to meet with a University staff member to discuss the individual Good Samaritan’s misconduct and adhere to appropriate remedial and/or educational recommendations.
- (4) Amnesty for Individual Impaired Students. Unless individual impaired students have engaged in a repeated or serious violation of the Standards of Conduct (e.g., physical or sexual assault, property destruction, disorderly behavior, theft, second incident of misconduct involving alcohol or drugs), individual impaired students will not be subject to formal University disciplinary action for misconduct discovered by the University as a result of the Good Samaritan’s report. While no formal University disciplinary action may be taken, the individual impaired students may be required to meet with a University staff member, participate in educational activities, and/or establish that the individual students have addressed issues that contributed to the misconduct.

- (5) Application of Amnesty to Student Organizations. Student organizations, through their officers and members, are also expected to take responsible action in emergency situations. While this Section .13 may not fully apply to a student organization, adherence to steps described in Section .13(2) by a student organization's officers and/or members will be considered a mitigating factor when determining the outcome or sanction. Additionally, the University will consider a failure of officers and/or members to adhere to steps described in Section .13(2) to be an aggravating factor when determining the outcome or sanction.

**Authority: T.C.A. § 49-9-209(e).**

**1720-07-01-.14 EMERGENCY POWERS.**

When, in the judgment of the University's Chancellor, conditions are such that an emergency exists which makes it impossible for the Student Conduct Board to function, the Chancellor may suspend these procedural regulations and appoint an ad hoc committee to hear a conduct matter. Any such ad hoc committee shall follow procedures that will insure that the Respondent is provided with due process. The final decision of the ad hoc committee may be appealed to the Vice Chancellor for Student Affairs, but the grounds for appeal are limited to those outlined in Section .10(1)(d).

**Authority: T.C.A. § 49-9-209(e).**

**1720-07-01-.15 SEVERABILITY.**

- (1) If any provision of this Chapter or its application to any person, act, or practice is held invalid, the remainder of the Chapter or the application of its rule provisions to any person, act, or practice shall not be affected thereby.
- (2) If any provision of 34 C.F.R. 106.45, "Grievance process for formal complaints of sexual harassment," upon which the provisions of this Chapter, including but not limited to rules on which Title IX Hearings are based, is vacated, repealed, or otherwise held invalid, the remainder of the chapter rule(s) shall not be affected thereby.

# **APPENDIX B: Constitution of the Student Government Association of the University of Tennessee Southern**

## **Preamble**

We, the students of University of Tennessee Southern, acting under the authority granted us by the Administration of University of Tennessee Southern, do hereby establish this Constitution in order to promote the ideals and responsibilities of student self-government, to help facilitate the coordination of student life on campus, to help promote strong ties between the University of Tennessee Southern, the City of Pulaski, and the larger communities in which we are situated. We seek to maintain close and cooperative relationships between faculty, administration, and students.

## **Article I - Name**

This organization shall be known as the Student Government Association of University of Tennessee Southern (SGA). SGA shall be advised and supported by a faculty or staff Sponsor, who shall be present at all meetings.

## **Article II - Purpose**

The purpose of the Student Government Association (SGA) shall be to support the rights and responsibilities of the student body of the University of Tennessee Southern and promote awareness of these rights and responsibilities in all areas of student life. The Student Government Association shall be devoted to helping enhance the quality of experiences for faculty, administration, and students. SGA shall act as communicator for the student body to the University.

## **Article III – Membership**

The voting membership of the Student Government Association (SGA) shall be composed of:

- A. Three (3) Executive Council members, elected at-large by the student body. These positions are:
  - 1) SGA President
  - 2) SGA Vice President
  - 3) SGA Secretary
- B. Two (2) representatives from each of the four classes, elected at-large by their respective class. These positions are:
  - 1) Class President
  - 2) Class Senator

Any student running for an Executive Council office must provide proof of previous SGA membership in any role, whether at University of Tennessee Southern or any other institution of higher education. No prior experience is required of Class Presidents and Senators.

## **Article IV - Qualifications and Guidelines**

In order to gain and maintain membership in the Student Government Association, prospective and current members must meet and adhere to established behavioral and academic guidelines. These guidelines are as follows:

- All prospective and current members of SGA must be in good standing with the institutional standards of comportment. This means not having repetitive violations or an egregious violation of the Student Standards of Conduct, including the Honor Code.

- New and returning SGA members must have and maintain a cumulative or semester Grade Point Average (GPA) of 2.5 or above to qualify for office. GPA calculation includes a student's cumulative average OR semester average, whichever is highest.
- GPA will be evaluated at midterm to determine the academic standing of each SGA member.
- After completing each semester of duty, the Sponsor and SGA President will determine the student's academic standing according to the following definitions:
  - Good Standing: Semester or Cumulative GPA of 2.5 and above.
  - Probation: Semester or Cumulative GPA of 2.4 – 2
  - Dismissal: Semester or Cumulative GPA of 1.99 and below

Probation includes:

- A meeting with the SGA Sponsor about academic and leadership duties;
- A letter from the student, submitted within one week of the meeting with the SGA Sponsor, explaining the student's plans to raise their GPA.
- Continued participation in all SGA functions and support from SGA
- A final GPA evaluation and discussion of progress at the end of the following semester (excluding the summer term, regardless of course enrollment). The student's GPA must return to good standing according to the previous definitions to qualify out of probation. If the student's GPA does not meet the Good Standing requirements at this final evaluation, the student will be subject to the dismissal procedures outlined below.

Dismissal includes:

- Immediate dismissal from all SGA duties and membership. The position will remain empty for the remainder of the semester. SGA can choose to appoint and vote on a new member to fill the position for the next semester. This vote will be at the discretion of the SGA Sponsor.
- The student will be allowed to run for reelection after one complete semester of dismissal status. The student must have a cumulative or semester GPA of at least 2.5 to be approved for reelection.
- Only members who have previously served on SGA are able to run for an Executive Council Position
- In the event of a vacancy, an appointment can, if deemed necessary, be made by the President and the Sponsor to fill that position. However, this appointment must be passed by two-thirds vote of the entire SGA Council.

#### **Extenuating Circumstances:**

Low GPA and/or lack of objective completion may be the result of extenuating circumstance(s) on/off campus. If the student feels this is the case, they should meet with the SGA Sponsor. The Sponsor and Executive Council will evaluate the situation, and an exception may be granted. Each situation shall be handled as needed and in the best interest of the student and SGA as a whole.

### **Article V - Duties and Responsibilities of SGA**

The SGA Shall:

- Assume the responsibilities of their elected position (see Articles VI and VII)
- Host campus-wide elections
- In addition to class events, assist in at least two (2) campus-wide events hosted by SGA as a whole.
- Assist with Move in Days

### **Article VI - Duties and Responsibilities of the Executive Council of SGA**

The Executive Council of the Student Government Association shall consist of three (3) members: the SGA President, SGA Vice President, and SGA Secretary. These members shall meet at the call of the SGA President. Vacancies that may occur in the Executive Council shall be filled by Sophomore, Junior, or Senior Class President and will be appointed by the SGA President and/or SGA Sponsor.

The SGA Executive Council shall:

- Organize and host a total of four (4) events per semester
- Attend at least two (2) meetings per month
- Supervise events organized by the SGA Class Representatives
- Have at least one Executive Council Representative attend summer orientation to inform incoming students about the purpose of SGA if
- Help lead events for student life or other programs as needed

The SGA President shall:

- Preside over all SGA meetings;
- Appoint all members to the committees of SGA and serve as Ex Officio of all said committees;
- Create new committees (ad hoc or continuing) as needed to meet the needs of the SGA and the UT Southern student body;
- Present all resolutions and recommendations passed by SGA and also those that require the approval of administration to the President of the University;
- Serve as a member of the Board of Trustees of University of Tennessee Southern and attend quarterly Board Meetings;
- Serve as a member of the University of Tennessee Southern Alumni Association, attend meetings, and serve on committees as appointed;
- Call special meetings of SGA, and any committees thereof;
- Serve as liaison between the student body, faculty, and administration to facilitate communication and collaboration for the betterment of all campus constituents;
- Record a minimum of 6-7 hours per week and record hours as directed by the remaining SGA Executive Council
- Oversee the recorded hours of the SGA Executive Council
- Be required to speak and provide more information about the purpose and ambitions of SGA at summer orientation

The SGA Vice President shall:

- Assume the duties of the President in their absence or inability to serve;
- Assume any other responsibilities designated by the SGA President
- Record a minimum of 5-6 hours per week and record hours as directed by the SGA President
- Oversee the hours recorded by the SGA President
- Assume the responsibilities of the SGA President during summer orientation in their absence or inability to attend.

The SGA Secretary shall:

- Keep the minutes and roll at all SGA meetings;
- Maintain the SGA meeting minutes and records;
- Handle all communication concerning SGA, as appointed by the SGA President;
- Assume any other responsibilities designated by the SGA President
- Record a minimum of 4-5 hours per week and record hours as directed by the SGA President
- Oversee the hours recorded by the SGA President
- Assume the responsibilities of the SGA President during summer orientation in the absence of the SGA President and SGA Vice President.

### **Article VII- Duties and Responsibilities of Class Presidents and Senators**

One (1) President and one (1) Senator each from the Freshman, Sophomore, Junior, and Senior classes serve as the remaining members of SGA. These members shall meet at the call of the SGA President. Vacancies that may occur in any class office shall be filled by appointment of the SGA President and Sponsor and confirming vote of the larger SGA membership.

SGA Class Representatives shall:

- Organize and host a total of three (3) events per semester;
- Record a minimum of three (3) hours per week as directed by the SGA President;
- Attend two (2) SGA meetings per month;
- Attend and support efforts of SGA group events as needed and/or as directed by the SGA Executive Council.

Class Presidents shall:

- Bring the comments, concerns, and suggestions of their class to the attention of SGA;
- Serve as chairs of any committees at the request of the SGA Executive Council;
- Execute an assigned objective throughout the course of the year;
- Assume any other responsibilities designated by the SGA Executive Council.

Class Senators shall:

- Bring the comments, concerns, and suggestions of their class to the attention of SGA;
- Execute an assigned objective throughout the course of the year;
- Assume any other responsibilities designated by the SGA Executive Council.

### **Article VIII - Meetings of the Student Government Association**

There shall be no less than two (2) regular scheduled meetings per month. Special or called meetings may be held at any time at the discretion of the SGA President. All SGA meetings shall be open to any student, faculty, staff, or member of administration.

### **Article XI - Powers of the Student Government Association**

The specified powers of SGA shall include making legislation, resolutions, recommendations, and performing any other act to promote the rights and responsibilities of the student body. SGA shall also execute their powers to contribute to the social, educational, cultural, and physical welfare of the student body and college community.

### **Article X – Elections**

The Student Government Association shall be responsible for announcing, hosting, and managing all campus-wide SGA elections. SGA elections will be held in April each year, excluding Freshman elections. Freshman elections will be held in the fall of the new school year.

### **Article XI - Impeachment**

Failure to execute the duties described in this document constitute cause for impeachment. Complaints and subsequent proceedings may be levied against an individual by the Executive Council for infractions that can include, but are not limited to violations of the SGA Code of Conduct, attendance policies, GPA requirements, failure to complete the responsibilities of their position, or misuse of Student Government Association funds. A two-thirds vote of the SGA body is required for passage of charges. If found guilty, the member will no longer participate in any elected office or as an SGA member and the office is to be immediately declared vacant by the Executive Council.

### **Article XII - Amendments**

Amendments to this Constitution shall be made by a two-thirds vote of the Student Government Association. The amendment must be introduced to SGA at least one week in advance of the vote, and notice shall be given to the student body, faculty, and administration before the referendum is held. By-laws may be adopted by a two-thirds vote of the total membership of SGA. Amendments and by-laws shall take effect immediately, unless otherwise stated, after a two-thirds majority vote.

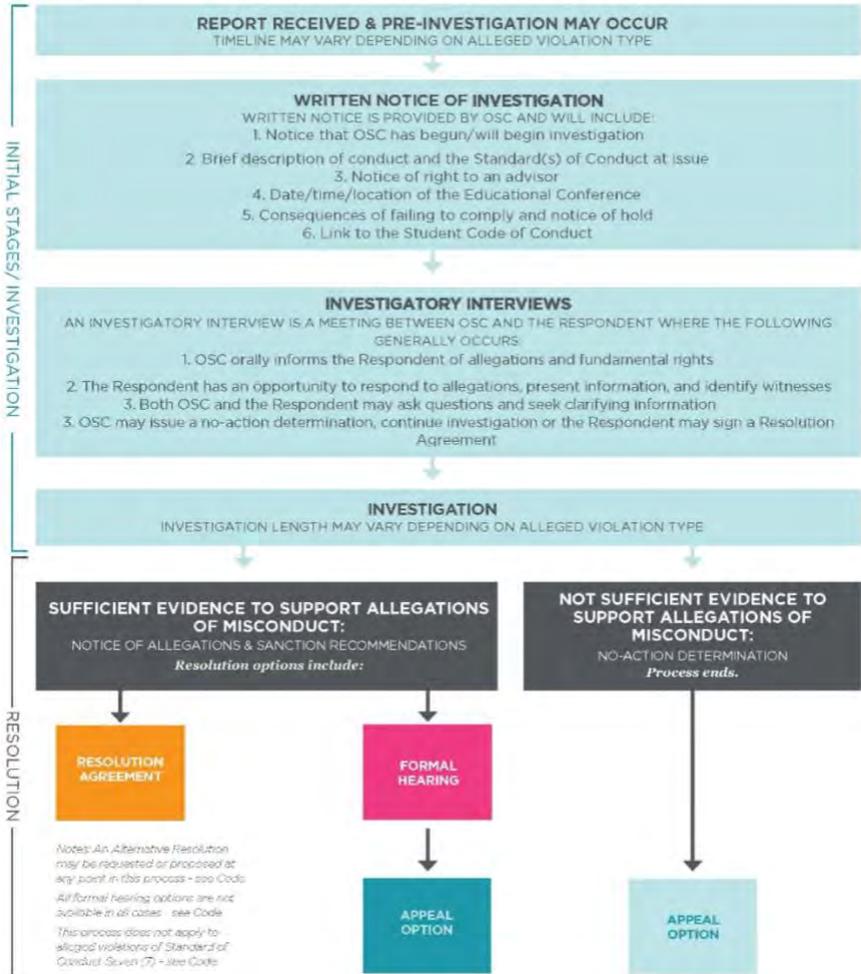
## APPENDIX C: Investigation and Hearing Flowcharts

The flowcharts on the following pages are graphical summaries, meant to illustrate the process and procedures for simplification. For complete details, see the Student Code of Conduct and/or the Title IX Policy.

### I. Student Conduct Process

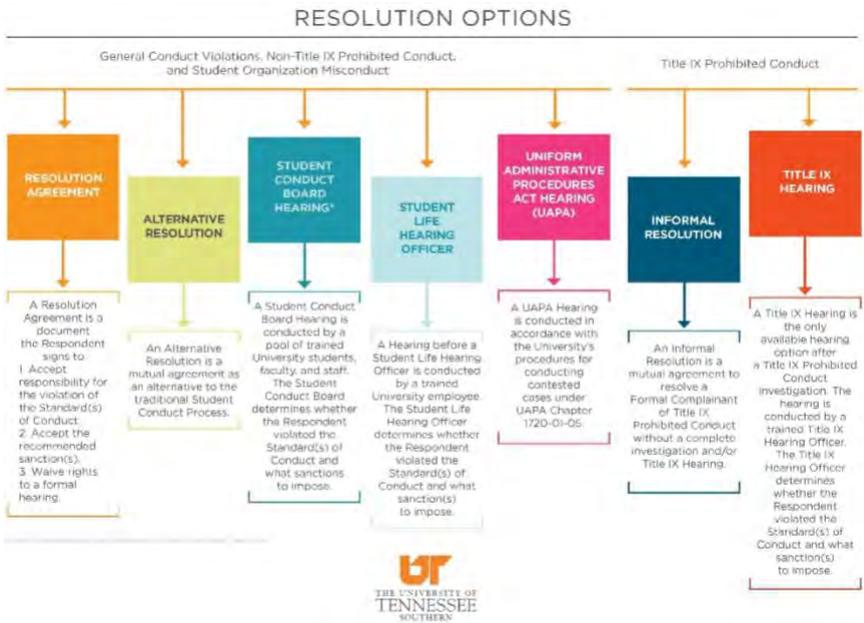
## STUDENT CONDUCT PROCESS

*When a student or registered student organization faces an alleged violation, the process below is followed.*



This document is a summary of the student conduct process. In the event of a conflict between the summary and the Student Code of Conduct, the Code governs.

## II. Conduct Resolution Options



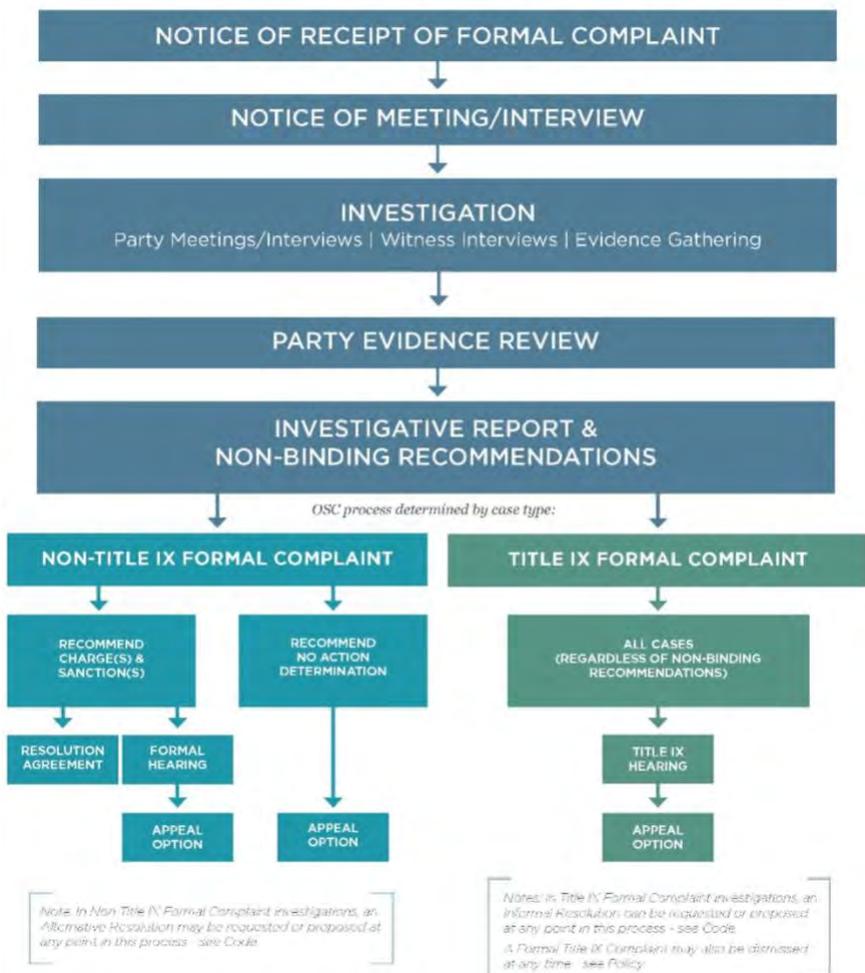
## III. Hearing Officer or Student Conduct Board



IV. Conduct Process for Standard of Conduct 7 Prohibited Conduct: Sexual Harassment (including Sexual Assault, Domestic Violence, Dating Violence, and Stalking), Sexual Exploitation, and Retaliation

## STANDARD OF CONDUCT NUMBER SEVEN (7)

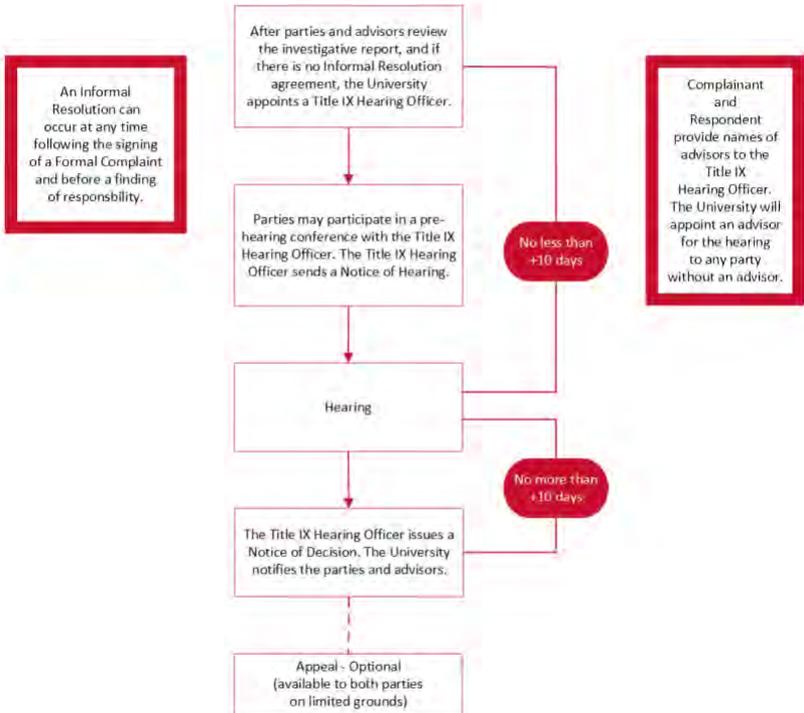
*OSC follows this process when a student faces an alleged violation of the University's Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking.*



V. Hearings and Appeals for Title IX Prohibited Conduct: Sexual Harassment (including Sexual Assault, Domestic Violence, Dating Violence, and Stalking), Sexual Exploitation, and Retaliation

**TITLE IX PROHIBITED CONDUCT  
Hearings and Appeals**

A Title IX Prohibited Conduct Complaint must be resolved through the Title IX Hearing process unless the parties agree to an Informal Resolution. Section 1720-07-01-.09 of the Student Code of Conduct describes the process for a Title IX Hearing. The University generally concludes these hearings with a decision within forty (40) business days of the end of the investigation.



\*This flow chart is a graphical summary. See the Policy and associated Student Code of Conduct for complete details.

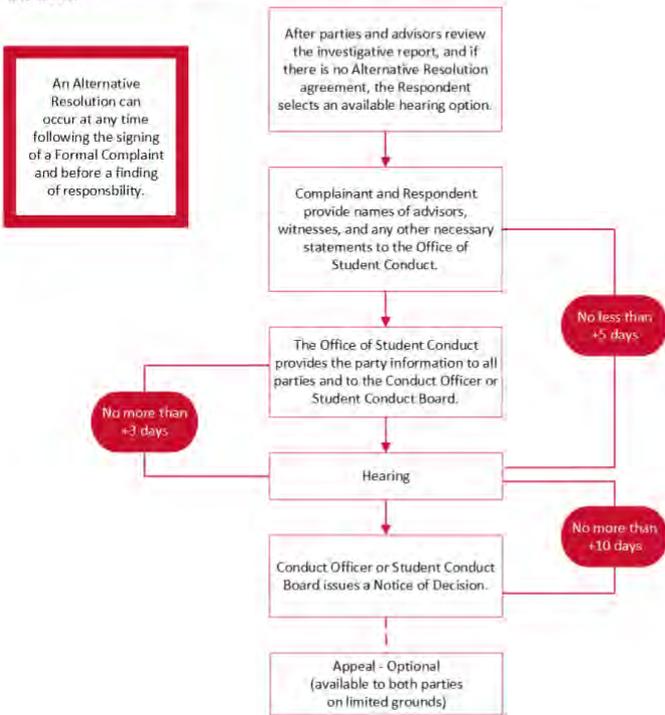
VI. Hearings and Appeals for Non-Title IX Standard of Conduct 7 Prohibited Conduct: Sexual Harassment (including Sexual Assault, Domestic Violence, Dating Violence, and Stalking), Sexual Exploitation, and Retaliation

**NON-TITLE IX PROHIBITED CONDUCT**

**Hearings and Appeals**

A Non-Title IX Prohibited Conduct Complaint may be resolved by an administrative hearing before a Conduct Officer, a hearing before a Student Conduct Board, or, in some cases, a hearing under state law (the Uniform Administrative Procedures Act), unless the University agrees to an Alternative Resolution. Sections 1720-07-01-.07 and 1720-07-01-.08 of the Student Code of Conduct describe the processes for the hearings. The University generally concludes these hearings with a decision within thirty (30) business days of the end of the investigation.

The timelines described below do not apply if a Respondent exercises the right to have a hearing under state law (the Uniform Administrative Procedures Act, Tennessee Code Annotated § 4-5-101 et seq. ("UAPA")). If a Respondent exercises a right under a UAPA hearing, then the University's Agency Head will appoint an administrative law judge (generally within five (5) business days of the Respondent's request). The timelines for a UAPA hearing are governed by the UAPA.



\*This flow chart is a graphical summary. See the Policy and associated Student Code of Conduct for complete details.

# Handy Phone Numbers

## ACADEMICS

CHRIS MATTINGLY  
(931) 424-4059  
[cmattin3@utsouthern.edu](mailto:cmattin3@utsouthern.edu)

## FINANCIAL AID

EMMA HLUBB  
(931) 424-7366  
[ehlubb@utsouthern.edu](mailto:ehlubb@utsouthern.edu)

## IT DEPARTMENT

CEDRICK NKULU  
(931) 424-2009  
[cnkulu@utsouthern.edu](mailto:cnkulu@utsouthern.edu)

## MAIL & PACKAGES

JESS DICUS  
(931) 424-7356  
[jdicus@utsouthern.edu](mailto:jdicus@utsouthern.edu)

## BOOKSTORE

JENNIFER GRIFFIN  
(931) 424-4053  
[jgriff98@utsouthern.edu](mailto:jgriff98@utsouthern.edu)

## STUDENT RESOURCE CENTER

BARRY RICH  
(931) 363-9888  
[brich2@utsouthern.edu](mailto:brich2@utsouthern.edu)

## HEALTH CLUB, GYM, & POOL

JENN CARROLL  
(931) 363-9830  
[jcarro36@utsouthern.edu](mailto:jcarro36@utsouthern.edu)

## LIBRARY

RICHARD MADDEN  
(931) 363-9844  
[rmadden3@utsouthern.edu](mailto:rmadden3@utsouthern.edu)

## MARTIN MOVIE THEATRE

ALEX LAMBERT  
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[lambal48@utsouthern.edu](mailto:lambal48@utsouthern.edu)

## FIRST YEAR EXPERIENCE

PAT FORD  
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[pford10@utsouthern.edu](mailto:pford10@utsouthern.edu)

## STUDENT AFFAIRS

[studentaffairs@utsouthern.edu](mailto:studentaffairs@utsouthern.edu)

Vice Chancellor for  
Student Affairs  
BRENT WREN  
(931)-424-4334  
[bwren1@utsouthern.edu](mailto:bwren1@utsouthern.edu)

Dean of Students  
SARAH CATHERINE  
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(931)-424-4073  
[scrich@utsouthern.edu](mailto:scrich@utsouthern.edu)

Student Engagement  
ASHLEY ALLISON  
(931)-424-4115  
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Student Activities  
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[athorn19@utsouthern.edu](mailto:athorn19@utsouthern.edu)

RESIDENTIAL LIFE  
[reslife@utsouthern.edu](mailto:reslife@utsouthern.edu)

Residential Life  
Coordinator  
KARA WILLIAMS  
(931)-424-4086  
[kwill249@utsouthern.edu](mailto:kwill249@utsouthern.edu)

Upperman Hall  
(931) 309-1226

Criswell Hall  
(931) 309-1023

Apartments  
(931) 309-1012

Oakwood Apartments  
(931) 309-0939

## HEALTH CLINIC & COUNSELING

(931) 424-7338  
Text for Counseling  
(844) 986-6946  
[utsclinic@utsouthern.edu](mailto:utsclinic@utsouthern.edu)

## SAFETY & SECURITY

JOSIE BROWN  
(931) 424-2055  
[jtrev@utsouthern.edu](mailto:jtrev@utsouthern.edu)

## PARKING PASS & STUDENT ID

(931) 424-2055

## TITLE IX

(931)-424-4073  
[tix@utsouthern.edu](mailto:tix@utsouthern.edu)

## 24 HOUR SECURITY

(931) 309-7502

## 24 HOUR CARE

24 HOUR CARE  
(931)-309-1670



THE UNIVERSITY OF  
TENNESSEE  
SOUTHERN

# CAMPUS PARKING MAP



- 1. Commuter Parking Lot
- 2. Residential Parking
- 3. Clinic
- 4. Curry Athletic Center
- 5. Student Apartments
- 6. Turner Center
- 7. Criswell Hall
- 8. Student Union Building
- 9. Guthrie Student Life Center
- 10. Upperman Hall
- 11. Colonial Hall

- 12. Academic Affairs
- 13. Barton Entrance Gates
- 14. Oakwood Apartments
- 15. Warden Memorial Library
- 16. Johnston Center
- 17. Gault Fine Arts Center
- 18. Andrews Science Bldg
- 19. Martin Hall
- 20. "The Martin" Auditorium
- 21. Grissom Gazebo

- 22. Revielle House
- 23. President's House
- 24. Maintenance House
- 25. FireHawk Book Nook
- 26. Flower Student House
- 27. Flower Student House
- 28. UTS Makers Lab
- 29. Criminal Justice Center & Campus Security Office



## PARKING

- Green=Apartments
- Yellow=Faucity/Staff
- Dark Blue=Overflow\*\*
- Red=Criswell/Upperman
- Light Blue=Commuter
- Purple=Fitness Club\*\*\*
- Orange=Oakwood
- Pink=Amnesty\*

\*Anyone can park in pink colored Amnesty lot.

\*\*Only valid UTS permits may park in dark blue colored Over flow lot.

\*\*\*The Fitness Club lot is reserved for Community Fitness Club Members