

IV. Student Rights & Responsibilities

Student Code of Conduct and Disciplinary Procedures

A. INTRODUCTION

- (1) Students at the University of Tennessee 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 following rules 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 of Tennessee is committed to respecting students' constitutional rights. Nothing in this chapter is intended or shall be interpreted to restrict students' constitutional rights, including, but not limited to, rights of freedom of speech and assembly.
- (3) Disputes between organizations (except in fraternity/sorority cases which may be within the jurisdiction of the appropriate Greek governing council and/or the Dean of Students office) shall be subject to the jurisdiction of the Vice Chancellor for Student Affairs or his or her designee.
- (4) The Vice Chancellor for Student Affairs or his or her designee shall have jurisdiction over disputes between individual students and organizations when such arbitration is requested by either of the parties involved.

B. DEFINITIONS

- (1) The term "University" means the University of Tennessee at Chattanooga.
- (2) The term "student" means a person admitted, enrolled or registered for study at the University of Tennessee at Chattanooga, either full-time or part-time, pursuing undergraduate, graduate, or professional studies, as well as non-degree students. Persons not officially registered or enrolled for a particular term but who are eligible to enroll or have a continuing relationship with the University also are considered students for purposes of these rules.
- (3) The term "student organization" means an organization composed of University students that has submitted a pending application or completed the process for registration according to University rules.
- (4) The term "University-controlled property" means all land, buildings, facilities, grounds, structures, or any other property owned, leased, used, maintained, or operated by the University. For purposes of this rule, University-controlled property includes all streets, alleys, sidewalks, and public ways abutting such property. University-controlled property also includes computers and network systems owned, maintained, or controlled by the University or funded by the University.
- (5) The term "University-affiliated activity" means any activity on or off University-controlled property that is initiated, aided, authorized, sponsored, or supervised by the University.
- (6) The term "University official" means an employee of the University, including faculty members and staff, or a University-recognized

volunteer. Student employees may be considered University officials when acting in the performance of their duties (e.g., event staff, resident assistants, and teaching assistants).

- (7) The term "member of the University community" means any person who is a student, University official, campus visitor, or participant in a University-sponsored or University-affiliated activity.
- (8) The term "possession" means 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 one had knowledge of the substance or property.
- (9) The term "weapon" means 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 firearms and devices that appear to a law enforcement officer to be real), 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, but not water guns), 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 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.
- (10) The term "notice" means notice given in writing and transmitted by United States mail, courier service, and/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 e-mail, the notice is effective on the date that the e-mail is sent. A student's University-issued e-mail address is an official method of communication used by the University about student conduct matters.
- (11) The term "coercion" 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 engage in a particular sexual act (e.g., sexual contact or sexual intercourse). Coercion is something more than mere seduction or persuasion. Coercion includes, without limitation: physical force; and words and/or conduct that would cause a reasonable person to fear imminent: harm to the person's health, safety, or property or that of a third person; threat of the loss or impairment of a job benefit; threat of the loss or impairment of an academic benefit; kidnapping of the person or a third person; or disclosure of sensitive personal information (e.g., disclosure of a person's sexual orientation, gender identity, or gender expression).
- (12) The term "consent" means an affirmative and voluntary agreement by a person to engage in a specific sexual act. Consent must be obtained, and the responsibility for obtaining consent rests with the individual who voluntarily and physically initiates a specific sexual act, even if the other person initiated the sexual encounter.
 - (a) One's own use of alcohol, drugs, or other substances does not diminish one's responsibility to obtain Consent from the other person. Moreover, another person's use of alcohol, drugs, or

other substances does not diminish one's responsibility to obtain consent from that person.

(b) The term "affirmative," as used in the definition of consent, means that consent is communicated only through words and/or non-verbal actions that convey a clear agreement to engage in a specific sexual act. Whether person has communicated an agreement to engage in a specific sexual act generally is evaluated from the perspective of what a reasonable person who perceived the individual's words and/or non-verbal actions would have understood; however, in the context of a long-term relationship between persons that has involved sexual activity and a pattern of communicating consent, whether consent has been communicated may be evaluated based on a subjective standard (i.e., what did the specific person who initiated the specific sexual act conclude?). A verbal "no" (or words equivalent to "no") or the nonverbal communication of "no," even if it sounds or appears insincere or indecisive, always means that consent has not been communicated, or if previously communicated has been withdrawn. The absence of a verbal "no" or the absence of a nonverbal communication of "no" does not necessarily mean that consent has been communicated. Because interpreting non-verbal actions may lead to misunderstanding and a violation of this policy, students are strongly encouraged to err on the side of caution and not rely solely on the non-verbal actions of another person in concluding that the other person has communicated consent. The University urges students to communicate with one another before engaging in a sexual act to ensure that they both wish to engage in the same sexual act.

(c) Consent cannot be obtained by or inferred from:

1. silence that is not accompanied by non-verbal actions conveying a clear agreement to engage in a particular sexual act;
2. consent communicated by the other person on a previous occasion;
3. consent communicated to another person;
4. the other person's failure to resist physical force (however, for purposes of this policy, the other person's resistance to physical force will be viewed as a clear demonstration that the person has not communicated consent);
5. the sexual arousal of the other person;
6. a current or previous dating, romantic, intimate, or sexual relationship with the other person;
7. currently or previously cohabitating with the other person;
8. the other person's attire;
9. the other person's reputation;
10. the other person's giving or acceptance of gifts; or
11. the other person's extension or acceptance of an invitation to go to a private residence, room, or location.

(d) Consent is not voluntary if it is obtained by coercion. Nor is consent voluntary if it is obtained from a person who is incapacitated if one knows (or a reasonable person would know) that the other person is incapacitated. Because the incapacitation of another person may be difficult for one to discern, students are strongly encouraged to err on the side of caution (i.e., when in doubt, assume that the other person is incapacitated and therefore unable to give consent.)

(e) Consent must be continual, which means that consent must exist from the beginning to the end of each sexual encounter and for each specific sexual act that occurs during a sexual encounter. A person has a right to change his/her mind; thus, consent to engage in a specific sexual act may be withdrawn by a person at any time. A withdrawal of consent is communicated through clear words and/or clear non-verbal actions that indicate that a person no longer agrees to engage in a specific sexual act. Once a person's withdrawal of consent has been communicated, the

other person must cease the specific sexual act and must obtain consent before reinitiating the specific sexual act or any other sexual act. Consent is automatically withdrawn when a person becomes incapacitated. Consent to one type of sexual contact or sexual intercourse (e.g., oral intercourse) does not constitute or imply consent for another type of sexual contact or sexual intercourse (e.g., vaginal intercourse), whether during a sexual encounter or during a previous sexual encounter. The University urges students to communicate with one another throughout a sexual encounter to ensure that any progression of sexual activity is done with consent.

- (13) The term "course of conduct" means two (2) or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about another person, or interferes with another person's property.
- (14) The term "dating violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim of the violence. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the following factors: (1) the length of the relationship; (2) the type of relationship; and (3) the frequency of interaction between the persons involved in the relationship. Dating violence includes, without limitation, sexual or physical abuse or the threat of such abuse.
- (15) The term "domestic violence" means a felony or misdemeanor crime of violence committed:
 - (a) by a current or former spouse or intimate partner of the victim;
 - (b) by a person with whom the victim shares a child in common;
 - (c) by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
 - (d) 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 of violence occurred; or
 - (e) 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 of violence occurred.
- (16) The term "good faith" means having a belief in the truth of information that a reasonable person in the same situation 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.
- (17) The term "incapacitated" or "incapacitation" means a temporary or permanent physical or mental state in which a person cannot make informed, rational judgments (e.g., judgments concerning sexual contact, sexual intercourse, or sexual exploitation) because: the person lacks the physical or mental capacity to understand the nature or consequences of their words and/or conduct; and/or the person is unable to physically or verbally communicate consent. Incapacitation can be voluntary or involuntary. Incapacitation is determined based on the totality of the circumstances. Incapacitation may result from: sleep; unconsciousness; intermittent consciousness; temporary or permanent physical or mental disability; involuntary physical restraint; or the influence of alcohol, drugs, or other substances, including, without limitation, substances used to facilitate sexual assault (e.g., Rohypnol, Ketamine, GHB, and Burundanga). Alcohol and drugs are common causes of incapacitation. When alcohol or drugs are involved, Incapacitation is a state beyond mere drunkenness or intoxication. The impact of alcohol and drugs varies from person to person; however,

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warning signs of incapacitation may include, without limitation: lack of control over physical movements (e.g., inability to dress/undress without assistance; inability to walk without assistance); lack of awareness of circumstances or surroundings; vomiting; unresponsiveness; and inability to communicate coherently.

A person who is under the age of eighteen (18) (i.e., a minor) is incapable of giving consent; however, a person who is at least the age of thirteen (13) and less than the age of eighteen (18) is capable of giving consent to sexual acts with another person who is less than four (4) years older than them.

- (18) The term “reasonable person” means a sober, objectively reasonable person in the same situation, and with the same sex, gender identity, and sexual orientation as the person whose words and/or conduct are being evaluated.
- (19) The term “relationship violence” means dating violence and/or domestic violence.
- (20) The term “retaliation” means an act (i) taken by a student (including an act taken through a third party) because of another person’s participation in a protected activity (ii) that would discourage a reasonable person from engaging in protected activity. Protected activity includes a person’s good faith: (i) opposition to conduct prohibited under the Standards of Conduct; (ii) report to the University about conduct prohibited under the Standards of Conduct to the University; (iii) participation (or reasonable expectation of participation) in any manner in an investigation, meeting, hearing, or interim measure; or (iv) exercise of rights or responsibilities under any provision of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. 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 an act taken against a person’s family, friends, advisors, and/or other persons reasonably expected to provide information in connection with a University investigation or hearing.
- (21) The term “sexual assault” means engaging in sexual contact or sexual intercourse with another person without the consent of that person.
- (22) The term “sexual contact” means the intentional touching of another person (including another person’s clothing) in a sexual manner with any part of one’s body or with any object. Sexual contact also means intentionally causing another person to touch themselves (including their clothing) in a sexual manner. Whether a touching was done in a sexual manner is determined from the perspective of a sober, objectively reasonable person in the same situation and with the same sex, gender identity, and sexual orientation as the person who was touched.
- (23) The term “sexual exploitation” means an act or attempted act by a person for the purpose of sexual arousal or gratification, financial gain, or other personal benefit through the abuse or exploitation of another person’s sexuality. Examples of sexual exploitation include, without limitation: observation of a person who is undressed or engaging in sexual contact or sexual intercourse, without the consent of all persons being observed (in a place where a person has a reasonable expectation of privacy); creation or distribution of images, photography, an audiotape, or a videotape of sexual contact, sexual intercourse, or a person’s intimate parts (i.e., genitalia, groin, breasts, buttocks) without the consent of all persons being recorded or photographed; prostituting another person; allowing others to observe, either in person or electronically, sexual contact or sexual intercourse without the consent of all persons involved in the sexual contact or sexual intercourse (in a place where a person has a reasonable expectation of privacy); and knowingly exposing another person

to a sexually transmitted infection without informing the other person that one has a sexually transmitted infection.

- (24) The term “sexual harassment” means with respect to the conduct of a student, 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. The term “sexual harassment” also means, with respect to the conduct of a student-employee (when acting as a student-employee): unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s participation in an educational program; submission to or rejection of such conduct by an individual is used as the basis for evaluation or advancement in an educational program; or such conduct has the purpose or effect of unreasonably interfering with an individual’s educational performance or creates an intimidating, hostile or offensive educational environment. Sexual harassment is a form of sex discrimination. To determine whether conduct constitutes sexual harassment, consideration shall 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.
- (25) The term “sexual intercourse” 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.
- (26) The term “sexual misconduct” means sexual harassment, sexual assault, and/or sexual exploitation.
- (27) The term “stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (1) fear for the person’s safety or the safety of others; or (2) suffer substantial emotional distress. For the purposes of this definition, the term “reasonable person” means a reasonable person under similar circumstances and with similar identities to the victim.
- (28) The term “substantial emotional distress” means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- (29) The term “UAPA” means the Uniform Administrative Procedures Act, Tennessee Code Annotated § 4-5-101 et seq.
- (30) The term “UAPA Hearing” means a hearing conducted by an administrative judge or hearing officer in accordance with the University’s procedures for conducting a contested case pursuant to the UAPA, Chapter 1720-01-05.

C. JURISDICTION

- (1) The Standards of Conduct apply to conduct that occurs on University-controlled property.
- (2) The University also has the discretion to discipline a student for an act in violation of the Standards of Conduct that occurs off University-controlled property if the conduct adversely affects the interests of the University, including, but not limited to, conduct which:
 - (a) occurs in connection with a University-affiliated activity, including, but not limited to, an overseas study program or a clinical, field, internship, or in-service experience;
 - (b) involves another member of the University community; or
 - (c) threatens, or indicates that the student may pose a threat to,

the health or safety of him/herself or others or the security of any person's property, including, but not limited to, alcohol-related offenses, drug-related offenses, arson, battery, fraud, hazing, participation in group violence, rape, sexual assault or misconduct, stalking, and theft.

The above-listed examples of off-campus conduct that is subject to discipline are separate and independent grounds for discipline, and one ground for discipline shall not be interpreted in any manner to modify, explain, or limit any other ground for discipline.

- (3) The Standards of Conduct have been adopted in furtherance of the University's interests and serve 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, or his/her designee, 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. The University may refer matters to federal, state, or local authorities for prosecution when appropriate.
- (4) 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 conduct is not discovered by the University until after a degree is awarded). Should a student withdraw from the University with disciplinary charges pending, the student's academic record and/or ability to register for classes may be encumbered by the appropriate University office.
- (5) Graduate or professional programs within the University may initiate charges against students for alleged violations of professional standards or ethics as a separate issue or as an extension of alleged acts of academic dishonesty or other violations of the Standards of Conduct.

D. STANDARDS OF CONDUCT

A student or student organization may be disciplined for the following types of misconduct:

- (1) Cheating, plagiarism, or any other act of academic dishonesty, including, but not limited to, an act in violation of The Honor Code.
- (2) Providing false information to a University official.
- (3) Falsifying, distorting, misrepresenting, or withholding information in connection with a University investigation or hearing.
- (4) Forging, altering, destroying, falsifying, or misusing records, identification, or documents.
- (5) Causing physical harm to any person (including oneself); endangering the health or safety of any person (including oneself); engaging in conduct that causes a reasonable person to fear harm to his/her 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, which is defined as unwelcome conduct 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 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) Engaging in sexual misconduct, relationship violence, or stalking.
- (8) Invasion of another person's privacy when that person has a reasonable expectation of privacy, including, but not limited to, 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 unauthorized recordings by any means is also prohibited.
- (9) Theft, misappropriation, unauthorized possession, or unauthorized sale of private or public property, including but not limited to University-controlled property.
- (10) Vandalizing, destroying, damaging, engaging in conduct that reasonably could cause damage to, or misusing private or public property, including but not limited to University-controlled property.
- (11) Participating in hazing. "Hazing" is defined as any intentional or reckless act, on or off University-controlled property, by one student, acting alone or with others, which is directed against any other student, that endangers the mental or physical health or safety of that student, or which induces or coerces a student to endanger his or her mental or physical health or safety, and includes treatment of a violent, abusive, shameful, insulting, or humiliating nature. Without limiting the foregoing, such action is prohibited when connected with initiation into or affiliation with an organization and does not include participation in customary athletic events or similar competition.
- (12) Engaging in disorderly conduct, which means: 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.
- (13) Engaging in lewd, indecent, or obscene conduct. "Lewd, indecent, or obscene" conduct includes, but is not limited to, public exposure of one's sexual organs, public urinating, and public sexual acts.
- (14) Engaging in speech, either orally or in writing, that is directed to inciting or producing imminent lawless action and is likely to incite or produce such action.
- (15) 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.
- (16) Possessing, using, or duplicating University keys, access cards, or identification cards without authorization; possessing, using, or entering University-controlled property without authorization.
- (17) Theft, misuse, or unauthorized use of information technology facilities, resources, or access codes, including, but not limited to: 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

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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.

- (18) 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 Chief of Police or his/her designee.
- (19) 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.
- (20) Consuming, manufacturing, possessing, distributing, dispensing, selling, or being under the influence of alcoholic beverages, if prohibited by federal, state, or local law.
- (21) Providing an alcoholic beverage to a person younger than twenty-one (21) years of age.
- (22) Using, manufacturing, possessing, distributing, selling, dispensing, or being under the influence of drugs or 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.
- (23) Failing to pay a University bill, account, or other University financial obligation.
- (24) 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 his/her duties; or failing to identify oneself to a University employee or other public official acting within the scope of his/her duties when requested to do so.
- (25) Failing to appear at a University hearing, including, but not limited to, a hearing of a University judicial board, following a request to appear either as a party or as a witness.
- (26) Violating the terms of an interim suspension, a no-contact directive, or a disciplinary penalty imposed by the University.
- (27) Obstructing or disrupting teaching, learning, studying, research, public service, administration, disciplinary proceedings, emergency services, or any other University-affiliated activity, or the free flow of pedestrian or vehicular traffic. In no event shall this rule be construed to discipline a student for speech protected by the First Amendment to the United States Constitution.
- (28) Violating a University policy or rule as stipulated herein or as promulgated and announced by authorized personnel, including but not limited to University policies or rules relating to facilities use, smoking, the acceptable use of information technology resources, research or service 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.
- (29) Committing an act that is prohibited by local, state, or federal law.
- (30) 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.
- (31) Engaging in retaliation.

E. INVESTIGATIONS OF STUDENT CONDUCT

- (1) All University investigations shall be conducted in an ethical manner, keeping in mind the rights of students. The following regulations shall be strictly observed.
- (2) In accordance with Title IX of the Education Amendments of 1972, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, and other applicable law, the University will

defined as the entry into an occupied room by University officials in order to ascertain the health and safety conditions in the room, or to make repairs on facilities, or to perform cleaning and janitorial operations. Search is defined as the entry into an occupied room by on-campus authorities for the purpose of investigating suspected violations of campus regulations and/or city, state, or federal law. An emergency situation exists when the delay necessary to obtain search authorization constitutes a danger to persons, property, or the building itself.

- (a) Inspection: Scheduled inspections by University officials, with the exception of daily janitorial and maintenance operations, shall be preceded, if possible, by twenty-four hours notice to the residents. During the inspection, there will be no search of drawers or closets or personal belongings.
- (b) Search: University officials will not enter a room for purposes of search except in compliance with state law or with the permission of the resident or the written permission of the Vice Chancellor for Student Affairs or his or her designee. University officials shall have, if possible, the Resident Director or his or her designee accompany them on the search.

F. DUE PROCESS AND STUDENT RIGHTS

- (1) Due process shall guarantee to the accused student the following:
 - (a) The right to be informed of charges in writing prior to the hearing.
 - (b) The right of reasonable time in which to prepare a defense.
 - (c) The right to a fair and just hearing.
 - (d) The right to challenge all charges and testimony used against the accused student and to question witnesses.
 - (e) The right to be informed in writing of:
 1. The final decision of his or her case.
 2. The proper procedure for appeal.
 - (f) The right to be accompanied by an advisor he or she chooses, at his or her own expense.
 1. The accused student is responsible for presenting his or her own information, and therefore, advisors are not to speak or participate directly in a University hearing.
 2. Students should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the University hearing.
 3. Delays will not normally be allowed due to the scheduling conflicts of an advisor.
- (2) Any student or student organization shall be formally charged in writing with the alleged offense. The date, time, and place of occurrence of the offense shall be stated on the statement of charges.
- (3) The Dean of Students office must keep accurate records of each hearing and the disposition of each case.
- (4) In accordance with Title IX of the Education Amendments of 1972, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, and other applicable law, in a case involving an allegation of sexual misconduct, relationship violence, or stalking, the accused student and the alleged victim shall have the rights outlined in the University's Policy on Sexual Misconduct, Relationship Violence, and Stalking. Additionally, in a case involving sexual assault, dating violence, domestic violence, or stalking, the University shall provide the accused/student/respondent with notice of the role of advisors (e.g., attorneys) in the student conduct process, including the extent to which they are allowed to advise or represent the student in an investigation or hearing.

G. STUDENT CONDUCT 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 consistent with due process of law.
 - (b) In cases involving allegations of sexual assault, dating violence, domestic violence, or stalking, the student conduct process must include protections for the accused student/respondent analogous to, and no less protective than, the conflict of interest provisions of Tennessee Code Annotated § 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 alleged victim/complainant with equivalent rights as the accused student/respondent during the student conduct process.
- (2) Complaints
 - (a) Any member of the University community may present a complaint to the Dean of Students office against a student for violations of the Student Code. Any complaint should be submitted as soon as possible after the event takes place. Any charge(s) shall be prepared in writing by the Dean of Students office.
 - (b) All charges shall be presented to the accused student in written form.
- (3) Hearing Options
 - (a) An accused student desiring to contest the charge(s) against him or her must do so by requesting a hearing within five (5) days of his or her receipt of written notice of the charge(s).
 - (b) The accused student(s) may, at his or her option, request a hearing before a panel of individuals (Student Conduct Board) or by a University Hearing Officer selected by the Vice Chancellor for Student Affairs (or his or her designee). A hearing before a Student Conduct Board will be chaired by a University Hearing Officer similarly selected. Board members and hearing officers shall be impartial and anyone lacking such impartiality shall recuse him/herself or may be removed by the Vice Chancellor for Student Affairs upon request of any party to a University hearing. Neither an employee in the Office of Student Conduct nor a person who investigated the allegations of misconduct against the accused student shall serve as a University Hearing Officer, be a member of the Student Conduct Board, or advise the University Hearing Officer or the Student Conduct Board.
 - (c) A requested hearing shall be scheduled promptly after receipt of the request.
 - (d) In the absence of a voluntary written waiver of the accused student's right to a hearing under the provisions of the Uniform Administrative Procedures Act (UAPA) (T.C.A. § 4-5-101 et seq.), when the UAPA requires the University to offer the accused student a hearing under the UAPA, a requested hearing will be conducted in accordance with the University's rules for conducting contested case proceedings under the UAPA, Chapter 1720-01-05, and the procedures in this Section .07 shall not apply.
- (4) Notice of Hearing Concerning Allegations of Sexual Assault, Dating Violence, Domestic Violence, or Stalking. At least seventy-two (72) hours prior to a hearing concerning allegations of sexual assault, dating violence, domestic violence, or stalking, the University shall provide the accused student/respondent with notice of the following: (1) the time, place, and date of the hearing; (2) the name of each witness the University expects to present at the hearing and those the University may present if the need

arises; (3) notice of the right to request a copy of the University'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 (4) 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.

- (5) Hearing Procedures – The Student Conduct Board or University Hearing Officer sitting alone will conduct the hearing within the following general guidelines:
 - (a) All University hearings shall be closed to the public.
 - (b) The accused student (and certain “victims” where permitted by law) and his or her advisor, if any, shall be allowed to attend the entire portion of the University Hearing at which information is received (excluding deliberations).
 - (c) Each party will be afforded a full and fair opportunity to present all evidence, including witnesses, reasonably relating to the charge or action at issue; evidence which is irrelevant, immaterial, repetitious or voluminous may be limited.
 - (d) All procedural questions are determined by the University Hearing Officer.
 - (e) The Student Conduct Board or University Hearing Officer sitting alone will consider all evidence presented, giving due consideration to the credibility or weight of each item presented; technical rules of evidence will not apply.
 - (f) The standard for a finding of responsible is a preponderance of the evidence.
 - (g) Following the conclusion of the University hearing, the Student Conduct Board or University Hearing Officer sitting alone will consider the evidence and present written findings.
 - (h) An appropriate record will be made of the hearing procedures. Deliberations shall not be recorded. Defects in the record will not invalidate the proceedings.
- (6) In cases involving an allegation of sexual assault or misconduct, the hearing procedures shall be modified to afford the alleged victim all of the rights described in Section F-4.

H. PENALTIES

- (1) Disciplinary penalties 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 penalties 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, student academic classification, and other aggravating or mitigating factors.
- (2) The following penalties may be imposed on any student found to have violated the Standards of Conduct:
 - (a) Warning. A notice that the student is violating or has violated the Standards of Conduct.
 - (b) Loss of Privilege. This penalty is intended to serve as a reminder of the Standards of Conduct and is for a specific period of time. Privileges that may be lost include, but are not limited to, scholarships, stipends, participation in extracurricular activities (e.g. intramurals), housing privileges, participation

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in social activities, and use of certain University-controlled property (e.g., information technology resources).

- (c) Educational Sanction. Students may be required to attend classes, at their own expense, dealing with issues such as the consequences of alcohol or drug use, civility, ethics, or other topics as deemed appropriate by the Vice Chancellor for Student Affairs or his/her designee.
 - (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 Reprimand. A disciplinary reprimand is used for minor violations of the Standards of Conduct. A reprimand indicates that further violations will result in more severe disciplinary actions.
 - (f) Disciplinary Probation. This penalty permits a student to remain at the University on probationary status but with the understanding that a future violation of the Standards of Conduct may result in suspension. Other conditions of probation are specific to each individual case and may include a requirement of community service or other requirement or restriction.
 - (g) Suspension for a Specific Period of Time. Suspension for a specific period of time means that the student is withdrawn from the University and is not eligible to apply for readmission for a designated period of time. Usually, the period of designated suspension does not exceed one (1) calendar year. Other conditions of suspension are specific to each individual case and may include a requirement of community service or other requirement or restriction.
 - (h) Permanent Dismissal. Permanent dismissal means that a student is permanently barred from matriculating as a student on the Chattanooga campus. This penalty is used when the violation of one or more of the institution's Standards of Conduct is deemed so serious as to warrant total and permanent disassociation from the University community without the possibility of re-enrollment; or when, by his/her repeated violation of the institution's Standards of Conduct, a student exhibits blatant disregard for the health and safety of other members of the University community or the University's right to establish rules of conduct.
 - (i) Revocation of Admission or Degree. Revocation of admission or degree means revoking a student's admission to the University or revoking a degree already awarded by the University. Revocation of a degree shall be approved by the University of Tennessee Board of Trustees.
- (3) A disciplinary hold may be placed on a student's account until the completion of the student disciplinary process or until the student satisfies the terms and conditions of any penalties imposed.
- (4) The following penalties may be imposed on a student organization found to have violated the Standards of Conduct:
- (a) Warning. A notice that the student organization is violating or has violated the Standards of Conduct.
 - (b) Educational Sanction. Student organizations may be required to attend classes, at their own expense, dealing with issues such as the consequences of alcohol or drug use, civility, ethics, or other topics as deemed appropriate by the Dean of Students or his/her designee.
 - (c) Loss of Privilege. This penalty is intended to serve as a reminder of the Standards of Conduct and is for a specific period of time. Examples of privileges that may be lost include

participating in extracurricular activities (e.g., intramurals), housing privileges, participating in social activities, and using certain University-controlled property.

- (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 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 penalties, including revocation of University registration.
 - (f) Revocation of University Recognition. In cases of serious misconduct, a student organization's University registration may be revoked.
- (5) More than one of the penalties listed above may be imposed for any single violation of the Standards of Conduct. Penalties may be applied retroactively to the date of the offense.
- (6) Intoxication or impairment because of alcohol, drugs, chemicals, or other substances does not diminish or excuse a violation of the Standards of Conduct.

I. NO CONTACT DIRECTIVE

In cases involving allegations of assault, injury, sexual abuse, harassment, or where there is reason to believe continued contact between a student and specific persons, including complainants and witnesses, may interfere with those persons' security, safety or ability to participate effectively in work or studies, the Vice Chancellor for Student Affairs, or his/her designee, may require that the student not have verbal, physical, or written contact with specific persons for a definite or indefinite period of time. The student will receive written or electronic notice of the no contact directive. Any student, faculty or staff member or other person with a reasonable justification may request a no contact directive. In addition to an internal University no contact directive, complainants are advised that other similar options exist and can be obtained from law enforcement and civil and criminal courts.

J. INTERIM SUSPENSION

- (1) When the Vice Chancellor for Student Affairs or his/her designee has reasonable cause to believe that a student'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 or his/her designee may impose an interim suspension prior to the conclusion of a full hearing on the alleged misconduct.
- (2) An interim suspension shall be confirmed by a written statement that explains the basis for the interim suspension and shall remain in effect until the conclusion of a full hearing in accordance with the rules of the University of Tennessee, which shall be held without undue delay.
- (3) Within three (3) business days of the imposition of the suspension, the student shall be offered an opportunity to appear personally before the Vice Chancellor for Student Affairs or his/her designee in order to discuss the following issues only: (i) the reliability of the information concerning the student's conduct; and (ii) whether the conduct and surrounding circumstances reasonably indicate that the student'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) During an interim suspension, the student shall be denied access to University-controlled property, including residence halls, and all other University-affiliated activities or privileges for which the student might otherwise be eligible, as the Vice Chancellor for Student Affairs or his/her designee determines in his/her sole discretion to be appropriate. A student who receives an interim suspension and violates the terms of the interim suspension shall be subject to further disciplinary action and may be treated as a trespasser. Permission to be on University-controlled property or participate in University-affiliated activities may be granted by the Vice Chancellor for Student Affairs or his/her designee.

K. APPEALS

- (1) Decisions of the Student Conduct Board or University Hearing Officer sitting alone may be appealed to the Vice Chancellor for Student Affairs by delivering a signed statement containing:
- A statement that he/she appeals the decision;
 - A brief statement of the grounds for the appeal. The basis for filing an appeal is limited to the following grounds:
 - the student's or student organization's rights were violated in the hearing process;
 - new relevant material evidence or information has been provided that could not have been discovered at the time of the hearing;
 - the information presented did not support the decision by a preponderance of the evidence (more likely than not standard); or
 - the sanction(s) imposed were not appropriate for the violation
- (2) The Vice Chancellor for Student Affairs may:
- Uphold the decision;
 - Amend the decision;
 - Return the case for reconsideration; or
 - Overtake the decision.
- (3) Either Party may appeal to the Chancellor of the University. In cases of involving a finding that a student is guilty of sexual assault or misconduct, the alleged victim shall have the right to appeal the decision of the Student Conduct Board or University Hearing Officer to the Vice Chancellor for Student Affairs.

L. WITHDRAWAL OR TEMPORARY SUSPENSION DUE TO PHYSICAL OR PSYCHOLOGICAL ILLNESS

- (1) When a student is unable to pursue his or her academic work effectively, or when his or her behavior is disruptive to the normal educational processes of the University, or constitutes a threat to members of the University community, due to, among other things, the use of alcohol, drugs, or other psychologically incapacitating illnesses or conditions, he or she may be withdrawn or temporarily suspended from the University as hereinafter provided.
- Withdrawal. A student may be withdrawn from the University only after an evaluation of his or her mental, physical condition, or behavior by a panel of at least three persons appointed by the Vice Chancellor for Student Affairs. The student shall be notified of the reasons for the evaluation and given an opportunity to present evidence to the committee. He or she shall enjoy the rights of normal due process procedures. The committee's findings and recommendations shall be forwarded to the Vice Chancellor

for Student Affairs who will notify the student in writing of his or her decision. A student withdrawn under this procedure shall not be readmitted to the University without the approval of the Vice Chancellor for Student Affairs.

(b) Grades. When a student is suspended or withdrawn from the University for reasons described in this section, he or she will be assigned a grade of "W".

(c) Committee Composition and Hearing. The panel referred to herein will include at least one member of the faculty at large and representative of the Counseling Center or a psychologist. The Dean of Students or his or her designee would normally have responsibility for preparing the charges and presenting the case. The student in question would have the right to normal due process provisions.

- (2) Temporary Suspension. Whenever a student, because of his or her mental or physical condition, is unable to pursue his or her academic work effectively, or is disruptive to educational processes or constitutes a danger to persons or property, he or she may be suspended from the University for a reasonable period of time by the Vice Chancellor for Student Affairs. The University will then schedule a hearing within 5 class days of the beginning of the suspension. If the University does not withdraw the student after the hearing, he or she may return to the University at the end of the suspension period.

M. PARKING APPEALS

Appeals of student parking tickets are reviewed by the Student Parking Appeals Board. Decisions concerning the appeals are based on a majority vote of the Board.

N. COMPOSITION OF STUDENT PARKING APPEALS BOARD

- (1) The Student Parking Appeals Board shall be composed of six student members plus a Chair and six alternates. Two students will be appointed by the Student Senate from the general student body. Two students will be appointed by the faculty, one appointed by the President of SGA, and one appointed by the Office of Student Affairs. Each appointing body shall also appoint the alternates. An alternate will serve when a regular member cannot be present or when a member is excused for reasons such as personal friendship with the principals.
- (2) All members must have a 2.00 cumulative grade point average and be enrolled as full time students and not be on any form of probation.
- (3) The Chair will be elected by the Board and votes in case of tie.
- (4) A temporary chair will be elected by the members of the board in the event:
- The Chair is a party to the case;
 - The Chair is absent; or
 - The Chair removes himself/herself from the case.
- (5) Once appointed, students remain on the Student Parking Appeals Board until they terminate at the University, cease to be eligible to serve, or resign voluntarily.

O. EMERGENCY SITUATIONS

When in the opinion of the Chancellor, conditions are such that there exists a clear and immediate danger to the physical safety or well-being of the members of the University community or safety of University property, he or she may direct that the accused student or organization be suspended pending initiation (and completion) of normal disciplinary proceedings provided those procedures are offered as soon as can reasonably be accomplished. The Chancellor may delegate this authority to the Vice Chancellor for Student Affairs.

Residence Hall Security

Guests of apartments are met at the apartment doors or as they inquire at the apartment office.

Each residence hall and apartment complex is staffed by a resident director and numerous resident assistants, usually one per floor. The University currently employs two area coordinators, seven (7) resident directors and 93 resident assistants. Formal training of directors and assistants is conducted through cooperative efforts of the Housing and Residence Life and other campus offices.

Residents can gain access to the building, to their floor, and to their individual rooms only by a key or keycard issued them by the Housing Office. All apartment doors have deadbolt locks. Residents are urged to keep them closed and deadbolted at all times. Windows are screened, and those windows that are accessible from the ground or roofs are equipped with security bars and/or screen.

Numerous safety and security brochures, pamphlets, and flyers are distributed to all residents on a regular basis. Security personnel hold regular floor meetings with students as well as conduct periodic fire drills. On occasion, guest lectures or video presentations are presented to student residents covering such topics as date rape, theft prevention, fire safety, etc. The University maintains smoke and fire alarms in all residence halls. These N.F.P.A. approved alarm systems are monitored 24 hours a day in the Campus Law Enforcement Telecommunications Center as well as in each residence hall. Public safety personnel are trained to assist the Chattanooga Fire Department in building evacuations during fire or other emergencies. During holidays, spring break, or other low-occupancy periods students in apartments are allowed to remain in their designated housing areas. However, resident directors must be notified of their intentions of staying. Both the Housing Staff and the University Police Department make periodic exterior door checks during these low-occupancy periods.

Policy on Sexual Misconduct, Relationship Violence and Stalking

You can find a complete copy of UTC's *Policy on Sexual Misconduct, Relationship Violence and Stalking* and additional information and resources at <http://www.utc.edu/sexual-misconduct/>. Information is excerpted below for your convenience. **What to do if You are a Victim of Sexual Misconduct, Relationship Violence and/or Stalking**

- Get to a safe place.
- Talk to someone you trust.
- Preserve physical evidence: If at all possible, do not bathe, change clothing, use the restroom, or brush your teeth.
- Seek medical attention. For severe injuries, call 911.
- Seek counseling and support.

Reporting an Incident of Sexual Misconduct, Relationship Violence and/or Stalking to the University

Students are encouraged to report incidents of sexual misconduct and relationship violence. There are many avenues available for students to report, including the following:

- Title IX Coordinator, Stephanie Rowland, stephanie-rowland@utc.edu, (423) 425-4255.
- Deputy Title IX Coordinator for Students, Jim Hicks, Dean of Students, jim-hicks@utc.edu, (423) 425-4761.
- Office of Student Conduct, (423) 425-4301.
- UTC Police Department, (423) 425-4357.
- Other Mandatory Reporters including faculty and exempt staff. For more information, please see UTC's Policy on Sexual Misconduct, Relationship Violence and Stalking, Appendix B.

Confidential and Limited-Confidential Resources

Students are encouraged but are not required to report an instance of sexual misconduct and/or relationship violence to the university and may

choose to seek confidential and/or private support and resources, including the following:

- **Counseling and Personal Development Center (423) 425-4438.** The Counseling and Personal Development Center provides free and confidential counseling for all students. Available for intake Monday-Friday from 9:00 a.m. to 3:30 p.m.
- **Survivor Advocacy Services (423) 425-5648;** 24/7 support by calling (423) 425-HELP and asking for the advocate on call. UTC's Survivor Advocacy Program is available to assist with reporting an incident to the University and, if requested, will advocate for a survivor throughout the investigation process. Other services available: interview/hearing/court accompaniment, aid in petitioning for an Order of Protection, explanation and support of survivor's rights.
- **Student Health Services (423) 425-2266.** Student Health Services is a free resource for students to address ongoing medical needs.
- **Partnership for Families, Children and Adults (off-campus) (423) 755-2700** (24-hour domestic violence and sexual assault hotline). The Partnership provides Sexual Assault Nurse Exams and other services.

Rights of the Complainant and the Respondent

- Notice concerning the procedure by which UTC will handle the Complainant's report and an opportunity to ask questions about UTC policies and procedures;
- A prompt, thorough, and equitable investigation of the Complainant's report;
- The same opportunity as the other party to present an explanation of the facts during UTC's investigation;
- Notice of the outcome of UTC's investigation;
- Notice of the date, time, and location of a disciplinary hearing; the right to have a disciplinary hearing closed to the public if a hearing involves a student Complainant or Respondent; and the right to request rescheduling of a disciplinary hearing for good cause;
- The same access as the other party to any information or documents that will be used by UTC during a disciplinary hearing, unless prohibited by law;
- To challenge the seating of any administrative judge or hearing officer/examiner for good cause (determined at the discretion of the Chancellor/Agency Head); any member of a hearing board, panel, or committee for good cause (determined at the discretion of the chairperson of the hearing board, or, if the seating of the chairperson is challenged, then at the discretion of the majority of the hearing board; or any other hearing decision maker for good cause (determined at the discretion of UTC employee responsible for supervising the hearing board);
- The same opportunity as the other party to be present during a disciplinary hearing, present witnesses and other evidence, challenge the admissibility of evidence, and cross-examine adverse witnesses during the disciplinary hearing; To testify or remain silent in an investigation or disciplinary hearing;
- To testify or remain silent in an investigation or disciplinary hearing;
- Not to be questioned directly by the other party during a disciplinary hearing or at any other time during UTC's investigation or resolution;
- To submit a written impact statement (Complainant) or a written mitigation statement (Respondent) to a hearing board, panel, or committee, or other hearing decision maker, for consideration during the sanctioning phase of a disciplinary hearing, if the Respondent is found responsible for the charges, or to the Office of Student Conduct or other administrator for consideration during the sanctioning phase of an administrative hearing, if the Respondent admits responsibility for the charges;

- To be provided with the same or equivalent rights as the other party to challenge or appeal the decision of a UTC investigation or disciplinary hearing panel, board, or other decision maker.

Complainants also have the right to interim measures including changes in working arrangements and living arrangements (if on campus), academic support and safety plans.

Education Programs

The University provides the following programs aimed at promoting awareness of sex offenses and other crimes:

- Speakers open to all students and employees.
- Presentations at Freshman Orientation.
- Educational internet modules for all students.
- Sexual Misconduct and Relationship Violence Prevention Website: <http://www.utc.edu/sexual-misconduct>.
- Posters on campus bulletin boards.
- Bystander intervention programs.
- Special events throughout the academic year.

Maintenance of Ethical & Professional Standards-Nursing

A student enrolled at The University of Tennessee at Chattanooga in the School of Nursing is subject to disciplinary action up to and including dismissal for engaging in the following acts of misconduct, regardless of whether such misconduct is engaged in on or off University-owned or University-controlled property:

- Commission of an offense classified as a felony by Tennessee's criminal statutes or by Federal criminal statutes.
- Unlawful use, possession, or sale of drugs or narcotics, whether or not felonious.
- Plagiarism, falsification of records, or other acts which substantially impacts the integrity of the student.
- Other unprofessional and unethical conduct which would bring disrepute and disgrace upon both student and the nursing profession and which would tend to substantially reduce or eliminate the student's ability to effectively practice that profession.

A student applying for admission to UTC shall also be subject to the above provisions and may be denied admission or continuation on the basis of his or her failure to maintain the aforementioned ethical and professional standards.

The School of Nursing maintains extensive information regarding professional standards for Nursing students in the School of Nursing undergraduate and graduate handbooks.

Statement of a Drug-Free Environment

The University of Tennessee is committed to ensuring that it is safe and free from the illegal use, manufacture, possession, distribution, or dispensing of controlled substances (as defined in the Controlled Substances Act, 21 U.S.C. Section 812). To accomplish this, the University has established a student drug abuse prevention program through the Office of Student Affairs. Further, students are subject to a Code of Conduct pertaining to use or possession of controlled substances, and recipients of certain federal financial assistance such as Pell Grants will be required to certify that they will be drug-free during the pendency of the Grant.

Medical Amnesty

What is medical amnesty? This policy is designed to encourage students to get help for those in need and not worry about getting in trouble. It is putting safety and health of our community above the repercussions for violating UTC policies.

Who can use the policy? Any student or student group.

When can a student use the policy? If you call for help during an emergency before the authorities arrive (police, residence life, etc) you will be

protected from UTC judicial action.

For more information please visit <http://www.utc.edu/alcohol-drug-education/medicalamnesty.php>

Discrimination Complaint Procedures: AFFIRMATIVE ACTION POLICY

A. EEO/AA Non-Discrimination Policy Statement

The University of Tennessee Chattanooga is an EEO/AA/Title VI/Title IX/Section 504/ADA/ADEA. All qualified applicants will receive equal consideration for employment and admissions without regard to race, color, national origin, religion, sex, pregnancy, marital status, sexual orientation, gender identity, age, physical or mental disability, or covered veteran status.

Eligibility and other terms and conditions of employment benefits at The University of Tennessee at Chattanooga are governed by laws and regulations of the State of Tennessee, and this non-discrimination statement is intended to be consistent with those laws and regulations.

In accordance with the requirements of Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990, The University of Tennessee at Chattanooga affirmatively states that it does not discriminate on the basis of race, sex, or disability in its education programs and activities, and this policy extends to employment by the University.

Inquiries and charges of violation of Title VI (race, color, national origin), Title VII (sex, race, color, national origin and religion), Section 504 of the Rehabilitation Act (disability), ADA (disability), Age Discrimination in Employment Act (age), sexual orientation, or veteran status should be directed to the Director of the Office of Equity and Diversity (OED). The Director of the Office of Equity and Diversity is also the ADA Coordinator and is located at 201 Human Resources Center, Dept. 5455, 615 McCallie Ave., Chattanooga, TN 37403-2598; telephone (423) 425-5468 or Bryan-Samuel@utc.edu. Requests for accommodation of a disability should be directed to the Director of the Disability Resource Center, Dr. Michelle Rigler, (423) 425-4006 (V/TTY). Questions about Title IX and complaints of violations should be directed to University of Tennessee at Chattanooga's Title IX Coordinator, Ms. Stephanie Rowland, at (423) 425-4255, or via email at Stephanie-Rowland@utc.edu. If the student or employee does not wish to contact UTC's Title IX Coordinator, they may contact the Department of Education's Office of Civil Rights at 61 Forsyth Street, S.W., Suite 19T10, Atlanta, GA 30303-8927, Telephone (404) 974-9406, Email: OCR.Atlanta@ed.gov.

B. Sexual Harassment Policy

Sexual advances by any UTC employee (faculty or staff member) toward another employee or student which become a condition of employment or affect the academic relationship constitute an unlawful practice and a violation of the University's Policy on Sexual Misconduct, Relationship Violence and Stalking Policy, referred to on page 43 of this handbook. Unsolicited or unwelcome physical or verbal behavior of a sexual nature which has the purpose or effect of creating an atmosphere of intimidation may be a violation of Title IX and/or Title VII.

In the case of such harassment, an employee or student has the right to report the harassment to the University, following the guidelines listed in the Policy on Sexual Misconduct, Relationship Violence and Stalking. Reporting guidelines for students are also found on page 43 of this handbook.

C. Complaint Procedures

A civil rights complaint, including a complaint of sexual harassment, may be filed by any student, present or former employee of the University of Tennessee at Chattanooga or any applicant for employment or admissions at UTC, who believes that he/she, has been subjected to discrimination on the basis of race, color, national origin, religion, sex, pregnancy, marital status, sexual orientation, gender identity, age, physical or mental disability,

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or covered veteran status. University policy strictly prohibits retaliation against any person who, in good faith opposes a practice which he/she believes to be discriminatory.

Employee complaints of discrimination should be directed to the Office of Equity and Diversity, 201 Human Resources Center, Dept. 5455, the University of Tennessee at Chattanooga, 720 McCallie Avenue, Chattanooga, TN 37403, (423) 425-5468. If the Director of Equity and Diversity is not available, contact the Executive Vice Chancellor for Finance, Operations and Information Technology (FOIT). The Executive Vice Chancellor for FOIT will direct the matter to the appropriate administrator. The complaint must be filed within 300 calendar days of the alleged discrimination. In certain circumstances, at the discretion of the Director of Equity and Diversity, complaints filed outside of this time limit or that are not put in writing, may be investigated informally.

Student complaints of discrimination based on sex, including sexual misconduct, relationship violence and stalking, should be directed to the Title IX Coordinator, Ms. Stephanie Rowland, (423) 425-4255 or Stephanie-Rowland@utc.edu. There are no limits on when these types of complaints must be filed. All other complaints of discrimination should be directed to the Office of Equity and Diversity, 201 Human Resources Center, Dept. 5455, the University of Tennessee at Chattanooga, 720 McCallie Avenue, Chattanooga, TN 37403, (423) 425-5468.

University Security Policy

To comply with state and federal laws, the UTC Police Department collects and maintains statistics concerning crime on campus and in areas of the University Community, including a public crime log accessible during business hours. UTCPD sends monthly reports on-campus crime to the Tennessee Bureau of Investigation via the *Tennessee-Incident Based Reporting System (TIBRS)*. These statistics are then reported by TBI to the Federal Bureau of Investigation. To comply with the Jeanne Clery Act, the UTCPD also sends reports regarding crime on and around campus to the United States Department of Education. Each October, the UTCPD publishes the Annual Security and Fire Safety Report which contains statistics for the past three years not including year of production. A free copy of this report may be obtained from the UTC Police Department, 400 Palmetto Street, Dept 3954, Chattanooga, TN 37403-2598. For more current statistics and helpful links for research, please refer to www.utc.edu/police

Access to Student Records

Also known as the “Buckley Amendment,” the Family Educational Rights and Privacy Act (“FERPA”) is a federal law enacted in 1974 that affords students certain rights with respect to their education records. Specifically, FERPA affords students (1) the right to inspect and review their education records, (2) the right to request the amendment of the student’s education records that the student believes are inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA, (3) the right to provide written consent before the University discloses personally identifiable information from the student’s education records, except to the extent that FERPA authorizes disclosure without consent, and (4) the right to file a complaint with the U.S. Department of Education concerning alleged failures by the University to comply with FERPA. The University strives to fully comply with this law by protecting the privacy of education records and judiciously evaluating requests for release of information from those records.

I. Definitions

A. Student. A student is a person who attends or who has previously attended the University of Tennessee at Chattanooga, including attendance in person, by correspondence, by distance (using video conference, satellite, internet, or other technology), or a period during which a person is working under a work study to exceed the University’s cost of producing a copy of the education program. This does not include persons who have been admitted to the University but have not registered for classes.

B. Education Record. An education record is a record directly related to a student that is maintained by the University or by a person acting for the University. Excluded from the definition of an education record are:

1. Records that are kept in the sole possession of the maker of the record, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record.
2. Law enforcement records created and maintained by the Office of Safety and Security solely for a law enforcement purposes.
3. Records made or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional if the records are used only for treatment of a student and made available only to those persons providing the treatment.
4. Records that relate to an individual who is employed by the University and that (i) are made and maintained in the normal course of business, (ii) are not available for use for any other purpose, and (iii) relate exclusively to the individual in that individual’s capacity as an employee. This exception does not apply to records that relate to a student in attendance at the University who is employed as a result of his or her status as a student.
5. Peer graded papers before the papers are collected and recorded by faculty.
6. Records created or received by the University after an individual is no longer a student in attendance and which are not directly related to the individual’s attendance as a student (i.e., alumni records).

C. Personally identifiable information.

As of January 3, 2012, the U.S. Department of Education’s FERPA regulations expand the circumstances under which your education records and personally identifiable information (PII) contained in such records – including your Social Security number, grades, or other private information – may be released without your consent.

- The U.S. Comptroller General, the U.S. Attorney General, U.S. Secretary of Education, or state and local education authorities (“Federal and State Authorities”) may allow access to your records and (PII) without your consent to any third party designated by a Federal or State Authority to evaluate a federal- or state-supported education program. The evaluation may relate to any program that is ‘principally engaged in the provision of education,’ such as early childhood education and job training, as well as any program that is administered by an education agency or institution.
- Federal and State Authorities may allow access to your education records and PII without your consent to researchers performing certain types of studies, in certain cases even when we object to or do not request such research. Federal and State Authorities must obtain certain use-restriction and data security promises from the entities that they authorize to receive your PII, but the Authorities need not maintain direct control over such entities. In addition, in connection with Statewide Longitudinal Data Systems, State Authorities may collect, compile, permanently retain, and share without your consent PII from your education records, and they may track your participation in education and other programs by linking such PII to other personal information about you that they obtain from other Federal or State data sources, including workforce development, unemployment insurance, child welfare, juvenile justice, military service, and migrant student records systems.

Personally identifiable information includes, but is not limited to:

1. A student’s name;
2. The name of a student’s parent or other family members;
3. The address of a student or a student’s family;
4. A personal identifier, such as a student’s social security number, student number, or biometric record;
5. Other indirect identifiers, such as a student’s date of birth, place of birth, and mother’s maiden name;
6. Other information that, alone or in combination, is linked or linkable to

a specific student that would allow a reasonable person in the University community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or 7. Information requested by a person who the University reasonably believes knows the identity of the student to whom the education record relates.

II. Scope of Student Rights to Inspect and Review Education Records

A. A student shall be permitted to inspect and review his or her education records within 45 days following the date on which the University receives the student's request for access. To exercise this right, a student should submit to the registrar, dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) the student wishes to inspect. The University official will make arrangements for access and advise the student of the correct official to whom the request should be addressed.

B. A student shall be provided with a copy of any part or all of his or her education record on request but may be charged a fee not to exceed the University's cost of producing a copy of the education record as a condition to receiving it, unless the imposition of a fee effectively prevents a student from exercising the right to inspect and review the record. A student shall not be charged a fee to search for or retrieve the student's education records.

C. A student does not have the right to inspect and review:

1. The financial records of the student's parents.
2. Confidential letters and statements of recommendation which were placed in the University's records prior to January 1, 1975.
3. Confidential letters and statements of recommendation placed in the student's education records after January 1, 1975, respecting admission to the University, application for employment, or receipt of an honor or honorary recognition *if the student has signed a waiver of access rights*. The University shall not require any student to waive access rights. A party from whom a recommendation is sought may require such a waiver. A student who has signed a waiver shall be notified by the University of the *names* of parties providing confidential letters and statements of recommendation. Confidential letters and statements of recommendation shall be used only for the purpose for which they were solicited.
4. Records that personally identify other students even if the student also is personally identified. In such a case, the student shall simply be informed of the specific information about the student that is contained in the record.

D. Reasonable requests by a student for an explanation or interpretation of records shall be granted.

III. The Right to Seek to Amend Education Records

A. FERPA gives a student the right to request the amendment of the student's education records that the student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. The right to request the amendment of education records does not include a right to question substantive educational judgments that have been correctly recorded. Disputes between the University and the student concerning the content of a student's education record should be resolved informally, if possible.

B. A student who wishes to ask the University to amend a record should write the University official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed. The University official in charge of the office or department to which the challenge is submitted shall mark the date of the request on the front page of the request.

C. If the University decides not to amend the record as requested, within ten (10) days of the receipt of the student's request, the University will notify the student in writing of the decision and the student's right to a hearing regarding the request for amendment. The written notification

to the student shall be reasonably in advance of the hearing and shall notify the student about:

1. When the hearing will be conducted (no later than 30 days from the date on which notification is given or mailed to the student);
 2. Where the hearing will be conducted; and
 3. Who will conduct the hearing (the official in charge of the office or department or his or her designee may act as hearing examiner).
- D. A hearing on a student's request to amend the student's education record shall include the following procedures:
1. The hearing examiner should not have a direct interest in the outcome of the hearing.
 2. The student may, at his or her own expense, be assisted or represented by one or more individuals of his or her own choice, including an attorney.
 3. The student shall be provided with a full and fair opportunity to present relevant evidence in support of the challenge including any records, testimony of witnesses, or other evidence which the student reasonably believes to support the challenge. Material which is redundant or immaterial need not be accepted or considered as evidence. The hearing examiner may require that voluminous material be summarized if the examiner deems such action appropriate.
 4. The hearing examiner may request the presence of witnesses at the hearing in addition to those called by the student. The student shall be made aware of and have an opportunity to rebut any evidence considered by the hearing examiner which would serve to disprove the student's challenge.
 5. Within thirty (30) days of the conclusion of the hearing, the hearing examiner shall make his or her decision in writing. In reaching a decision, the hearing examiner shall consider only the evidence presented at the hearing and must include in a summary of the evidence and the reasons for the decision in the written decision.
 6. A record of the hearing shall be maintained in the office or department to which the challenge was submitted which notes all particulars of the challenge including date received, date of hearing, name of hearing examiner, names of witnesses, decision reached, and the date on which notification of decision was sent. The record shall include a copy of the challenge, the decision, and any written or other tangible evidence submitted.
- E. If, as a result of a hearing, the University decides that the information in the education record is not inaccurate, misleading, or otherwise in violation of the privacy rights of the student, the University shall inform the student of the right to place a statement in the record commenting on the contested information in the record and stating why he or she disagrees with the decision of the University.

IV. Release of Records to Third Parties

A. The University will not disclose personally identifiable information from a student's education records without the prior written consent of the student, except as authorized by FERPA. FERPA authorizes the University to disclose personally identifiable information from a student's education records without the prior written consent of the student when the disclosure is:

1. To school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the University has contracted as its agent to act or provide a service instead of using University employees or officials (such as an attorney, auditor, consultant, volunteer, or collection agent), the person is under the direct control of the University, and the person is subject to the same conditions governing the use and re-disclosure of education records that apply to other school officials; a person serving on the Board of Trustees; a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks; or a contractor, consultant, volunteer, or

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other outside party to whom the University has outsourced University services or functions that would otherwise be performed by University employees, the party is under the direct control of the university with respect to the use and maintenance of education records, and the party is subject to the same conditions governing the use and re-disclosure of education records that apply to other school officials. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for the University. The determination as to whether a school official has a legitimate educational interest will be made by the custodian of records on a case-by-case basis.

2. Upon request, to officials of another school in which a student seeks or intends to enroll, or where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer (this includes sending updated or corrected information and sending disciplinary or health records). The student shall be provided with written notification of the disclosure unless the student initiated the disclosure. In addition, the University is not required to obtain the written consent of a student before it responds to the request of an institution to explain the meaning or validity of an education record sent to it in connection with a student's new enrollment.
3. To authorized federal, state, or local government officials. Specific requests for access by government officials shall be brought to the attention of the Office of General Counsel as soon as possible after receipt of such request and prior to the release of records.
4. To comply with a judicial order or lawfully issued subpoena. Release shall be made only after a reasonable attempt is made to notify the student of such order or subpoena, unless applicable law or the order or subpoena by its terms prohibits contacting the student. The University may also refrain from notifying a student if it receives an ex parte order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 U.S.C. § 2332b(g)(5)(B) or an act of domestic or international terrorism as defined in 18 U.S.C. § 2331. The student bears the responsibility for keeping an up-to-date address on file in the Records and Registration Office. The records custodian shall notify the Office of General Counsel upon the receipt of a judicial order or subpoena.
5. To a party who is identified as the provider or creator of an education record (this is not a disclosure under FERPA).
6. To an appropriate party in connection with an emergency if the University determines, based on the totality of the circumstances, that (i) there is an articulable and significant threat to the health or safety of the student or other individuals and (ii) the party's knowledge of the information is necessary to protect the health or safety of the student or other individuals. Such health or safety emergencies shall be brought to the attention of the Office of the General Counsel. An appropriate party may be a parent of a student even if the student is not a dependent for income tax purposes.
7. To persons or organizations in connection with a student's application for, or receipt of, financial aid, if the information is necessary for such purposes as to determine eligibility, the amount, conditions or enforce the terms and conditions of the aid. The student shall be provided with written notification of the disclosure.
8. To accrediting organizations in order to carry out their accrediting functions.
9. To a parent of a student who is a dependent for federal tax purposes, as defined by Section 152 of the Internal Revenue Code of 1954. However, FERPA does not require the University to disclose information to parents. The University presumes that students are independent and generally does not release information based on a student's tax dependency. A student will be presumed to be a non-dependent
10. To organizations conducting a study for, or on behalf of, the University for the purpose of developing, validating, or administering

predictive tests, administering student aid programs, or improving instruction, if the study is conducted in a manner that does not permit personal identification of students by individuals other than representatives of the organization and the information is destroyed when no longer needed for the purposes for which the study was conducted.

11. Authorized by the student pursuant to a signed and dated written consent that specifies the records to be disclosed, states the purpose of the disclosure, and identifies the party or class of parties to whom the disclosure may be made. Regardless of whether the student is a dependent, a student may give a parent access to his or her educational records by submitting, by mail or personal delivery, a notarized form, which can be obtained in the Records and Registration Office.
12. To Veterans Administration officials pursuant to Title 38, section 3690(c), United States Code.
13. To the court, without a court order or subpoena, those records that are (i) necessary to defend the University when a student initiates legal action against the University or (2) relevant for the University to proceed with a legal action as a plaintiff against a student.
14. To an alleged victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense (or to the alleged victim's next-of-kin if the alleged victim dies as a result of the crime or offense), but only the final results of the disciplinary proceeding conducted by the University with respect to that alleged crime or offense, regardless of whether the University concluded a violation was committed. This disclosure is required by Tennessee law.
15. The disclosure of information concerning registered sex offenders, provided to the University under the Wetterling Act, including information made available under state sex offender registration and community notification programs.
16. To anyone the disclosure of the final results of a disciplinary proceeding conducted by the University with respect to a student who is an alleged perpetrator of a crime of violence or non-forcible sex offense, if the University has concluded the student committed a violation of the University's rules or policies. The University may not disclose the name of any other student, including a victim or witness, without the prior written consent of the other student. The "final results" are limited to the name of the student being disciplined, a description of the violation committed, and any sanction imposed by the University. Final results of disciplinary proceedings reached prior to October 7, 1998 shall not be released.
17. The disclosure to a parent of a student regarding the student's violation of any Federal, State, or local law, or of any rule or policy of the institution, governing the use or possession of alcohol or a controlled substance if: (i) the University determines that the student has committed a disciplinary violation with respect to that use or possession; and (ii) the student is under the age of 21 at the time of the disclosure to the parent. This disclosure is required by Tennessee law.
18. The disclosure of information the University has designated as "directory information," unless a student has signed and filed a valid Request to Withhold Directory Information. Directory information is information contained in a student's education record that would not generally be considered harmful or an invasion of privacy if disclosed. The University has designated the following as directory information: a student's name, address, telephone listing, UTC email address, major fields of study, college, classification, participation in officially recognized activities and sports, weight and height of athletic team members, dates of attendance, enrollment status (e.g., undergraduate or graduate; full-time or part-time), degrees and awards received, dates of degrees, and the most recent previous educational agency or institution attended by the student. FERPA permits the University to disclose directory information without a student's consent unless a student signs and files a Request to Withhold Directory Information with the Records Office. In order to restrict directory information from being published in the printed student directory, students must sign

and file the Request to Withhold Directory Information by the date designated in the Registrar's annual email to students regarding their FERPA rights. A student may not use the right to request that directory information be withheld to prevent disclosure of the student's name, e-mail address, or other identifiers in a class in which the student is enrolled. The University must continue to honor a request to not release directory information after an individual no longer attends the University if the request was made while the individual was in attendance at the University and the request has not been rescinded. Directory information does not include a student's social security number or student id number. In addition, a student's social security number, a student ID number, or other non-directory information will not be used either alone or in combination with other data to identify a student when disclosing or confirming directory information, unless the student has provided written consent. Instead, other directory information will be used to identify a student. When a person submits non-directory information (e.g., social security number) along with a request for directory information, the person will be informed that the University has not used the non-directory information to locate the student's records and that the University's response does not confirm the accuracy of the nondirectory information supplied with the request for directory information.

- B. The custodian of a student's education records shall maintain a record of requests for access to and disclosures of information from a student's education records as long as the education records are maintained. The record shall indicate the name of the party who obtained or requested access, what information, if any, was received, and the legitimate interest the party had in requesting or obtaining the information. The record shall be kept with the student's records and shall be available only for inspection by the student and University personnel in charge of the particular records concerned. Recordkeeping is not required if the request was from, or the disclosure was to:
1. the student;
 2. a school official determined to have a legitimate educational interest;
 3. a party with written consent from the student;
 4. a party seeking directory information; or
 5. a federal grand jury or law enforcement agency pursuant to a judicial order or subpoena that by its terms requires nondisclosure.

When the University discloses personally identifiable information from a student's education record under the health or safety emergency exception, the University must include in the record of the disclosure:

1. the articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure; and
 2. the parties to whom the University disclosed the information.
- C. Whenever records are released to any third party, a written statement shall accompany the records' release stating that the release is conditional upon the third party not permitting any other party to have access to the records without the student's written consent. This requirement does not apply to disclosures to parents of dependent students; disclosures made pursuant to court orders, lawfully issued subpoenas, or litigation; disclosures of directory information; disclosures made in connection with a disciplinary proceeding; or disclosures made to parents of a violation of law, rule or policy governing the use or possession of alcohol or a controlled substance, if the student is under age 21 at the time of the disclosure; or a party who is identified as the provider or creator of an education record.

V. Destruction of Education Records

All or part of a student's education records may at any time be removed from a file and destroyed by University personnel authorized to perform such act. However, once a student requests access to his or her records, such removal and destruction may not occur until access has been granted.

VI. Custodians of Education Records

The Registrar shall serve as custodian of all undergraduate student education

records maintained by the Office of Records. The Director of Graduate School shall serve as custodian of graduate student education records. All other student education records shall be in the custody of Student Affairs.

VII. University Resources

Questions related to FERPA or the University's policies concerning the privacy of students' education records should be directed to the Records and Registration Office, 109 Race Hall, 615 McCallie Avenue, Chattanooga, TN 37403, (423) 425-4416. Additional information can be found on the website of the Records and Registration Office, <http://www.utc.edu/Administration/Records/>.

VIII. Complaints

Complaints concerning alleged failures by the University to comply with the requirements of FERPA may be filed with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-5901.

UTC - Student Right-To-Know

In accordance with the Student Right to Know Act, the University provides the following information: By the end of the 2014-15 school year, 44 percent of the students who entered the University of Tennessee at Chattanooga as first time full-time freshmen in the fall of 2009 completed baccalaureate degrees. Any questions concerning this information or similar data on student athletes contact: Office of Planning, Evaluation & Institutional Research, 615 McCallie Avenue, Dept. 4654, Chattanooga, TN 37403 (423) 425-4007. For more information visit <http://www.utc.edu/planning-evaluation-institutional-research/student-achievement.php>

Residency Classification

(Excerpts pertinent to UTC from the regulations for classifying students in-state and out-of-state for the purpose of paying college or university fees and tuition and for admission purposes. These regulations have been adopted by the Board of Trustees and approved by the Governor of Tennessee.)

Intent. It is the intent that the public institutions of higher education in the State of Tennessee shall apply uniform rules, as described in these regulations and not otherwise, in determining whether students shall be classified "in-state" or "out-of-state" for fees and tuition purposes and for admission purposes.

Definitions. Wherever Used in These Regulations.

(1) "Public higher educational institution" shall mean a university or community college supported by appropriations made by the Legislature of this state.

(2) "Residence" shall mean continuous physical presence and maintenance of a dwelling place within this state, provided that absence from the state for short periods of time shall not affect the establishment of a residence.

(3) "Domicile" shall mean a person's true, fixed, and permanent home and place of habitation; it is the place where he or she intends to remain, and to which he or she expects to return when he or she leaves without intending to establish a new domicile elsewhere.

(4) "Emancipated person" shall mean a person who has attained the age of 18 years, and whose parents have entirely surrendered the right to the care, custody, and earnings of such person and who no longer are under any legal obligation to support or maintain such deemed "emancipated person."

(5) "Parent" shall mean a person's father or mother. If there is a non-parental guardian or legal custodian of an unemancipated person, then "parent" shall mean such guardian or legal custodian; provided, that there are

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not circumstances indicating that such guardianship or custodianship was created primarily for conferring the status of an in-state student on such unemancipated person.

(6) "Continuous enrollment" shall mean enrollment at a public higher educational institution or institutions of this state as a full-time student, as such term is defined by the governing body of said public higher educational institution or institutions, for a normal academic year or years or the appropriate portion or portions thereof since the beginning of the period for which continuous enrollment is claimed. Such persons need not enroll in summer sessions or other such intersessions beyond the normal academic year in order that his or her enrollment be deemed "continuous." Enrollment shall be deemed continuous notwithstanding lapses in enrollment occasioned solely by the scheduling of the commencement and/or termination of the academic years, or appropriate portion thereof, of the public higher educational institutions in which such person enrolls.

Rules for Determination of Status

(1) Every person having his or her *domicile* in this state shall be classified "in state" for fee and tuition purposes and for admission purposes.

(2) Every person not having his or her *domicile* in this state shall be classified "out of state" for said purposes.

(3) The domicile of an unemancipated person is that of his or her parents.

(4) The domicile of a married person shall be determined independent of the domicile of the spouse.

Out-of-State Students Who Are Not Required to Pay Out-of-State Tuition

(1) An unemancipated, currently enrolled student shall be reclassified out of state should his or her parent, having theretofore been domiciled in the state, move from the state. *However, such student shall not be required to pay out of state tuition or be treated as an out of state student for admission purposes so long as his or her enrollment at a higher educational institution or institutions shall be continuous.*

(2) An unemancipated person whose parent is not domiciled in this state but is a member of the armed forces and stationed in this state or at Fort Campbell pursuant to military orders shall be classified out-of-state, but shall not be required to pay out-of-state tuition. Such a person, while in continuous attendance toward the degree for which he or she is currently enrolled, shall not be required to pay out-of-state tuition if his or her parent thereafter is transferred on military orders.

(3) A person whose domicile is in a county of another state lying immediately adjacent to Montgomery County, or whose place of residence is within thirty (30) miles of Austin Peay State University shall be classified out-of-state but shall not be required to pay out-of-state tuition at Austin Peay State University. Provided, however, that there be no teacher college or normal school within the non-resident's own state, of equal distance to said non-resident's bona fide place of residence.

(4) Part-time students who are not domiciled in this state but who are employed full-time in the state, or who are stationed at Fort Campbell pursuant to military orders, shall be classified out-of-state but shall not be required to pay out-of-state tuition.

(5) Military personnel and their spouses stationed in the State of Tennessee who would be classified out of state in accordance with other provisions of these regulations will be classified out of state but shall not be required to pay out of state tuition. *This provision shall not apply to military personnel and their spouses who are stationed in this state primarily for educational purposes.*

(6) A person who is domiciled in the Kentucky counties of Fulton, Hickman, or Graves shall be classified out-of-state and shall not be required to pay out-of-state tuition at The University of Tennessee at Martin if qualified for admission. This exemption is on condition that Murray State University in Murray, Kentucky, continue to admit Tennessee residents from selected Tennessee counties to enroll at that institution without payment of out-of-state tuition.

(7) Any dependent child not domiciled in Tennessee but who qualifies and

is selected to receive a scholarship under the "Dependent Children Scholarship Act" (T.C.A. 49-4-704) because his or her parent is a law enforcement officer, fireman, or emergency medical service technician who was killed or totally and permanently disabled while performing duties within the scope of employment, shall be classified out-of-state but shall not be required to pay out-of-state tuition.

(8) The spouse of a student classified as "in-state" shall also be classified as "in-state."

(9) Students not domiciled in Tennessee but who are selected to participate in specified institutional undergraduate Honors Programs shall be classified out-of-state but shall not be required to pay out-of-state tuition.

(10) A person whose domicile is in Mississippi County, Arkansas, or either Dunlin County or Pemiscot County, Missouri, and who is admitted to Dyersburg State Community College, shall be classified out-of-state but shall not be required to pay out-of-state tuition.

(11) A person who is not domiciled in Tennessee, but has a bona fide place of residence in a county which is adjacent to the Tennessee state line and which is also within a 30 mile radius (as determined by THEC) of a city containing a two year TBR institution and who is admitted to a two year TBR institution, shall be classified out-of-state, but shall not be required to pay out-of-state tuition. The two-year institution may admit only up to three (3%) of the full-time equivalent attendance of the institution without out-of-state tuition. (THEC may adjust the number of the non-residents admitted pursuant to this section every three (3) years). (See T.C.A. 49-8-102)

Presumption

Unless the contrary appears from clear and convincing evidence, it shall be presumed that an emancipated person does not acquire domicile in this state while enrolled as a full time student at any public or private higher educational institution in this state, as such status is defined by such institution.

Evidence to be Considered for Establishment of Domicile

If a person asserts that he or she has established domicile in this state, he or she has the burden of proving that he or she has done so. Such a person is entitled to provide to the public higher educational institution by which he or she seeks to be classified or reclassified in state, any and all evidence which he or she believes will sustain his or her burden of proof. Said institution will consider any and all evidence provided to it concerning such claim of domicile but will not treat any particular type or item of such evidence as conclusive evidence that domicile has or has not been established.

Residency Appeals Procedure

Most Undergraduate students classified as non-residents may appeal this classification by submitting a petition and supporting evidence to the Undergraduate Admission Office on or before the last day to register for class for each respective semester. Graduate students classified as non-residents may appeal this classification by submitting a petition and supporting evidence to the Graduate Admissions Office on or before the last day to register for class for each respective semester. These deadlines also apply to students seeking to pay in-state fees due to their full-time employment in the State of Tennessee or receive the Regional Tuition discount. Decisions on appeals made before the deadline will be effective for that semester. Petitions received after the deadline, if granted, will be effective the following semester.

The Assistant Director of Admissions serves as the primary classification officer for undergraduate students and the Dean of the Graduate School serves as the primary classification officer for graduate students enrolled at the University of Tennessee at Chattanooga. Residency classification appeals should be made by completing the petition form provided by the Undergraduate or Graduate Admission Office. Appeals should include appropriate evidence to support the student's establishment of domicile in the State of Tennessee. Evidence of residence includes rental agreements, property deeds, voter registration, and other instruments that verify that the student's permanent residence is in Tennessee.

Undergraduate students may appeal the decision of the Assistant Director of Admissions by submitting a formal request to the chair of the Residency Appeals Committee. **Graduate** students may appeal the decision of the Dean of the Graduate School by submitting a formal request to the chair of the of the Residency Appeals Committee. The chair of the committee will schedule a hearing to review the student's request. The student may be present at the committee's hearing and may bring to the hearing any materials or other individuals (including legal counsel) that he or she believes will support the appeal. The student may appeal in writing the committee's decision to the Chancellor of UTC. The student has the right to appeal in writing the Chancellor's decision the President of the University of Tennessee. The President of the University of Tennessee makes the final decision on all residency appeals.

Effective Date

These regulations became effective with the beginning of the fall semester 1986 and supercede all previous regulations. If a student classified out-of-state applies for in-state classification and is subsequently so classified, his or her in-state classification shall be effective as of the date on which reclassification was sought. However, out-of-state tuition will be charged for any quarter or semester during which reclassification is sought and obtained unless application for reclassification is made to the classification officer on or before the last day of regular registration of that quarter or semester. A complete, unexcerpted copy is available in the UTC Admissions Office.

Classification Officers

The Undergraduate Admissions office serves as the initial residency classification officer for undergraduate students. All initial requests for classification or reclassification should be submitted in writing to the Office of Undergraduate Admissions, 101 University Center.

The Dean of the Graduate School serves as the residency classification officer for graduate students. All requests for classification or reclassification should be submitted in writing to the Graduate School in Race Hall.

Assembly Policy

The right of peaceable assembly is a guaranteed constitutional right and one which this institution does not intend to abrogate. The following regulations are intended to enumerate the essential provisions necessary to reconcile freedom of assembly with responsibility in any campus meeting conducted for the purpose of expressing opinions of the participants.

A. Peaceable Assembly: Description

Student gatherings may be conducted in areas which are generally available to the public, provided such gatherings:

1. are conducted in an orderly and peaceful manner;
2. do not obstruct in any way vehicular or pedestrian traffic;
3. do not interfere with classes, scheduled meetings, events, and ceremonies, or with other essential processes of the University;
4. if inside a building, are held in an assigned meeting room.

B. Advance Approval: Procedures

1. Only meetings which have been approved in advance through the proper office may be held:
 - (a) within University buildings;
 - (b) within University stadia; or
 - (c) adjacent to residential or academic facilities of the campus.
2. Meetings which would impose an unusual demand upon staff or facilities must have approval regardless of where they are held.

C. Disciplinary Action

Violations of the above University policy will result in appropriate disciplinary action.

Delegations Policy

Meetings between groups of students and administrative officers are desirable when acute problems affecting student life suddenly arise and the administration should be informed. Similarly, such meetings are necessary when students need fairly immediate access to discuss administrative policy or other critical matters pertaining to their welfare. So that the business of the University may continue to be conducted in an orderly fashion when such meetings between students and the administration are needed, the following rules are applicable to all student groups:

1. Student organizations or groups of students who wish to see the Chancellor or the Vice Chancellors are to choose a group of representatives not to exceed six to conduct their meeting with the appropriate official. Once selected, this group will remain the only delegation from that organization or group to see the official unless the group or organization formally removes one or more members from their delegation, in which case the University official is to be informed in advance.
2. Meetings of the delegation with University officials must be scheduled in advance so as not to interrupt the essential previous business of the University.
3. Meetings of the delegation with University officials will not take place where there are large congregations of students in or immediately adjacent to the building in which the meeting is to take place. Press conferences or communication with members of organizations can be conducted after the meeting and at some other convenient location.

Tobacco Products Use Policy

Smoking is prohibited in all buildings owned or operated by The University of Tennessee. This includes all hallways, classrooms, laboratories, seminar/meeting rooms, offices, dormitories and other University-owned housing, restrooms, indoor or open-air athletic facilities, performance halls, parking garages, and all other spaces in University-owned or operated buildings. Smoking is also prohibited in all vehicles owned, leased, or operated by the University Entrances to all University buildings are designated as smoke free. Unless otherwise posted, smoking is prohibited within twenty-five (25) feet of all doorways, windows, and ventilation systems of all University buildings. Smokers are responsible for ensuring that all smoking activity, including the lighting and discarding of cigarettes, takes place a sufficient distance away from the doorways, windows, and ventilation systems of University buildings to avoid infiltration of smoke into the buildings.

For purposes of University policy, smoking means inhaling, exhaling, burning, or carrying any lighted cigar, cigarette (including an electronic cigarette), pipe, or other lighted tobacco product, in any manner or in any form.

Students may report violations of the University's Smoking Policy to the UTC Office of Human Resources at 423-425-4221 or to the university-wide institutional compliance office (865-974-4438). Violations may be reported anonymously to the State Comptroller's Fraud Hotline (800-232-5454).

Any University student who is found to have violated this policy may be subject to discipline in accordance with campus procedures.

A complete version of the University's smoking policy can be found here: http://policy.tennessee.edu/safety_policy/sa0900/

UTC's smoking policy. <http://www.utc.edu/safety-risk-management/safety/tobacco-use-policy.php>

Campus Rules Governing Disturbing Noise

- A. When registering an event, submit a complete outline of the proposed activities.
- B. Loud music should not begin before 8:00 P.M. in order to avoid conflicts with class activities; however, the civil laws must be obeyed at all times.
- C. Music at a reasonable sound level can begin earlier. The leaders of the

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organization are expected to take responsibility to see that other activities are not disturbed.

D. If in the event that the sound level becomes too high and the leaders do not control it by their own actions, it is to be expected that the proper University officials will need to take charge and stop the program if necessary.

Chattanooga Code on Loud or Disturbing Noise

The following laws, taken in part from the Chattanooga Code, refer to loud and disturbing noise in the city.

Same—Enumeration of prohibited acts.

The following acts, among others, are declared to be loud, disturbing, and unnecessary noises in violation of this chapter, but this enumeration shall not be deemed to be exclusive:

(a) *Horns or other signal devices on vehicles.* The sounding of any horn or signal device on any automobile, motorcycle, bike, or other vehicle, while not in motion, except as a danger signal if another vehicle is approaching apparently out of control, or while in motion only as a danger signal after or as brakes are being applied and deceleration of the vehicle is intended; the creation by means of such signal device of any unreasonably loud or harsh sound, and the sounding of such device for any unnecessary and unreasonable period of time.

(b) *Musical instruments.* The playing of any radio, phonograph or any musical instrument in such a manner or with such volume, in particular during the hours between 11:00 P.M. and 7:00 A.M., so as to annoy or disturb the quiet, comfort or repose of persons in any hospital or in any dwelling, hotel or other type of residence or of any persons in the vicinity.

(c) *Yelling, hawking, etc., in streets.* Yelling, hawking, shouting, hooting, whistling, or singing on the streets or sidewalks or in public places, particularly between the hours of 11:00 P.M. and 7:00 A.M., in a manner which disturbs the quiet, comfort, or repose of persons in any hospital, dwelling, hotel, or other type of residence in the vicinity.

(d) *Noise near schools, courts, churches, or hospitals.* The creation of any excessive noise on any street adjacent to any school, institution of learning, church, or court, while the same is in session, or adjacent to any hospital, which unreasonably interferes with the working or sessions thereof.

(e) *Loudspeakers and amplifiers.* The use of mechanical loudspeakers and amplifiers on buildings, trucks, or other moving or standing vehicles for advertising or other purposes.

Loudspeakers, amplifiers and sound-amplifying devices.

It shall be unlawful to:

(a) Operate or allow the operation of any sound amplification equipment so as to create sounds registering fifty-five (55) db(A) between 9:00 P.M. and 9:00 A.M., as measured anywhere within the boundary line of the nearest residentially occupied property, hospital, school in session or nursing home, except in accordance with a permit obtained from the chief building official.

(b) As to multifamily structures including apartments, condominiums or other residential arrangements where boundary lines cannot readily be determined, it shall be unlawful to operate or allow the operation of any sound amplification equipment so as to create sounds registering fifty-five (55) db(A) between 9:00 A.M. and 9:00 p.m. or fifty (50) db(A) between 9:00 P.M. and 9:00 A.M., as measured from any point within the interior of another residential unit in the same complex or within the boundary line of the nearest residentially occupied property, except in accordance with a permit obtained from the chief building official.

(c) As to places of public entertainment having a capacity of one thousand (1000) or more persons, operate or allow the operation of any sound amplification equipment so as to create sounds registering more than sixty-five (65) db(A) between 9:00 A.M. and 9:00 P.M., or fifty (50) db(A) between 9:00 p.m. and 9:00 A.M., as measured anywhere within the boundary line of the nearest residentially occupied property, except in accordance with a permit obtained from the chief building official.

(d) Operate or allow the operation of any sound amplification equipment for advertising purposes or otherwise to attract customers so as to cast sounds which are unreasonably loud and disturbing or which register more than sixty (60) db(A) at or on the boundary of the nearest

public right-of-way or park.

(e) Operate or allow the operation for personal use of any sound amplification equipment on the public right-of-way, including streets or sidewalks, or in the public parks so as to produce sounds registering more than sixty (60) db(A) fifty (50) feet or more from any electromechanical speaker between the hours of 9:00 A.M. and 9:00 P.M., or fifty (50) db(A) fifty (50) feet or more from any electromechanical speaker between the hours of 9:00 P.M. and 9:00 A.M.

Solicitation of Funds

Both commercial and noncommercial solicitation are prohibited in non-public areas of the University.

Solicitation and sales in public areas of the University are restricted to invitees and registered organizations, faculty, staff and students of the University and are subject to reasonable restrictions as to time, place and manner.

Requests for approval of any form of solicitation must be made in writing to the Dean of Student's Office no later than seven working days preceding the date of the proposed date of the activity. Request forms are available in the main office of the University Center and on their website.

Solicitation of Funds by Student Organizations

As it pertains to student organizations, "solicitation" is defined as the seeking of funds or support by a registered student organization from sources other than its members including the procurement of supplies, and other forms of support, and the selling and distribution of items, materials or products and services.

Registered student organizations may be authorized to solicit on campus as long as such solicitation is consistent with the aims of the organization and is not for the personal benefit of members. In interpreting the aims or purposes of the registered student organization, the statement in its constitution will be followed.

Prior to approval by the Dean of Students Office, the requesting organization must make appropriate arrangements and scheduling with the administrative office of the facility to be used. Content approval for the project is not a guarantee of the availability of the space.

The Dean of Students Office will assist the organization in scheduling and coordinating outdoor space with the appropriate Facilities Management Office. Ordinarily, the academic buildings and the non-public areas of the Residence Halls will not be used for purposes of solicitation.

Student Expenses

Tuition is free to residents of Tennessee. Out-of-state students must pay the tuition charge. A student's residence is determined primarily by the residence of the student's parents. Exceptions, including guardianships, are given special consideration and are determined on the basis of the particular circumstances in each case. Any student who is classified as an out-of-state student may, at any time, request that a residence classification be reconsidered. When additional information concerning a student's residence classification is available, the student should provide the Director of Admissions with this information in order that a reappraisal of their residence status may be made.

University fees are determined by the Board of Trustees and are subject to change without notice.

The University of Tennessee at Chattanooga Fees (maximum)

Maintenance Fee (undergraduates)	per semester	\$3,444.00
Maintenance Fee (graduates)	per semester	\$4,122.00
Tuition (additional for out-of-state students)		
Undergraduates	per semester	\$8,059.00
Graduate	per semester	\$4,032.00
International Graduate Premium	per semester	\$4,000.00
*Regional Tuition Fee (undergraduate)	per semester	\$2,014.75
*Regional Tuition Fee (graduate)	per semester	\$2,016.00

*In addition to Maintenance Fee

In lieu of the above charge for tuition and/or maintenance fee, part-time students may elect to pay fees computed by the semester hour (credit or audit) as follows:

Undergraduate Students:

In-State	\$287.00 per semester hour or fraction thereof;
Out-of-State	\$959.00 per semester hour or fraction thereof;
Regional Tuition and Maintenance Fee	\$455.00 per semester hour or fraction thereof;

Graduate Students:

In-State	\$458.00 per semester hour or fraction thereof;
Out-of-State	\$906.00 per semester hour or fraction thereof;
Regional Tuition and Maintenance Fee	\$682.00 per semester hour or fraction thereof;

Maintenance Fee

The University of Tennessee at Chattanooga accepts credit cards via your MyMocsNet account. There is a convenience fee associated with this service. There is not a fee for using the routing number and checking account number.

The Web site may be accessed by logging on to www.utc.edu, clicking on the Money tab, then click "Go to My Account."

Athletic Fee

All students registered will be assessed an athletic fee of \$20.00 per hour or a maximum of \$240.00 per semester. This fee funds additional support for women's sport programs, scholarships, and fellowships.

Debt Service Fee

The UC and ARC bond obligation fee of \$13.00 per hour, or a maximum of \$150.00, will be assessed to all students, per semester.

Facilities Fee

The Facilities Fee provides funding for custodial services, facilities upkeep, grounds maintenance, and campus transportation needs. This student fee is \$100.00 per student per semester.

Transportation Fee

The Transportation Fee is \$4.00 per hour or a maximum of \$48 and used for parking improvements for the campus.

Student Activity Fee

The program and service fee of \$10.00 per credit hour, or a maximum of \$120.00, will be assessed to all students, per semester and is for the use of facilities such as: library, swimming pool, racket ball, etc., and student organizations.

Health Fee

The Student Health Fee provides funding for the Student Health Center and other Health Initiatives. This student fee is \$60.00 per semester.

Green Fee

The Green Fee is \$10.00 per semester and is used to fund energy efficiency initiatives. The Green Fee is assessed to all students per semester.

Technology Fee

Students registered will be assessed a technology fee of \$12.00 per semester hour, or a maximum of \$125.00 per semester, applied to technological advancements on campus.

Library Fee

The Library Fee is \$25.00 per semester and is used to support operations, periodicals and data bases for the Library.

International Fee

The International Fee is \$10.00 per semester and is used to support the International Student Office.

Thesis Binding Fee

Payable, to the library by students who are required to write a graduate thesis, before the papers are presented to the director of graduate studies for final approval.

Application Fee

A nonrefundable one time fee payable with Domestic Undergraduate - \$30; Domestic Graduate application - \$35; Graduate International \$40.00

Proficiency or Special Examination Fees

Payable for each proficiency or validation examination.

Undergraduate	\$64.00 per credit hour
Graduate	\$102.00 per credit hour
Graduate Application Late fee	\$50.00

Seat Fee

Nursing Practitioner Program	- \$500.00
Physical Therapy Doctorate Program	- \$500.00
Occupational Therapy Doctorate Program	- \$500.00
Nursing Anesthesia Program	- \$1,000.00
Graduate International Education	- \$250.00
Graduate Athletic Training Program	\$250.00
Master of Social Work Program	- \$250.00
Mosaic Program	- \$500.00

Other Program Fees

Mosaic Program Fee	- \$3500.00
Mosaic Program Summer Fee	- \$1500.00
Graduate Program Fee – College of Business	(per credit hour) \$50.00

Auditors' Fees

Fees for courses being audited are the same as those for courses taken for credit. Auditors do not take examinations, receive credit or grades, and may or may not participate in the class activities as determined by the instructor.

Tuition Installment Payment Plan (TIPP)

UTC implemented a new installment plan effective fall 2015. A \$30.00 extension fee plus a minimum payment of 25% of the student's remaining balance (after all financial aid credits and waivers) is due by the fee payment deadline date for the Fall and Spring semesters. The remaining balance is divided in three equal installments. The TIPP for the summer semester requires a \$30.00 extension fee plus a minimum of 1/3 or 33.33% of the student's remaining balance (after all financial aid credits and waivers) is due by the fee payment deadline for the summer semester. The remaining balance is divided in two equal installments. More information on the TIPP is located at the following link: <http://www.utc.edu/bursar/tuition-installment-plan.php>

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Prepayment Plan

A prepayment plan has been developed. Under the plan, students and/or parents choose the academic year expenses they wish to prepay including room, board, tuition, fees, or books. The expenses can be prepaid over a period of eight months with the first installment due by May 10. The remaining seven monthly installments are payable on the tenth of each succeeding month. Students and/or parents wishing to participate in the prepayment plan should contact the Bursar's office for details.

Music Fee

In addition to the credit hour rate, a fee is assessed for music instructional courses. The fee is due at the regular fee payment dates. The fees are:

Applied Music Fee (course levels below 2000)	\$100.00
Applied Music Fee (course levels 2000 and above)	\$200.00

Lab Fee/Studio

Lab Fee (per course)	\$25.00
Art Lab Fee	\$75.00
Educational Psychology Lab Fee	\$30.00
Interior Architecture and Design Lab Fee (per credit hour)	\$33.00
Cooperative Ed Fee	\$25.00
Communication Course Fee	\$50.00
Practicum Course Fee	\$50.00
Production Course Fee	\$25.00 per semester
Safety & First Aid Licensure Fee	\$25.00

Lab Course and Music fees are non-refundable after the 100% refund period ends for the term.

Differential Fee

A differential tuition fee will be charged to all students registered for courses in the College of Business, Engineering/Computer Science, Nursing, Occupational Therapy, and Physical Therapy.

College of Business - \$57.00 per hour
Engineering/Computer Science - \$57.00 per hour
Nursing - \$57.00 per hour
Occupational & Physical Therapy - \$57.00 per hour

Online Support Fee

Online Support Fee - \$56.00 per hour

Returned Check Fee

Any check received by the University which fails to clear the bank will incur a service charge of a maximum \$30.00 per check. In addition to the service charge, a check written to cover tuition, dorm and fees which fails to clear the bank will incur the appropriate late fee in effect at the time the check is redeemed. Check writing privileges will be revoked for those students writing three or more bad checks to the University.

Housing

Room rents vary from \$2,600.00 to \$4,300.00 per semester according to the accommodations available. A one-time \$25.00 non-refundable application fee is required from students applying for housing. In addition, a \$400.00 advance payment is required to hold a room. Fees not paid by regular fee payment will incur late fees. Late fees will be \$50.00 beginning the first official day of classes.

Housing Payment Plan

Housing students may choose to participate in the housing payment plan equivalent to official TIPP payment, plus a \$30 extension fee charge. A late payment charge of \$50 will be assessed if the installment is not paid on or before the due date.

General

A student will not be allowed to register with a debt due the University. Upon receipt of full, partial, or incomplete schedule students are registered and responsible for payment of fees. The Registration Office must be notified in writing prior to the first official day of classes that he or she wishes to cancel registration. Those students who withdraw after classes start will be responsible for a percentage of fees plus late fees according to the withdrawal charge under "Refund and Charges." Students who have not paid fees or confirmed attendance with the Bursar by the official deadline date will be *cancelled*. This applies to all students regardless of source of funds, including those whose fees are billed, deferred, waived or paid with personal funds.

No student is authorized to attend classes until he or she has properly registered and paid fees.

The University reserves the right to refuse to release to any student his or her transcript or degree for failure to return University property or for failure to pay any accounts due at the University.

Fall and Spring Semesters and Summer Terms

Students must pay their fees on the regular dates designated for this purpose. For more detailed information regarding fee payment dates, refund information, etc., refer to the UTC website at www.utc.edu. Students who register when classes begin during final registration will incur a \$50.00 late fee.

**The above fees are subject to change.*

Refund of Fees and Adjustments

General

No refund is due on courses which are dropped unless the charge for the remaining course(s) plus the percentage charge for the course(s) dropped is less than the maximum semester charge for tuition and/or maintenance fees. All refund periods are based on the official first day of classes for the University, as published in the catalog and schedule of classes.

All charges and refunds will be made to the nearest dollar. All charges and refunds are subject to subsequent audit and verification and errors will be corrected by appropriate additional charges or refunds. A statement of account will be sent to students who owe additional amounts. Refunds on dropped courses, in accordance with the refund policy.

Fall, Spring and Summer Full Term

Refund for withdrawal or dropped classes during a fall or spring semester are as follows:

<i>Number of Calendar days</i>	<i>Drop Charge†</i>	<i>Refund</i>
Prior to first day	-0-	100%
1-7*	-0-	100%
8-14	20%	80%
15-21	40%	60%
22-28	60%	40%
29 or more	100%	-0-

*NOTE: Only seven calendar days to drop with no charge.

Drop†: Courses dropped which do not result in complete withdrawal.

<i>Number of Calendar days</i>	<i>Withdrawal Charge††</i>	<i>Refund</i>
Prior to first day	-0-	100%
1-7	-0-	100%
8-14	20%	80%
15-21	40%	60%
22-28	60%	40%
29 or more	100%	-0-

Withdrawal††: Complete withdrawal from classes.

Fall, Spring, Summer: Part of Term I and Part of Term II

Refunds for withdrawal from *all* classes during each part of term are as follows:

<i>** Number of Calendar days</i>	<i>Percentage of refund</i>
1-4	100%
5-8	80%
9-12	60%
13-16	40%
17 & after	0%

If the courses dropped *do not result in complete withdrawal*, then the following refunds apply:

<i>** Number of calendar days</i>	<i>Percentage of refund</i>
1-4	100%
5-8	80%
9-12	60%
13-16	40%
17 & after	0%

**Counted from the first official day of classes. The above dates are subject to change.