

# Chattanooga State Community College

## Student Disciplinary Policy

1 Office Responsible: Vice President for Student Affairs

---

2

3 Part 1 Institution Policy Statement

4 Part 2 Disciplinary Offenses

5 Part 3 Academic and Classroom Misconduct

6 Part 4 Disciplinary Sanctions

7 Part 5 Traffic and Parking

8 Part 6 Disciplinary Procedures

9

10 Part 1: Chattanooga State Policy Statement: Student Code of Conduct

11

12 (1) The exercise and preservation of student freedoms and rights require a respect for the rights of all  
13 in the community. Students enrolled in Chattanooga State assume an obligation to conduct  
14 themselves in a manner that is civil and compatible with the college's function as an educational  
15 institution. All students and student organizations are expected to maintain a high standard of  
16 conduct both on and off campus. Students at Chattanooga State are part of a community where  
17 communication is important. When students are asked to meet with the Vice President for  
18 Student Affairs, the Student Judicial Affairs representative or a judicial hearing board, they are  
19 expected to comply in a timely fashion. A student is expected to be individually responsible for  
20 his/her actions whether acting individually or in a group. In recognition of the special relationship  
21 that exists between the institution and the academic community which it seeks to serve, the  
22 Tennessee Board of Regents ("TBR" or "the Board") has authorized Chattanooga State Community  
23 College ("ChSCC", "Chattanooga State" or "the College") to take such action as may be necessary  
24 to maintain campus conditions and preserve the integrity of the Institution and its educational  
environment.

25

26 (2) Pursuant to this authorization and in fulfillment of its duties to provide a secure and stimulating  
27 atmosphere in which individual and academic pursuits may flourish, Chattanooga State has  
28 developed the following policies, which are intended to govern student conduct on the several  
29 campuses under its jurisdiction. Students and student organizations are expected to obey the law,  
30 to show respect for properly constituted authority, to be honest in their communication with the  
31 college, to maintain integrity and individual honor in scholastic work and to observe standards of  
32 conduct appropriate for a community of scholars. In addition, students are subject to all federal,  
33 state and local laws and ordinances. If a student's violation of such laws or ordinances also  
34 adversely affects the College's pursuit of its educational objectives, the College may enforce its  
35 own policies regardless of the status or outcome of any external proceedings instituted by other  
36 civil or criminal authorities.

37

38 (3) For the purpose of these provisions, a "student" shall mean any person who is admitted and/or  
39 registered for study at Chattanooga State for any academic period. This shall include any period of  
40 time following admission and/or registration, but preceding the start of classes for any academic  
41 period. The disciplinary policies also apply to participants in special programs of the College, which  
42 include but are not limited to the following programs: AHEAD; Adult Education; Diploma  
43 Completion Program; and Continuing Education. It will also include any period which follows the

44 end of an academic period through the last day for registration for the succeeding academic  
45 period, and during any period while the student is under suspension from the College. Finally,  
46 “student” shall also include any person subject to a period of suspension or removal from campus  
47 as a sanction which results from a finding of a violation of the regulations governing student  
48 conduct. Students are responsible for compliance with the Code of Student Conduct, and with  
49 similar College policies at all times.

- 50
- 51 (4) Disciplinary action may be taken against a student for violation of the policies which occur on  
52 College owned, leased or otherwise controlled property, while participating in international or  
53 distance learning programs, and off campus, when the conduct impairs, interferes with, or  
54 obstructs any College sponsored activity or the mission, processes, and functions of the College.  
55 The College may enforce its own regulations regardless of the status or outcome of any external  
56 proceedings instituted in any other forum, including any civil or criminal proceeding.  
57
- 58 (5) These regulations, and related material incorporated herein by reference, are applicable to  
59 student organizations as well as individual students. Student organizations are subject to discipline  
60 for the conduct and actions of individual members of the organization while acting in their  
61 capacity as members of, or while attending or participating in any activity of, the organization.  
62
- 63 (6) Confidentiality of Discipline Process. Subject to the exceptions provided pursuant to the Family  
64 Educational Rights and Privacy Act of 1974 (FERPA), 20 U.S.C. 1232g and/or the Tennessee Open  
65 Records Act, T.C.A. §10-7-504(a)(4), a student’s disciplinary files are considered “educational  
66 records” and are confidential within the meaning of those Acts.  
67

68 *This policy is promulgated pursuant to, and in compliance with, TBR Rule 0240-02-03-.01, Institution*  
69 *Policy Statement. To the extent that a conflict exists between this policy and TBR rule, policy and/or*  
70 *applicable law(s), the TBR rule, policy and/or law will control. History – Adopted by TBR:*  
71 *12/8/11. Effective: 1/29/12.*  
72

## 73 Part 2: Disciplinary Offenses

74

- 75 (1) Chattanooga State disciplinary measures shall be imposed, through appropriate due process  
76 procedures, for conduct which adversely affects the College’s pursuit of its educational objectives,  
77 which violates or shows a disregard for the rights of other members of the academic community,  
78 or which endangers property or persons on property owned or controlled by the College.  
79
- 80 (2) The following comprises a nonexclusive list of offenses which constitute violations of the  
81 Chattanooga State Student Disciplinary Code.  
82
- 83 (a) Conduct Dangerous to Self or Others. Any conduct, or attempted conduct, which constitutes  
84 a danger to any person’s health, safety, or personal well-being, including, but not limited to,  
85 the following:  
86
- 87 1 Physical and/or verbal abuse,
  - 88 2 Threats and/or intimidation,
  - 89 3 Harm inflicted on self;
  - 90
  - 91

- 92  
93  
94  
95  
96  
97  
98  
99  
100  
101  
102  
103  
104  
105  
106  
107  
108  
109  
110  
111  
112  
113  
114  
115  
116  
117  
118  
119  
120  
121  
122  
123  
124  
125  
126  
127  
128  
129  
130  
131  
132  
133  
134  
135  
136  
137  
138  
139
- (b) Hazing. Hazing, as defined in T.C.A. §49-7-123(a) (1), means any intentional or reckless act, on or off the property, of any higher education College by an individual acting alone, or with others, which is directed against any other person(s) that endangers the mental or physical health or safety of that person(s), or which induces or coerces a person(s) to endanger such person(s) mental or physical health or safety. Hazing does not include customary athletic events or similar contests or competitions, and is limited to those actions taken and situations created in connection with initiation into or affiliation with any organization;
  - (c) Disorderly Conduct. Any individual or group behavior which is abusive, obscene, lewd, indecent, violent, excessively noisy, disorderly, or which unreasonably disturbs College functions, operations, classrooms, including on-line classes, other groups or individuals;
  - (d) Obstruction of or Interference with College activities or facilities. Any intentional interference with or obstruction of any College program, event, or facility including the following:
    - 1 Any unauthorized occupancy of facilities owned or controlled by an College or blockage of access to or from such facilities,
    - 2 Interference with the right of any College member or other authorized person to gain access to any activity, program, event or facilities sponsored or controlled by the College,
    - 3 Any obstruction or delay of a campus security officer, public safety officer, police officer, firefighter, EMT, or any official of an College, or failure to comply with any emergency directive issued by such person in the performance of his or her duty,
  - (e) Misuse of or Damage to Property. Any act of misuse, vandalism, malicious or unwarranted damage or destruction, defacing, disfiguring or unauthorized use of property belonging to the College, a member of the college community or visitors and guests including, but not limited to, any personal property, fire alarms, fire equipment, elevators, telephones, College keys, library materials and/or safety devices,
  - (f) Theft, Misappropriation, or Unauthorized Sale of Property; Any act of theft, misappropriation, or unauthorized possession or sale of College property or any such act against the property of a member of the College community or visitors of the College, including identity theft.
  - (g) Misuse of Documents or Identification Cards. Any forgery, alteration of or unauthorized use of College documents, forms, records or identification cards, including the giving of any false information, or withholding of necessary information, in connection with a student's admission, enrollment or status in the College;
  - (h) Firearms and Other Dangerous Weapons. Any possession of or use of firearms, dangerous weapons of any kind, or replica/toy guns, e.g. BB guns, pellet guns, paintball guns, water guns, cap guns, toy knives or other items that simulate firearms or dangerous weapons;

- 140 (i) Explosives, Fireworks, and Flammable Materials. The unauthorized possession, ignition or  
141 detonation of any object or article which would cause damage by fire or other means to  
142 persons or property or possession of any substance which could be considered to be and  
143 used as fireworks;  
144
- 145 (j) Alcoholic Beverages. The use, possession, manufacture or distribution of alcoholic  
146 beverages, or public intoxication on College owned or controlled property is prohibited. This  
147 offense includes the violation of any local ordinance, state, or federal law concerning  
148 alcoholic beverages, on or off College owned or controlled property, where an affiliated  
149 group or organization has alcoholic beverages present and available for consumption.  
150
- 151 (k) Drugs. The unlawful use, possession, manufacture, sale or distribution of any drug or  
152 controlled substance (including, but not limited to, any stimulant, depressant, narcotic or  
153 hallucinogenic drug, or marijuana) or being under the influence of any drug or controlled  
154 substance or the misuse of legally prescribed "over the counter" drugs on property owned  
155 or controlled by the College, at any College sponsored event; or on property owned or  
156 controlled by an affiliated clinical site is prohibited. This offense includes the violation of  
157 any Chattanooga State policy, local ordinance, state, or federal law concerning the unlawful  
158 possession or use of drugs, on or off College owned or controlled property.  
159
- 160 (l) Drug Paraphernalia. The use or possession of equipment, products or materials that are  
161 used or intended for use in manufacturing, growing, using or distributing any drug or  
162 controlled substance. This offense includes the violation of any local ordinance, state, or  
163 federal law concerning the unlawful possession of drug paraphernalia, on or off College  
164 owned or controlled property;  
165
- 166 (m) Public Intoxication. Appearing on College owned or controlled property or at an Collegial  
167 sponsored event while under the influence of a controlled substance or of any other  
168 intoxicating substance;  
169
- 170 (n) Gambling. Unlawful gambling in any form;  
171
- 172 (o) Financial Irresponsibility. Failure to meet financial responsibilities to the College promptly  
173 including, but not limited to, knowingly passing a worthless check or money order in  
174 payment to the College;  
175
- 176 (p) Unacceptable Conduct in Disciplinary Proceedings. Any conduct at any stage of an College  
177 disciplinary proceeding or investigation that is contemptuous, disrespectful, threatening, or  
178 disorderly, including false complaints, testimony or other evidence, and attempts to  
179 influence the impartiality of a member of a judicial body, verbal or physical harass or failure  
180 to comply with the sanctions imposed by a judicial board or Judicial Coordinator;  
181
- 182 (q) Failure to Cooperate with College Officials. Failure to comply with directions of College  
183 officials acting in the performance of their duties;  
184
- 185 (r) Violation of General Rules and Regulations. Any violation of the general rules and  
186 regulations of the College as published in an official College publication, including the  
187 intentional failure to perform any required action or the intentional performance of any

- 188 prohibited action;  
189
- 190 (s) Attempts, Aiding and Abetting. Any attempt to commit any of the offenses listed under this  
191 section or the aiding or abetting of the commission of any of the offenses listed under this  
192 section (an attempt to commit an offense is defined as the intention to commit the offense  
193 coupled with the taking of some action toward its commission). Being present during the  
194 planning or commission of any offense listed under this section will be considered as aiding  
195 and abetting. Students who anticipate or observe an offense must remove themselves from  
196 the situation and are required to report the offense to the College;  
197
- 198 (t) Violations of State or Federal Laws. Any violation of state or federal laws or regulations  
199 prescribing conduct or establishing offenses, which laws and regulations are incorporated  
200 herein by reference;  
201
- 202 (u) Violation of Imposed Disciplinary Sanctions. Intentional or unintentional violation of a  
203 disciplinary sanction officially imposed by an College official or a constituted body of the  
204 College;  
205
- 206 (v) Sexual Battery or Rape. Committing any act of sexual battery or rape as defined by state  
207 law;  
208
- 209 (w) Harassment or Retaliation. Any act by an individual or group against another person or  
210 group in violation of Chattanooga State policies, as well as TBR policies, federal and/or state  
211 laws prohibiting discrimination, including, but not limited to, TBR policies 5:01:02:00,(F),  
212 5:01:02:00, 2:02:10:01 and TBR Guideline P-080;  
213
- 214 (x) Academic Misconduct. Plagiarism, cheating, fabrication. For purposes of this section the  
215 following definitions apply:  
216
- 217 1 Plagiarism. The adoption or reproduction of ideas, words, statements, images, or  
218 works of another person as one's own without proper attribution,  
219
  - 220 2 Cheating. Using or attempting to use unauthorized materials, information, or aids in  
221 any academic exercise or test/examination. The term academic exercise includes all  
222 forms of work submitted for credit or hours,  
223
  - 224 3 Fabrication. Unauthorized falsification or invention of any information or citation in an  
225 academic exercise.  
226
- 227 (y) Unauthorized Manufacture, Duplication, Use of Keys. Causing to be made or the  
228 use/possession of any key(s) that permit access to college vehicles or facilities without  
229 authorization is prohibited.  
230
- 231 (z) Litter. Dispersing litter in any form onto the grounds or facilities of the campus;  
232
- 233 (aa) Pornography. Public display of literature, films, pictures or other materials which an average  
234 person applying contemporary community standards would find, (1) taken as a whole,  
235 appeals to the prurient interest, (2) depicts or describes sexual conduct in a patently

236 offensive way, and (3) taken as a whole, lacks serious literary, artistic, political or scientific  
237 value;

238  
239 (bb) Abuse of Computer Resources and Facilities. Misusing and/or abusing campus computer  
240 resources including, but not limited to the following:

- 241  
242 1 Use of another person's identification to gain access to College computer resources,
- 243  
244 2 Use of College computer resources and facilities to violate copyright laws, including,  
245 but not limited to, the act of unauthorized distribution of copyrighted materials using  
246 College information technology systems,
- 247  
248 3 Unauthorized access to a computer or network file, including but not limited to,  
249 altering, using, reading, copying, or deleting the file,
- 250  
251 4 Unauthorized transfer of a computer or network file,
- 252  
253 5 Use of computing resources and facilities to send abusive or obscene correspondence,
- 254  
255 6 Use of computing resources and facilities in a manner that interferes with normal  
256 operation of the College computing system,
- 257  
258 7 Use of computing resources and facilities to interfere with the work of another  
259 student, faculty member, or College official,
- 260  
261 8 Violation of any published information technology resources policy,
- 262  
263 9 Unauthorized peer-to-peer file sharing,
- 264  
265 10 Damaging or altering records or programs,
- 266  
267 11 Invading the privacy of another user by using files, programs or data without  
268 authorization,
- 269  
270 12 Engaging in disruptive behavior,
- 271  
272 13 Downloading or using unauthorized hardware, software, accounts, passwords or  
273 keywords,
- 274  
275 14 Any violation of Chattanooga State Technology policies 08:13 and 08:14.

276  
277 (cc) Unauthorized Access to College Facilities and/or Grounds. Any unauthorized access and/or  
278 occupancy of College facilities and grounds is prohibited, including, but not limited to,  
279 gaining access to facilities and grounds that are closed to the public, being present in areas  
280 of campus that are open to limited guests only, being present in academic buildings after  
281 hours without permission, and being present in buildings when the student has no  
282 legitimate reason to be present;

283

284 (dd) Providing False Information. Giving any false information to, or withholding necessary  
285 information from, any College official acting in the performance of his/her duties in  
286 connection with a student’s admission, enrollment, or status in the College;

287  
288 (ee) Unauthorized Surveillance. Making or causing to be made unauthorized video or  
289 photographic images of a person in a location in which that person has a reasonable  
290 expectation of privacy, without the prior effective consent of the individual, or in the case of  
291 a minor, without the prior effective consent of the minor’s parent or guardian. This includes,  
292 but is not limited to, taking video or photographic images in shower/locker rooms, residence  
293 hall rooms, and men’s or women’s restrooms, and storing, sharing, and/or distributing of  
294 such unauthorized images by any means;

295  
296 (ff) Smoking Violations. Violation of any Chattanooga State smoking or other tobacco use rules  
297 or policies.

298  
299 (3) Disciplinary action may be taken against a student for violations of the foregoing policies which  
300 occur at or in association with enrollment at Chattanooga State Community College for any  
301 academic period. Each student shall be responsible for his/her conduct from the time of  
302 application for admission through the actual awarding of a degree including periods prior to or  
303 between semesters. Conduct occurring while a student is registered or enrolled at the College, but  
304 not discovered until after the awarding of a degree is actionable under these provisions and may  
305 result in the retroactive application of a disciplinary sanction. Should a student withdraw from the  
306 College with disciplinary action or academic misconduct action pending, the student’s record may  
307 be encumbered by the appropriate College office until the proceedings have been concluded.

308  
309 *This policy is promulgated pursuant to, and in compliance with, TBR Rule 0240-02-03-.02,*  
310 *Disciplinary Offenses. To the extent that a conflict exists between this policy and TBR rule, policy*  
311 *and/or applicable law(s), the TBR rule, policy and/or law will control. History – Adopted by TBR:*  
312 *12/8/11. Effective: 1/29/12.*

313  
314 **Part 3: Academic and Classroom Misconduct**

315  
316 Chattanooga State is committed to maintaining an environment of learning where high academic  
317 standards, as well as academic and personal integrity are valued:

318  
319 (1) Academic Misconduct, Violations of Academic Integrity, and/or “cheating” include but are not  
320 limited to the following:

321  
322 (a) The use of any unauthorized assistance on assignments, quizzes, projects, tests, or  
323 examinations.

324 (b) The use of sources beyond those authorized by the instructor in writing papers, preparing  
325 reports, solving problems, carrying out assignments, completing projects and taking tests.

326 (c) Unauthorized access to former tests, test banks, Instructor’s materials or other academic  
327 material.

- 328 (d) The misrepresentation of papers, reports, assignments or other materials as the product of  
 329 a student's sole independent effort, for the purpose of affecting the student's grade, credit,  
 330 or status in the College.
- 331 (e) The use of unauthorized technical devices, cell phones, calculators, etc.
- 332 (f) Failing to adhere to the instructions of the proctor or instructor in test-taking procedures;  
 333 examples include, but are not limited to, talking, laughing, failure to take a seat assignment,  
 334 failing to adhere to starting and stopping times, using or having unauthorized sources or  
 335 devices or other disruptive activity.
- 336 (g) Influencing, or attempting to influence, any College official, faculty member, or employee  
 337 possessing academic grading and/or evaluation authority or the responsibility for  
 338 maintenance of academic records, etc. through the use of bribery, threats, or any other  
 339 means or coercion in order to affect a student's grade or evaluation. This also applies to  
 340 clinical site supervisors;
- 341 (h) Any forgery, alteration, unauthorized possession, or misuse of College documents pertaining  
 342 to academic records.
- 343 (i) Submitting the work of another student as the student's own.
- 344 (j) Falsification of data
- 345 (k) Unauthorized collaboration on exams or class assignment.
- 346 (l) "Plagiarism" includes, but is not limited to, the use, by paraphrase or direct quotation, of the  
 347 published or unpublished work of another person without full or clear acknowledgment. It  
 348 also includes the unacknowledged use of materials prepared by another person or agency  
 349 engaged in the selling of term papers or other academic materials. Plagiarism also includes  
 350 the use of key ideas of another person without proper citation.
- 351 (m) The term "academic misconduct" includes, but is not limited to, all acts of cheating and  
 352 plagiarism as defined above.

353

354 (2) Academic Misconduct Procedures

355

- 356 (a) The faculty member who determines that a student has engaged in an act of academic  
 357 misconduct, violated principles of academic integrity and/or "cheated" in connection with  
 358 an assignment, test, course taught by the faculty member or an examination proctored by  
 359 the faculty member, or his or her designee may choose to exercise the disciplinary process  
 360 as outlined below:
- 361
- 362 1. The instructor should collect all information regarding the situation. Such information  
 363 may include the student's papers, printed copies of material from a book or website,  
 364 tests, unauthorized sources or unauthorized devices.
  - 365 2. The faculty member must complete the "Academic Integrity Violation Report". This form  
 366 can be located in Tiger Web or on the Chattanooga State Website.
  - 367 3. The faculty member shall notify the appropriate department chairperson of the action.
  - 368 4. The faculty member must notify the student and schedule a conference with him or her.  
 369 During the conference the faculty member will present the student with a copy of the

- 370 “Academic Integrity Violation Report” form. Supporting documentation of the academic  
371 integrity violation should accompany the form. The form must include possible  
372 sanctions for the violation.
- 373 5. The faculty member will discuss the incident as described on the form including the  
374 possible sanctions.
  - 375 6. The faculty member will give the student a chance to respond and a written statement  
376 from the student will be attached to the form.
  - 377 7. A student’s grade in the course, or the assignment or examination affected by the  
378 alleged academic misconduct may be lowered to any extent, including a grade of “F”.
  - 379 8. The faculty member will explain the student’s right to due process. The student will also  
380 be given a copy of the Academic Integrity Violation Incident Report, information  
381 describing due process rights and the hearing procedures in written format.
  - 382 9. If the student admits violation the student indicates yes on the Academic Integrity  
383 violation report form. If the student admits the violation and agrees to the sanctions to  
384 be imposed by the faculty member, the violation report form will be filed with the  
385 Academic Department head and a copy forwarded to the Academic Integrity Committee  
386 Chairperson, the Vice President for Academic Affairs Office, and the Judicial Affairs  
387 Office. The report will be kept on file in the office of the Vice President of Academic  
388 Affairs and with the Judicial Affairs Office.
  - 389 10. If the student does not accept the faculty member’s findings and /or sanctions, he or  
390 she may elect a hearing. The student will be referred to the appropriate department to  
391 request a hearing.
  - 392 11. To elect a hearing, the student will contact the department head. The student must  
393 make the request to the Department head within five (5) days of the conference with  
394 the instructor.
  - 395 12. A hearing will be scheduled as promptly as possible, but no sooner than five (5) days  
396 after the request for hearing is received.
  - 397 13. The student will be notified of the time, date, and place of the hearing, allowing  
398 reasonable time for preparation.
  - 399 14. Failure of the student to appear at a hearing will be treated as a waiver of the right to a  
400 hearing.
  - 401 15. The chairman of the Academic Integrity Hearing Committee will conduct the hearing.
  - 402 16. The Academic Integrity charge and documenting information will be presented to the  
403 board by the faculty member or his or her designee.
  - 404 17. The student will have the right to present her or his case and the right to be  
405 accompanied by an advisor, to call witnesses and to confront witnesses against the  
406 student and of the method and time limitations for appeal.
  - 407 18. A majority of the Committee members of the hearing committee must be in agreement  
408 in order for a decision to be binding.
  - 409 19. The Committee will render its’ decision at the conclusion of the hearing by a majority  
410 vote. A copy of the decision will be sent to the student within three business days and a  
411 copy will be forwarded to the office of the Vice President for Academic Affairs. The

412 decision will be filed in the office of the Vice President of Academic Affairs and the office  
413 of Judicial Affairs.

414 20. The student may appeal the decision of the Academic Integrity Hearing Committee to  
415 the Vice President for Academic Affairs within five (5) business days of notification of  
416 the decision. Such appeals must be in writing and shall be delivered to the Office of the  
417 Vice President for Academic Affairs.

418 21. The Vice President will review the written appeal form from the student which must  
419 include the student's basis for the appeal, the record of the academic integrity Hearing  
420 Committee, the attached documentation, and other relevant information.

421 22. The Vice President for Academic Affairs will issue a written decision within five (5)  
422 business days. The decision of the Vice President for Academic Affairs will be final.  
423

#### 424 (3) The Academic Integrity Hearing Committee

425  
426 The Academic Integrity Hearing Committee is a college-wide standing committee composed of  
427 two (2) faculty members, ( 1) staff member and two (2) students, all appointed by the Vice  
428 President of Academic Affairs or his or her designee. Academic Integrity Hearing Committee  
429 members will serve staggered terms of three calendar years. If a committee member is not able  
430 to serve the three year term, the Vice President of Academic Affairs will appoint a replacement.  
431 A majority of the Committee members present for a hearing must be in agreement in order for a  
432 decision to be binding on a student.

433 In the event that the Committee's decision, requires a grade sanction to be overturned the  
434 grade will be adjusted by appropriate administrative action.

#### 435 (4) Classroom Misconduct

436 Charges not involving academic integrity violations must adhere to judicial processes found in  
437 Part 4 and Part 6 of the Chattanooga State Disciplinary Policy document.

438

439 (a) The instructor has primary responsibility for maintenance of academic integrity and control  
440 over classroom behavior and can order the temporary removal or exclusion from the  
441 classroom of any student engaged in disruptive conduct or conduct that violates the general  
442 rules and regulations of the institution for each class session during which the conduct  
443 occurs. Extended or permanent exclusion from the classroom, beyond the session in which  
444 the conduct occurred, or further disciplinary action can be effected only through  
445 appropriate procedures of the institution. The instructor shall report any incident in which  
446 the faculty member finds it necessary to remove a student for one or more class periods to  
447 the Office of Judicial Affairs and to the academic department chair. The Judicial Officer will  
448 meet with the instructor and with the student to determine the appropriate action before  
449 the next class period. If an instructor wishes to remove a student from the classroom for a  
450 longer period of time, or permanently, he/she must refer the student to the Office of  
451 Judicial Affairs and Mediation Services to initiate the disciplinary process. A student can

452 subsequently be removed from the classroom for each additional incident of disruptive  
453 conduct. Disruptive conduct is defined as conduct which may include, but is not limited to,  
454 intentional interference with the normal classroom procedure or presentation of the  
455 instructor or other student(s) and/or interference with another student's right to pursue  
456 coursework.

457 *This policy is promulgated pursuant to, and in compliance with TBR Rule 0240-02-03-.03 Academic and*  
458 *Classroom Misconduct. To the extent that a conflict exists between this policy and TBR rule, policy and/or*  
459 *applicable law(s), the TBR rule, policy and/or law will control. History – Adopted by TBR: 12/8/11.*  
460 *Effective: 1/29/12.*

461  
462 Part 4: Disciplinary Sanctions

463  
464 (1) Upon a determination that a student or student organization has violated any of the disciplinary  
465 offenses set forth in the Chattanooga State disciplinary policies, or the general policies of the  
466 College, disciplinary sanctions may be imposed, either singly or in combination, by the  
467 Chattanooga State Office of Judicial Affairs.

468  
469 (2) Definition of Sanctions:

470  
471 (a) Restitution. Restitution may be required in situations which involve destruction, damage, or  
472 loss of property, or unreimbursed medical expenses resulting from physical injury. When  
473 restitution is required, the student or student organization is obligated by the appropriate  
474 judicial authority to compensate a party or parties for a loss suffered as a result of  
475 disciplinary violation(s). Any such payment in restitution shall be limited to actual cost of  
476 repair, replacement or financial loss;

477  
478 (b) Warning. The appropriate College official may notify the student or student organization  
479 that continuation or repetition of specified conduct may be cause for other disciplinary  
480 action;

481  
482 (c) Reprimand. A written or verbal reprimand or censure may be given to any student or  
483 student organization whose conduct violates any part of these regulations and provides  
484 notice that the conduct reflects behavior unacceptable to the College and inconsistent with  
485 college rules and policies. Use of a written reprimand is meant to document the occurrence  
486 of the behavior and formally advise that any further violation(s) may result in more serious  
487 sanctions;

488  
489 (d) Service to the College or Community. A student, or student organization, may be required to  
490 donate a specified number of service hours to the College performing reasonable tasks for  
491 an appropriate College office, official(s), or the local community. The service required shall  
492 be commensurate to the offense (e.g., service for maintenance staff for defacing College  
493 property);

494  
495 (e) Specified Educational/Counseling Program. A student or student organization may be  
496 required to participate in specified educational or counseling program(s) relevant to the

- 497 offense, or to prepare a project or report concerning a relevant topic. Participation may be  
 498 required of the student at his or her own expense.  
 499
- 500 (f) Apology. A student or student organization may be required to apologize to an affected  
 501 party, either verbally or in writing, for the behavior related to a disciplinary offense;  
 502
- 503 (g) Fines. Penalties in the form of fines may be imposed against a student or student  
 504 organization whenever the appropriate College authority deems appropriate. The sanction  
 505 of fines may be imposed in addition to other forms of disciplinary sanctions. Failure to pay  
 506 fines may result in further disciplinary action;  
 507
- 508 (h) Restriction. A restriction upon a student's or student organization's privileges for a period of  
 509 time may be imposed. This restriction may include, for example, denial of the ability to  
 510 represent the college at any event, ability to participate in Chattanooga State sponsored  
 511 travel, use of facilities, parking privileges, participation in extracurricular activities or  
 512 restriction of organizational privileges;  
 513
- 514 (i) Probation. Continued enrollment of a student or recognition of a student organization on  
 515 probation may be conditioned upon adherence to these regulations. Any student or  
 516 organization placed on probation will be notified in writing of the terms and length of the  
 517 probation. Probation may include restrictions upon extracurricular activities, or any other  
 518 appropriate special condition(s). Any conduct in further violation of these regulations while  
 519 on probationary status or the failure to comply with the terms of the probationary period  
 520 may result in the imposition of further disciplinary action;  
 521
- 522 (j) Suspension. Suspension is the separation of a student or student organization from the  
 523 College for a specified period of time. Suspension may be accompanied by special conditions  
 524 for readmission or recognition;  
 525
- 526 (k) Expulsion. Expulsion entails a permanent separation from the College. The imposition of this  
 527 sanction is a permanent bar to the student's admission, or a student organization's  
 528 recognition to the College. A student or organization that has been expelled may not enter  
 529 College property or facilities without obtaining prior approval from an appropriate campus  
 530 official with knowledge of the expulsion directive;  
 531
- 532 (l) Revocation of Admission, Degree, or Credential. Admission to the college and/or a degree  
 533 awarded from the college may be revoked for serious violations committed by a student  
 534 prior to beginning classes or prior to graduation.  
 535
- 536 (m) Any alternate sanction deemed necessary and appropriate to address the misconduct at  
 537 issue.  
 538
- 539 (n) Parental Notification. Pursuant to Tennessee Code Annotated 49-7-1, Chattanooga State  
 540 Community College is required to notify a parent of a student under the age of twenty-one if  
 541 the student has committed a disciplinary violation with the respect to the use or possession  
 542 of alcohol or a controlled substance that is a violation of any federal, state, or local law, or of  
 543 any rule or policy of the College, except as prohibited by the Federal Education Rights and  
 544 Privacy Act (FERPA). In the event of a plea of guilty to the applicable code of conduct

545 violation or a final finding of guilt pursuant to disciplinary procedures, including completion  
546 of an appeal, notification of parents will be initiated.

547  
548 (o) Interim Suspension. As a general rule, the status of a student or student organization  
549 accused of violation of the policy should not be altered until a final determination has been  
550 made in regard to the charges against him or her. However, interim suspension, pending the  
551 completion of disciplinary procedures, may be imposed upon a termination by the Dean of  
552 Student Life or his or her designee that the continued presence of the accused on campus  
553 constitutes an immediate threat to the physical safety and well-being of the accused, any  
554 other member of the College its guests, property, or substantial disruption of classroom or  
555 other campus activities. In any case of interim suspension, the student, or student  
556 organization, shall be given an opportunity at the time of the decision, or as soon thereafter  
557 as reasonably possible, to contest the suspension.

559 (3) The president is authorized, at his or her discretion, to intervene in order to negotiate a mutually  
560 acceptable resolution to any disciplinary proceeding, or, subsequently, to convert any sanction  
561 imposed to a lesser sanction, or to rescind any previous sanction, in appropriate cases.

562  
563 *This policy is promulgated pursuant to, and in compliance with TBR Rule 0240-02-03-.04 Disciplinary*  
564 *Sanctions. To the extent that a conflict exists between this policy and TBR rule, policy and/or*  
565 *applicable law(s), the TBR rule, policy and/or law will control. History – Adopted by TBR:*  
566 *12/8/11. Effective: 1/29/12.*

567  
568 Part 5: Traffic and Parking

569  
570 (1) General: Chattanooga State shall adopt College policies governing traffic and parking on their  
571 respective campuses.

572  
573 (2) Registration of Automobiles/Permits/Decals:  
574 All student vehicles on campus are required to display a parking decal that is clearly visible  
575 through the front windshield. Drivers must register their vehicle during the week of general  
576 academic registration or immediately after the vehicle is brought to campus. Students may  
577 register for the parking decal at the Bursar’s Office. The registration is free with paid college  
578 access fees.

579  
580 (3) Parking:  
581 All students, faculty and staff are expected to comply with the traffic/parking regulations in force  
582 at Chattanooga State. Visitors are expected to abide by posted signs depicting restricted parking  
583 locations allocated for college visitors.

584  
585 PARKING LOCATIONS

- 586 • Blue Curbs: Student Parking. All student parking is marked with either blue parking  
587 bumpers or blue striping. When parking in gravel areas, park your vehicle as close as  
588 feasible to the wheel stop. Only one vehicle per bumper is permissible. Areas  
589 designated for motorcycles are smaller than standard automobile spaces and are  
590 painted with “Motorcycle” on the pavement or parking bumper.
- 591 • ORANGE CURBS: Faculty/Staff Parking. Reserved for faculty or staff.

- 592 • LIGHT BLUE CURBS: Disabled/Handicap Parking. Disabled/Handicap parking spaces
- 593 are identified with vertical signs or painted symbols onto the parking space.
- 594 • WHITE CURBS: Visitor Parking. Visitor parking is located in the first row of the
- 595 Omniplex and Health Science Center parking lots.
- 596 • YELLOW OR UNPAINTED CURBS: Traffic Lane, No parking.
- 597 • RED CURBS: Fire Lane, No parking.

598  
599 PARKING FOR DISABLED PERSONS

600 All handicap parking spaces on campus are available to vehicles with a valid state-

601 provided handicap license plates or placards.

602 Any unauthorized vehicle parked in a handicap space, as defined by T.C.A. 55-21-108, shall

603 be subject to the penalty of \$200. The fine for disabled/handicapped parking violations is

604 established by statute and will be adjusted to comply with state law.

- 605
- 606 (4) Traffic/Parking Regulations: Such violations may include, but are not limited to, all traffic offenses
- 607 provided under state, county, or municipal ordinance applicable to Chattanooga State Campus
- 608 sites.

609 Violators will be issued a citation. Refusal to pay traffic / parking fines will result in holding of

610 grades and student records until all fines are paid. Motor vehicles blocking entrances, exits, or

611 other cars may be towed at the owner's expense.

- 612
- 613 • Decals must be entirely visible through the vehicle front windshield. Where a non-
- 614 registered vehicle is necessary for a limited time, the student or faculty/staff member
- 615 must secure a temporary parking permit from the Department of Campus Police in
- 616 order not to be liable for a fine.
- 617 • Parking is prohibited on any curb, roadway, loading zone, fire lane or reserved area.
- 618 • Parking in gravel or grass islands is a violation.
- 619 • Wheels must be headed into parking bumpers in gravel lots
- 620 • Maximum speed on campus is 15 mph.
- 621 • Many roads on campus are one-way.
- 622 • Motor vehicle accidents on campus must be reported to Campus Police.
- 623 • When a faculty member or a member of the staff has need to park overnight on the
- 624 Chattanooga State parking facilities, he/she should check with Campus Police.
- 625 • Students are allowed to park in Faculty/Staff parking spaces (orange curbs) in the
- 626 evenings after 5:15 p.m.

- 627
- 628 (5) Fines/Penalties:

| 629 | Moving violations     | Minimum fine |
|-----|-----------------------|--------------|
| 630 | Reckless Driving      | \$10         |
| 631 | Running Stop Sign     | \$10         |
| 632 | Speeding              | \$10         |
| 633 | Other (situational)   | \$10         |
| 634 |                       |              |
| 635 | Unlawful Parking:     |              |
| 636 | Cafeteria Parking     | \$10         |
| 637 | CDC Parking           | \$10         |
| 638 | Faculty/Staff Parking | \$10         |

|     |                                 |       |
|-----|---------------------------------|-------|
| 639 | Handicap Area                   | \$200 |
| 640 | Motorcycle Parking              | \$10  |
| 641 | Parking on Grass or Median      | \$10  |
| 642 | Parking on Red Curb (Fire Lane) | \$10  |
| 643 | Parking on Yellow Curb          | \$10  |
| 644 | Unpainted Curb or Traffic Lane  | \$10  |
| 645 | Unregistered Vehicle            | \$10  |
| 646 | Visitor Parking                 | \$10  |

647  
 648 (6) APPEALS: Students who violate campus traffic and parking regulations will receive a written  
 649 citation. Students may appeal citations pursuant the procedures below.

650 TICKET APPEAL PROCEDURE

- 651 • Students may contest the citation by submitting appropriate documentation within a  
 652 seventy-two (72) hour period (Saturdays and Sundays excepted.)
- 653 • Appeal forms are available in the Campus Police Office
- 654 • The appeal form must be completed with the proper return address, a copy of the  
 655 student’s parking decal and the ticket in question attached to the appeal form.
- 656 • The appeal and review will be based on the written submission and documentation  
 657 provided by the student. Review will be conducted by the Chief Justice of the Student  
 658 Government Association.
- 659 • The Chief Justice will issue a written decision within ten (10) days of the date the appeal  
 660 is submitted.
- 661 • A copy of the appeal form stating the decision of the Chief Justice will be mailed to the  
 662 student’s address on record. The decision of the Chief Justice is final.
- 663 • Students should retain the copy of the decision in case future questions arise about the  
 664 disposition of the ticket.
- 665 • Disabled parking violations are governed by state law and are not administered by the  
 666 college. There is no college appeal process for a disabled parking violation.

667  
 668 *This policy is promulgated pursuant to, and in compliance with TBR Rule 0240-02-03-.05 Traffic and*  
 669 *Parking. To the extent that a conflict exists between this policy and TBR rule, policy and/or*  
 670 *applicable law(s), the TBR rule, policy and/or law will control. History – Adopted by TBR:*  
 671 *12/8/11. Effective: 1/29/12.*

672  
 673 Part 6: Disciplinary Procedures

674  
 675 (1) Chattanooga State policy pertaining to discipline and conduct of students, shall insure the  
 676 constitutional rights of students by affording a system of constitutionally and legally sound  
 677 procedures which provide the protection of due process of law. The policy is enacted consistent  
 678 with the requirements of the TBR System-Wide Student Disciplinary Rule, 0240-02-03-.01 *et seq.*,  
 679 and TBR Policy 3:02:01:00, subject to prior review and approval by the Board of Regents. In  
 680 accordance with TBR rule and policy, Chattanooga State Community College has set forth the  
 681 following procedures governing Due Process for student conduct leading to disciplinary action.

682  
 683 (a) Chattanooga State Community College understands the important role of preventative  
 684 strategies when working with student disciplinary issues and expends resources for  
 685 providing information and training workshops for faculty, staff and students. Good

686 communication is imperative between all constituencies as is the immediacy of which the  
687 violation is acted upon.

688  
689 (b) Violations of the Code of Conduct may be made, in the form of a complaint, by any member  
690 of the college community. Complaints or charges shall be prepared in writing and directed  
691 to the Dean of Students or his or her designee. A complaint of an alleged conduct violation  
692 should be submitted as soon as possible after the incident takes place. The College may  
693 initiate judicial proceedings.

694  
695 (c) A student or representative of a student organization alleged to have acted in violation of  
696 college regulations will be interviewed by the Dean of Students or his or her designee. The  
697 student or student organization representative will be advised as to the allegations and  
698 possible charges in regard to the Student Code of Conduct violation. The options for due  
699 process will be explained to the student and procedural information will be provided in  
700 writing. The student will be informed of the options for adjudication and of his or her right  
701 to choose from the following options: 1) adjudication by the Dean of Students or his or her  
702 designee; 2) adjudication by a Disciplinary Hearing Board of the college; 3) adjudication in  
703 accordance with Tennessee uniform Administrative Procedures Act (“TUAPA”) (when  
704 appropriate and as explained below).

705  
706 (d) The Dean of Students or his or her designee will thereafter conduct an investigation to  
707 determine if the complaint or charge has merit and if a code of conduct violation has  
708 occurred. It may be possible to resolve the issue without a formal charge with the consent  
709 of all parties involved.

710  
711 (e) Disciplinary Conference: Following the initial meeting and a completed review/investigation,  
712 the Dean of Students or his or her designee will meet with the student and inform the  
713 student of factual findings and proposed sanctions. Charges, if any, shall be presented to  
714 the accused student (hereinafter referred to as “the student”) in written form, specifying  
715 code of conduct violations and the resulting sanction. The options for due process will again  
716 be explained to the student and procedural information will be provided in writing. The  
717 student may waive his/her hearing right and accept the findings and sanction or elect the  
718 appropriate hearing procedure.

719  
720  
721 (2) Disciplinary charges shall be heard by or pursuant to one of the following:

722 (a) Tennessee Uniform Administrative Procedures Act (TUAPA) Tennessee Uniform  
723 Administrative Procedures Act (TUAPA), T.C.A. §4-5-301 *et seq.*,  
724 disciplinary charges that may result in suspension or expulsion from the College  
725 may, at the student’s option, be heard in conformance with the requirements of  
726 the Tennessee Uniform Administrative Procedures Act. The TUAPA is an official  
727 state act defining certain procedures that are required when a student chooses  
728 to have his or her case heard through the Act’s provision. A more detailed  
729 description of the Act and its provisions may be obtained from the office of the  
730 Vice President for Student Affairs.

731 (b) For matters not subject to the requirements of TUAPA, Chattanooga State  
732 students have an opportunity to have their case adjudicated by the Dean of

- 733 Student Life or his or her designee, or  
734 (c) a judicial hearing board composed of seven members and described in; (d)(4)  
735
- 736 (3) Institutional Hearing - If student elects an Institutional Hearing, the following provisions shall  
737 apply:  
738
- 739 (a) At least five (5) business days before the hearing date, the student shall be advised, in  
740 writing, of the breach of policy which she/he is charged, with sufficient specificity so the  
741 student understands the incident(s) on which the charge(s) is based.  
742
- 743 (b) The student shall be advised in writing of the time, date, and place of the hearing. The date  
744 of the hearing will be no less than five days from the date when the charge is made to  
745 enable students to have adequate time for preparation.  
746
- 747 (c) The student shall be advised of the following rights applicable at the hearing  
748
- 749 1. The right to present his or her case,  
750
  - 751 2. The right to be accompanied by an advisor, counselor whose participation shall be  
752 limited to advising the respondent,  
753
  - 754 3. The right to call witnesses in his or her behalf,  
755
  - 756 4. The right to confront witnesses against him or her,  
757
  - 758 5. Present information on their own behalf including oral and written information and  
759 information from witnesses,  
760
  - 761 6. Confidentiality as provided by the Federal Family Education Rights to Privacy Act and  
762 the College's Student Rights and Student Records Policy,  
763
  - 764 7. The standard of proof for the purpose of this hearing will be by the preponderance of  
765 the evidence,  
766
  - 767 8. The student shall be advised of the method and time limitations for appeal, if any is  
768 applicable.  
769
- 770 (d) Chattanooga State Hearing Format  
771
- 772 1. Hearings shall be conducted in private in order to protect the confidential nature of  
773 the proceedings.  
774
  - 775 2. In hearings involving more than one student, the chairperson of the judicial body or the  
776 Judicial Officer, in his or her discretion, may permit the hearings concerning each  
777 student to be conducted separately.  
778
  - 779 3. The individual who filed the complaint and the accused have the right to be present  
780 during the hearing.

- 781  
782  
783  
784  
785  
786  
787  
788  
789  
790  
791  
792  
793  
794  
795  
796  
797  
798  
799  
800  
801  
802  
803  
804  
805  
806  
807  
808  
809  
810  
811  
812  
813  
814
4. Seven (7) individuals will be chosen to make-up an individual Disciplinary Hearing Committee. Each hearing board will consist of four (4) faculty/staff, two (2) students, and one (1) additional student representative of the Student Government. The members of each Disciplinary Hearing Committee are selected from the larger Judicial Committee which is a campus committee selected by the Judicial Officer or they are faculty, staff or students who volunteer for service with the exception of the one additional student representative who is appointed by the Student Government Association. The members of the Judicial Committee serve for one calendar year.
  5. A chairperson for the Disciplinary Hearing Committee will be chosen by the President or his or her designee and shall preside at the hearing; shall inform the student of the charge, the hearing procedures, and his or her rights; and shall answer any questions the student charged may have on these matters.
  6. The Disciplinary Hearing committee will hear all evidence in the case including witness testimony and other documentary evidence. The burden of proof will be the “preponderance of the evidence”.
  7. The Dean of Student Life or Judicial Officer shall present the College’s case and shall offer information, which may include written testimony and witnesses in support of the charge.
  8. The student will be permitted to challenge information against him or her.
  9. The student will have the opportunity to present information in his or her behalf and call witnesses in his or her behalf.
  10. The Disciplinary Hearing Committee thereafter will enter a decision as to whether the student is responsible or not responsible for the alleged violation and determine an appropriate sanction. The decisions will be issued within five (5) business days of the conclusion of the hearing and sent to the student by registered mail at the last known address provided to the college by the student. This letter will include the reasoning by which the decision was reached.

815  
816  
817  
(e) Appeals

818 The student may appeal the decision of the Disciplinary Hearing Committee to the Vice  
819 President for Student Affairs within five (5) business days of notification of the decision.  
820 Such appeals must be in writing and shall be delivered to the Office of the Vice President  
821 for Student Affairs. The Vice President will review the written appeal form from the  
822 student which must include the student’s rationale, the record of the Disciplinary Hearing  
823 Committee, the attached documentation, and other relevant information. Except as  
824 required to explain the basis of new evidence, an appeal shall be limited to review of the  
825 verbatim record of the initial hearing and/or supporting documents for one or more of the  
826 following purposes:

1. To determine whether the original hearing was conducted fairly in light of the charges and information presented, and in

827  
828

- 829 conformity with prescribed procedures.  
830 2. To determine whether the sanction(s) imposed were  
831 appropriate for the violation of the Student Code of Conduct  
832 which the student was found to have committed.  
833 3. To consider new evidence, sufficient to alter a decision or other  
834 relevant facts, not brought out in the original hearing, because  
835 such information and /or facts were not known to the person  
836 appealing at the time of the original hearing.  
837  
838 (f) The Vice President of Student Affairs will issue a written decision within five business days.  
839 The decision of the Vice President for Student Affairs will be final.  
840  
841 (g) A copy of the letter will be placed in the student's disciplinary file maintained by the  
842 Judicial Officer when proceedings have become final.  
843  
844 (h) Cases of Alleged Sexual Assault - All matters involving allegations of impermissible  
845 discrimination, harassment (including, but not limited to, sexual violence), or retaliation  
846 will be governed by the procedures outlined in TBR Guideline P-080 *Subject:*  
847 *Discrimination and Harassment – Complaint and Investigation Procedure* and/or an  
848 institutional policy that reflects the requirements of that Guideline.  
849  
850 (5) Interim Suspension Hearings. Upon request by the affected student, a preliminary hearing will be  
851 initiated by the Dean of Student Life or his or her designee. The hearing will be held within three  
852 (3) working days of the student's request for a hearing concerning interim suspension, pending a  
853 final determination of the disciplinary process. Three (3) members of the Judicial Committee  
854 [described earlier in (3)(d)4] will be selected to hear the case. The student will have the  
855 opportunity to explain his rationale for requesting to return to campus and challenge the basis for  
856 the imposition of the interim suspension. The Dean of Student Life or his or her designee will  
857 present information as to why the interim suspension should be upheld. At the conclusion of the  
858 hearing, a decision will be made to determine if the interim suspension should continue, pending  
859 a final determination.  
860  
861 (5) The president of the College is authorized, at his or her discretion, to intervene in order to  
862 negotiate a mutually acceptable resolution to any disciplinary proceeding, or, subsequently, to  
863 convert any finding or sanction imposed to a lesser finding or sanction, or to rescind any previous  
864 finding or sanction, in appropriate cases.  
865  
866 *This policy is promulgated pursuant to, and in compliance with TBR Rule 0240-02-03-.06 Disciplinary*  
867 *Procedures and due Process. To the extent that a conflict exists between this policy and TBR rule,*  
868 *policy and/or applicable law(s), the TBR rule, policy and/or law will control. History – Adopted by*  
869 *TBR: 12/8/11. Effective: 1/29/12.*