

Chattanooga State Community College
Student Disciplinary Policy

1 Office Responsible: Vice President for Student Affairs

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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

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

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

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

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

ChSCC Student Disciplinary Policy...

47 period while the student is under suspension from the College. Finally, “student” shall also
48 include any person subject to a period of suspension or removal from campus as a sanction
49 which results from a finding of a violation of the regulations governing student conduct.
50 Students are responsible for compliance with the Code of Student Conduct, and with
51 similar College policies at all times.

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

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

76
77 Part 2: Disciplinary Offenses

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- 79 (1) Chattanooga State disciplinary measures shall be imposed, through appropriate due process
80 procedures, for conduct which adversely affects the College’s pursuit of its educational
81 objectives, which violates or shows a disregard for the rights of other members of the
82 academic community, or which endangers property or persons on property owned or
83 controlled by the College.
- 84
- 85 (2) The following comprises a nonexclusive list of offenses which constitute violations of the
86 Chattanooga State Student Disciplinary Code.
- 87
- 88 (a) Conduct Dangerous to Self or Others. Any conduct, or attempted conduct, which
89 constitutes a danger to any person’s health, safety, or personal well-being, including,
90 but not limited to, the following:
- 91
- 92 1 Physical and/or verbal abuse,

ChSCC Student Disciplinary Policy...

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- 2 Threats and/or intimidation,
 - 3 Harm inflicted on self;
 - (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.

ChSCC Student Disciplinary Policy...

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- 140 (g) Misuse of Documents or Identification Cards. Any forgery, alteration of or
141 unauthorized use of College documents, forms, records or identification cards,
142 including the giving of any false information, or withholding of necessary
143 information, in connection with a student's admission, enrollment or status in the
144 College;
- 145
- 146 (h) Firearms and Other Dangerous Weapons. Any possession of or use of firearms,
147 dangerous weapons of any kind, or replica/toy guns, e.g. BB guns, pellet guns,
148 paintball guns, water guns, cap guns, toy knives or other items that simulate firearms
149 or dangerous weapons;
- 150
- 151 (i) Explosives, Fireworks, and Flammable Materials. The unauthorized possession,
152 ignition or detonation of any object or article which would cause damage by fire or
153 other means to persons or property or possession of any substance which could be
154 considered to be and used as fireworks;
- 155
- 156 (j) Alcoholic Beverages. The use, possession, manufacture or distribution of alcoholic
157 beverages, or public intoxication on College owned or controlled property is
158 prohibited. This offense includes the violation of any local ordinance, state, or federal
159 law concerning alcoholic beverages, on or off College owned or controlled property,
160 where an affiliated group or organization has alcoholic beverages present and
161 available for consumption.
- 162
- 163 (k) Drugs. The unlawful use, possession, manufacture, sale or distribution of any drug or
164 controlled substance (including, but not limited to, any stimulant, depressant, narcotic
165 or hallucinogenic drug, or marijuana) or being under the influence of any drug or
166 controlled substance or the misuse of legally prescribed "over the counter" drugs on
167 property owned or controlled by the College, at any College sponsored event; or on
168 property owned or controlled by an affiliated clinical site is prohibited. This offense
169 includes the violation of any Chattanooga State policy, local ordinance, state, or
170 federal law concerning the unlawful possession or use of drugs, on or off College
171 owned or controlled property.
- 172
- 173 (l) Drug Paraphernalia. The use or possession of equipment, products or materials that
174 are used or intended for use in manufacturing, growing, using or distributing any drug
175 or controlled substance. This offense includes the violation of any local ordinance,
176 state, or federal law concerning the unlawful possession of drug paraphernalia, on or
177 off College owned or controlled property;
- 178
- 179 (m) Public Intoxication. Appearing on College owned or controlled property or at an
180 Collegial sponsored event while under the influence of a controlled substance or of
181 any other intoxicating substance;
- 182
- 183 (n) Gambling. Unlawful gambling in any form;
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ChSCC Student Disciplinary Policy...

- 185 (o) Financial Irresponsibility. Failure to meet financial responsibilities to the College
186 promptly including, but not limited to, knowingly passing a worthless check or
187 money order in payment to the College;
188
- 189 (p) Unacceptable Conduct in Disciplinary Proceedings. Any conduct at any stage of an
190 College disciplinary proceeding or investigation that is contemptuous, disrespectful,
191 threatening, or disorderly, including false complaints, testimony or other evidence,
192 and attempts to influence the impartiality of a member of a judicial body, verbal or
193 physical harass or failure to comply with the sanctions imposed by a judicial board or
194 Judicial Coordinator;
195
- 196 (q) Failure to Cooperate with College Officials. Failure to comply with directions of
197 College officials acting in the performance of their duties;
198
- 199 (r) Violation of General Rules and Regulations. Any violation of the general rules and
200 regulations of the College as published in an official College publication, including
201 the intentional failure to perform any required action or the intentional performance
202 of any prohibited action;
203
- 204 (s) Attempts, Aiding and Abetting. Any attempt to commit any of the offenses listed
205 under this section or the aiding or abetting of the commission of any of the offenses
206 listed under this section (an attempt to commit an offense is defined as the intention
207 to commit the offense coupled with the taking of some action toward its commission).
208 Being present during the planning or commission of any offense listed under this
209 section will be considered as aiding and abetting. Students who anticipate or observe
210 an offense must remove themselves from the situation and are required to report the
211 offense to the College;
212
- 213 (t) Violations of State or Federal Laws. Any violation of state or federal laws or
214 regulations prescribing conduct or establishing offenses, which laws and regulations
215 are incorporated herein by reference;
216
- 217 (u) Violation of Imposed Disciplinary Sanctions. Intentional or unintentional violation of
218 a disciplinary sanction officially imposed by an College official or a constituted body
219 of the College;
220
- 221 (v) Sexual Battery or Rape. Committing any act of sexual battery or rape as defined by
222 state law;
223
- 224 (w) Harassment or Retaliation. Any act by an individual or group against another person
225 or group in violation of Chattanooga State policies, as well as TBR policies, federal
226 and/or state laws prohibiting discrimination, including, but not limited to, TBR
227 policies 5:01:02:00,(F), 5:01:02:00, 2:02:10:01 and TBR Guideline P-080;
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- 229 (x) Academic Misconduct. Plagiarism, cheating, fabrication. For purposes of this section
230 the following definitions apply:

ChSCC Student Disciplinary Policy...

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- 1 Plagiarism. The adoption or reproduction of ideas, words, statements, images, or works of another person as one's own without proper attribution,
 - 2 Cheating. Using or attempting to use unauthorized materials, information, or aids in any academic exercise or test/examination. The term academic exercise includes all forms of work submitted for credit or hours,
 - 3 Fabrication. Unauthorized falsification or invention of any information or citation in an academic exercise.
- (y) Unauthorized Manufacture, Duplication, Use of Keys. Causing to be made or the use/possession of any key(s) that permit access to college vehicles or facilities without authorization is prohibited.
- (z) Litter. Dispersing litter in any form onto the grounds or facilities of the campus;
- (aa) Pornography. Public display of literature, films, pictures or other materials which an average person applying contemporary community standards would find, (1) taken as a whole, appeals to the prurient interest, (2) depicts or describes sexual conduct in a patently offensive way, and (3) taken as a whole, lacks serious literary, artistic, political or scientific value;
- (bb) Abuse of Computer Resources and Facilities. Misusing and/or abusing campus computer resources including, but not limited to the following:
- 1 Use of another person's identification to gain access to College computer resources,
 - 2 Use of College computer resources and facilities to violate copyright laws, including, but not limited to, the act of unauthorized distribution of copyrighted materials using College information technology systems,
 - 3 Unauthorized access to a computer or network file, including but not limited to, altering, using, reading, copying, or deleting the file,
 - 4 Unauthorized transfer of a computer or network file,
 - 5 Use of computing resources and facilities to send abusive or obscene correspondence,
 - 6 Use of computing resources and facilities in a manner that interferes with normal operation of the College computing system,
 - 7 Use of computing resources and facilities to interfere with the work of another student, faculty member, or College official,

ChSCC Student Disciplinary Policy...

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278 8 Violation of any published information technology resources policy,
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280 9 Unauthorized peer-to-peer file sharing,
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282 10 Damaging or altering records or programs,
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284 11 Invading the privacy of another user by using files, programs or data without
285 authorization,
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287 12 Engaging in disruptive behavior,
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289 13 Downloading or using unauthorized hardware, software, accounts, passwords or
290 keywords,
291
292 14 Any violation of Chattanooga State Technology policies 08:13 and 08:14.
293
294 (cc) Unauthorized Access to College Facilities and/or Grounds. Any unauthorized access
295 and/or occupancy of College facilities and grounds is prohibited, including, but not
296 limited to, gaining access to facilities and grounds that are closed to the public, being
297 present in areas of campus that are open to limited guests only, being present in
298 academic buildings after hours without permission, and being present in buildings
299 when the student has no legitimate reason to be present;
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301 (dd) Providing False Information. Giving any false information to, or withholding
302 necessary information from, any College official acting in the performance of his/her
303 duties in connection with a student's admission, enrollment, or status in the College;
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305 (ee) Unauthorized Surveillance. Making or causing to be made unauthorized video or
306 photographic images of a person in a location in which that person has a reasonable
307 expectation of privacy, without the prior effective consent of the individual, or in the
308 case of a minor, without the prior effective consent of the minor's parent or guardian.
309 This includes, but is not limited to, taking video or photographic images in
310 shower/locker rooms, residence hall rooms, and men's or women's restrooms, and
311 storing, sharing, and/or distributing of such unauthorized images by any means;
312
313 (ff) Smoking Violations. Violation of any Chattanooga State smoking or other tobacco
314 use rules or policies.
315
316 (3) Disciplinary action may be taken against a student for violations of the foregoing policies
317 which occur at or in association with enrollment at Chattanooga State Community College
318 for any academic period. Each student shall be responsible for his/her conduct from the
319 time of application for admission through the actual awarding of a degree including periods
320 prior to or between semesters. Conduct occurring while a student is registered or enrolled at
321 the College, but not discovered until after the awarding of a degree is actionable under
322 these provisions and may result in the retroactive application of a disciplinary sanction.

ChSCC Student Disciplinary Policy...

323 Should a student withdraw from the College with disciplinary action or academic
324 misconduct action pending, the student's record may be encumbered by the appropriate
325 College office until the proceedings have been concluded.

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

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332 Part 3: Academic and Classroom Misconduct

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

336

337 (1) Academic Misconduct, Violations of Academic Integrity, and/or "cheating" include but
338 are not limited to the following:

339

340 (a) The use of any unauthorized assistance on assignments, quizzes, projects, tests, or
341 examinations.

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

345 (c) Unauthorized access to former tests, test banks, Instructor's materials or other
346 academic material.

347 (d) The misrepresentation of papers, reports, assignments or other materials as the
348 product of a student's sole independent effort, for the purpose of affecting the
349 student's grade, credit, or status in the College.

350 (e) The use of unauthorized technical devices, cell phones, calculators, etc.

351 (f) Failing to adhere to the instructions of the proctor or instructor in test-taking
352 procedures; examples include, but are not limited to, talking, laughing, failure to take
353 a seat assignment, failing to adhere to starting and stopping times, using or having
354 unauthorized sources or devices or other disruptive activity.

355 (g) Influencing, or attempting to influence, any College official, faculty member, or
356 employee possessing academic grading and/or evaluation authority or the
357 responsibility for maintenance of academic records, etc. through the use of bribery,
358 threats, or any other means or coercion in order to affect a student's grade or
359 evaluation. This also applies to clinical site supervisors;

360 (h) Any forgery, alteration, unauthorized possession, or misuse of College documents
361 pertaining to academic records.

362 (i) Submitting the work of another student as the student's own.

363 (j) Falsification of data

364 (k) Unauthorized collaboration on exams or class assignment.

365 (l) "Plagiarism" includes, but is not limited to, the use, by paraphrase or direct quotation,
366 of the published or unpublished work of another person without full or clear
367 acknowledgment. It also includes the unacknowledged use of materials prepared by
368 another person or agency engaged in the selling of term papers or other academic

ChSCC Student Disciplinary Policy...

369 materials. Plagiarism also includes the use of key ideas of another person without
370 proper citation.

371 (m) The term "academic misconduct" includes, but is not limited to, all acts of cheating
372 and plagiarism as defined above.

373

374 (2) Academic Misconduct Procedures

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376 (a) The faculty member who determines that a student has engaged in an act of academic
377 misconduct, violated principles of academic integrity and/or "cheated" in connection
378 with an assignment, test, course taught by the faculty member or an examination
379 proctored by the faculty member, or his or her designee may choose to exercise the
380 disciplinary process as outlined below:

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- 382 1. The instructor should collect all information regarding the situation. Such
383 information may include the student's papers, printed copies of material from a
384 book or website, tests, unauthorized sources or unauthorized devices.
- 385 2. The faculty member must complete the "Academic Integrity Violation Report".
386 This form can be located in Tiger Web or on the Chattanooga State Website.
- 387 3. The faculty member shall notify the appropriate department chairperson of the
388 action.
- 389 4. The faculty member must notify the student and schedule a conference with him
390 or her. During the conference the faculty member will present the student with a
391 copy of the "Academic Integrity Violation Report" form. Supporting
392 documentation of the academic integrity violation should accompany the form.
393 The form must include possible sanctions for the violation.
- 394 5. The faculty member will discuss the incident as described on the form including
395 the possible sanctions.
- 396 6. The faculty member will give the student a chance to respond and a written
397 statement from the student will be attached to the form.
- 398 7. A student's grade in the course, or the assignment or examination affected by the
399 alleged academic misconduct may be lowered to any extent, including a grade of
400 "F".
- 401 8. The faculty member will explain the student's right to due process. The student
402 will also be given a copy of the Academic Integrity Violation Incident Report,
403 information describing due process rights and the hearing procedures in written
404 format.
- 405 9. If the student admits violation the student indicates yes on the Academic Integrity
406 violation report form. If the student admits the violation and agrees to the
407 sanctions to be imposed by the faculty member, the violation report form will be
408 filed with the Academic Department head and a copy forwarded to the Academic
409 Integrity Committee Chairperson, the Vice President for Academic Affairs Office,
410 and the Judicial Affairs Office. The report will be kept on file in the office of the
411 Vice President of Academic Affairs and with the Judicial Affairs Office.
- 412 10. If the student does not accept the faculty member's findings and /or sanctions, he
413 or she may elect a hearing. The student will be referred to the appropriate
414 department to request a hearing.

ChSCC Student Disciplinary Policy...

- 415 11. To elect a hearing, the student will contact the department head. The student must
416 make the request to the Department head within five (5) days of the conference
417 with the instructor.
- 418 12. A hearing will be scheduled as promptly as possible, but no sooner than five (5)
419 days after the request for hearing is received.
- 420 13. The student will be notified of the time, date, and place of the hearing, allowing
421 reasonable time for preparation.
- 422 14. Failure of the student to appear at a hearing will be treated as a waiver of the right
423 to a hearing.
- 424 15. The chairman of the Academic Integrity Hearing Committee will conduct the
425 hearing.
- 426 16. The Academic Integrity charge and documenting information will be presented to
427 the board by the faculty member or his or her designee.
- 428 17. The student will have the right to present her or his case and the right to be
429 accompanied by an advisor, to call witnesses and to confront witnesses against the
430 student and of the method and time limitations for appeal.
- 431 18. A majority of the Committee members of the hearing committee must be in
432 agreement in order for a decision to be binding.
- 433 19. The Committee will render its' decision at the conclusion of the hearing by a
434 majority vote. A copy of the decision will be sent to the student within three
435 business days and a copy will be forwarded to the office of the Vice President for
436 Academic Affairs. The decision will be filed in the office of the Vice President of
437 Academic Affairs and the office of Judicial Affairs.
- 438 20. The student may appeal the decision of the Academic Integrity Hearing
439 Committee to the Vice President for Academic Affairs within five (5) business
440 days of notification of the decision. Such appeals must be in writing and shall be
441 delivered to the Office of the Vice President for Academic Affairs.
- 442 21. The Vice President will review the written appeal form from the student which
443 must include the student's basis for the appeal, the record of the academic
444 integrity Hearing Committee, the attached documentation, and other relevant
445 information.
- 446 22. The Vice President for Academic Affairs will issue a written decision within five
447 (5) business days. The decision of the Vice President for Academic Affairs will be
448 final.

449
450 (3) The Academic Integrity Hearing Committee

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

ChSCC Student Disciplinary Policy...

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

462 (4) Classroom Misconduct

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

465
466 (a) The instructor has primary responsibility for maintenance of academic integrity and
467 control over classroom behavior and can order the temporary removal or exclusion
468 from the classroom of any student engaged in disruptive conduct or conduct that
469 violates the general rules and regulations of the institution for each class session
470 during which the conduct occurs. Extended or permanent exclusion from the
471 classroom, beyond the session in which the conduct occurred, or further disciplinary
472 action can be effected only through appropriate procedures of the institution. The
473 instructor shall report any incident in which the faculty member finds it necessary to
474 remove a student for one or more class periods to the Office of Judicial Affairs and to
475 the academic department chair. The Judicial Officer will meet with the instructor and
476 with the student to determine the appropriate action before the next class period. If an
477 instructor wishes to remove a student from the classroom for a longer period of time,
478 or permanently, he/she must refer the student to the Office of Judicial Affairs and
479 Mediation Services to initiate the disciplinary process. A student can subsequently be
480 removed from the classroom for each additional incident of disruptive conduct.
481 Disruptive conduct is defined as conduct which may include, but is not limited to,
482 intentional interference with the normal classroom procedure or presentation of the
483 instructor or other student(s) and/or interference with another student's right to pursue
484 coursework.

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

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490 Part 4: Disciplinary Sanctions

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

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497 (2) Definition of Sanctions:

498
499 (a) Restitution. Restitution may be required in situations which involve destruction,
500 damage, or loss of property, or unreimbursed medical expenses resulting from
501 physical injury. When restitution is required, the student or student organization is
502 obligated by the appropriate judicial authority to compensate a party or parties for a
503 loss suffered as a result of disciplinary violation(s). Any such payment in restitution
504 shall be limited to actual cost of repair, replacement or financial loss;
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ChSCC Student Disciplinary Policy...

- 506 (b) Warning. The appropriate College official may notify the student or student
507 organization that continuation or repetition of specified conduct may be cause for
508 other disciplinary action;
509
- 510 (c) Reprimand. A written or verbal reprimand or censure may be given to any student or
511 student organization whose conduct violates any part of these regulations and
512 provides notice that the conduct reflects behavior unacceptable to the College and
513 inconsistent with college rules and policies. Use of a written reprimand is meant to
514 document the occurrence of the behavior and formally advise that any further
515 violation(s) may result in more serious sanctions;
516
- 517 (d) Service to the College or Community. A student, or student organization, may be
518 required to donate a specified number of service hours to the College performing
519 reasonable tasks for an appropriate College office, official(s), or the local community.
520 The service required shall be commensurate to the offense (e.g., service for
521 maintenance staff for defacing College property);
522
- 523 (e) Specified Educational/Counseling Program. A student or student organization may be
524 required to participate in specified educational or counseling program(s) relevant to
525 the offense, or to prepare a project or report concerning a relevant topic. Participation
526 may be required of the student at his or her own expense.
527
- 528 (f) Apology. A student or student organization may be required to apologize to an
529 affected party, either verbally or in writing, for the behavior related to a disciplinary
530 offense;
531
- 532 (g) Fines. Penalties in the form of fines may be imposed against a student or student
533 organization whenever the appropriate College authority deems appropriate. The
534 sanction of fines may be imposed in addition to other forms of disciplinary sanctions.
535 Failure to pay fines may result in further disciplinary action;
536
- 537 (h) Restriction. A restriction upon a student's or student organization's privileges for a
538 period of time may be imposed. This restriction may include, for example, denial of
539 the ability to represent the college at any event, ability to participate in Chattanooga
540 State sponsored travel, use of facilities, parking privileges, participation in
541 extracurricular activities or restriction of organizational privileges;
542
- 543 (i) Probation. Continued enrollment of a student or recognition of a student organization
544 on probation may be conditioned upon adherence to these regulations. Any student or
545 organization placed on probation will be notified in writing of the terms and length of
546 the probation. Probation may include restrictions upon extracurricular activities, or
547 any other appropriate special condition(s). Any conduct in further violation of these
548 regulations while on probationary status or the failure to comply with the terms of the
549 probationary period may result in the imposition of further disciplinary action;
550
- 551 (j) Suspension. Suspension is the separation of a student or student organization from the

ChSCC Student Disciplinary Policy...

- 552 College for a specified period of time. Suspension may be accompanied by special
553 conditions for readmission or recognition;
554
- 555 (k) Expulsion. Expulsion entails a permanent separation from the College. The
556 imposition of this sanction is a permanent bar to the student's admission, or a student
557 organization's recognition to the College. A student or organization that has been
558 expelled may not enter College property or facilities without obtaining prior approval
559 from an appropriate campus official with knowledge of the expulsion directive;
560
- 561 (l) Revocation of Admission, Degree, or Credential. Admission to the college and/or a
562 degree awarded from the college may be revoked for serious violations committed by
563 a student prior to beginning classes or prior to graduation.
564
- 565 (m) Any alternate sanction deemed necessary and appropriate to address the misconduct
566 at issue.
567
- 568 (n) Parental Notification. Pursuant to Tennessee Code Annotated 49-7-1, Chattanooga
569 State Community College is required to notify a parent of a student under the age of
570 twenty-one if the student has committed a disciplinary violation with the respect to
571 the use or possession of alcohol or a controlled substance that is a violation of any
572 federal, state, or local law, or of any rule or policy of the College, except as
573 prohibited by the Federal Education Rights and Privacy Act (FERPA). In the event of
574 a plea of guilty to the applicable code of conduct violation or a final finding of guilt
575 pursuant to disciplinary procedures, including completion of an appeal, notification of
576 parents will be initiated.
577
- 578 (o) Interim Suspension. As a general rule, the status of a student or student organization
579 accused of violation of the policy should not be altered until a final determination has
580 been made in regard to the charges against him or her. However, interim suspension,
581 pending the completion of disciplinary procedures, may be imposed upon a
582 termination by the Dean of Student Life or his or her designee that the continued
583 presence of the accused on campus constitutes an immediate threat to the physical
584 safety and well-being of the accused, any other member of the College its guests,
585 property, or substantial disruption of classroom or other campus activities. In any case
586 of interim suspension, the student, or student organization, shall be given an
587 opportunity at the time of the decision, or as soon thereafter as reasonably possible, to
588 contest the suspension.
589
- 590 (3) The president is authorized, at his or her discretion, to intervene in order to negotiate a
591 mutually acceptable resolution to any disciplinary proceeding, or, subsequently, to convert
592 any sanction imposed to a lesser sanction, or to rescind any previous sanction, in
593 appropriate cases.
594

595 *This policy is promulgated pursuant to, and in compliance with TBR Rule 0240-02-03-.04*
596 *Disciplinary Sanctions. To the extent that a conflict exists between this policy and TBR rule,*
597 *policy and/or applicable law(s), the TBR rule, policy and/or law will control. History –*

598 *Adopted by TBR: 12/8/11. Effective: 1/29/12.*

599

600 Part 5: Traffic and Parking

601

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

604

605 (2) Registration of Automobiles/Permits/Decals:

606 All student vehicles on campus are required to display a parking decal that is clearly visible
607 through the front windshield. Drivers must register their vehicle during the week of general
608 academic registration or immediately after the vehicle is brought to campus. Students may
609 register for the parking decal at the Bursar's Office. The registration is free with paid
610 college access fees.

611

612 (3) Parking:

613 All students, faculty and staff are expected to comply with the traffic/parking regulations in
614 force at Chattanooga State. Visitors are expected to abide by posted signs depicting
615 restricted parking locations allocated for college visitors.

616

617 PARKING LOCATIONS

618 • **WHITE CURBS:** Student Parking. All student parking is marked with either
619 blue parking bumpers or blue striping. When parking in gravel areas, park your
620 vehicle as close as feasible to the wheel stop. Only one vehicle per bumper is
621 permissible. Areas designated for motorcycles are smaller than standard
622 automobile spaces and are painted with "Motorcycle" on the pavement or
623 parking bumper.

624 • **ORANGE CURBS:** Faculty/Staff Parking. Reserved for faculty or staff.

625 • **LIGHT BLUE CURBS:** Disabled/Handicap Parking. Disabled/Handicap
626 parking spaces are identified with vertical signs or painted symbols onto the
627 parking space.

628 • **GREEN CURBS:** Visitor Parking. Visitor parking is located in the first row of
629 the Omniplex and Health Science Center parking lots.

630 • **YELLOW OR UNPAINTED CURBS:** Traffic Lane, No parking.

631 • **RED CURBS:** Fire Lane, No parking.

632

633 PARKING FOR DISABLED PERSONS

634 All handicap parking spaces on campus are available to vehicles with a valid state-
635 provided handicap license plates or placards.

636 Any unauthorized vehicle parked in a handicap space, as defined by T.C.A. 55-21-
637 108, shall be subject to the penalty of \$200. The fine for disabled/handicapped
638 parking violations is established by statute and will be adjusted to comply with state
639 law.

640

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

ChSCC Student Disciplinary Policy...

644 Violators will be issued a citation. Refusal to pay traffic / parking fines will result in
 645 holding of grades and student records until all fines are paid. Motor vehicles blocking
 646 entrances, exits, or other cars may be towed at the owner's expense.
 647

- 648 • Decals must be entirely visible through the vehicle front windshield. Where a
 649 non-registered vehicle is necessary for a limited time, the student or faculty/staff
 650 member must secure a temporary parking permit from the Department of Campus
 651 Police in order not to be liable for a fine.
- 652 • Parking is prohibited on any curb, roadway, loading zone, fire lane or reserved
 653 area.
- 654 • Parking in gravel or grass islands is a violation.
- 655 • Wheels must be headed into parking bumpers in gravel lots
- 656 • Maximum speed on campus is 15 mph.
- 657 • Many roads on campus are one-way.
- 658 • Motor vehicle accidents on campus must be reported to Campus Police.
- 659 • When a faculty member or a member of the staff has need to park overnight on
 660 the Chattanooga State parking facilities, he/she should check with Campus Police.
- 661 • Students are allowed to park in Faculty/Staff parking spaces (orange curbs) in the
 662 evenings after 5:15 p.m.

663

664 (5) Fines/Penalties:

665	Moving violations	Minimum Fine
666	Reckless Driving	\$50
667	Running Stop Sign	\$25
668	Speeding	\$15
669	Other (situational)	\$20

670	Unlawful Parking:	\$25
671	Cafeteria Parking	\$15
672	CDC Parking	\$25
673	Faculty/Staff Parking	\$15
674	Handicap Area	\$200
675	Motorcycle Parking	\$15
676	Parking on Grass or Median	\$30
677	Parking on Red Curb (Fire Lane)	\$50
678	Parking on Yellow Curb	\$25
679	Obstruction of Traffic	\$30
680	Unregistered Vehicle	\$15
681	Visitor Parking	\$15

682

683

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

686 TICKET APPEAL PROCEDURE

- 687 • Students may contest the citation by submitting appropriate documentation within
 688 a seventy-two (72) hour period (Saturdays and Sundays excepted.)
- 689 • Appeal forms are available in the Campus Police Office

ChSCC Student Disciplinary Policy...

- 690 • The appeal form must be completed with the proper return address, a copy of the
691 student's parking decal and the ticket in question attached to the appeal form.
- 692 • The appeal and review will be based on the written submission and
693 documentation provided by the student. Review will be conducted by the Chief
694 Justice of the Student Government Association.
- 695 • The Chief Justice will issue a written decision within ten (10) days of the date the
696 appeal is submitted.
- 697 • A copy of the appeal form stating the decision of the Chief Justice will be mailed
698 to the student's address on record. The decision of the Chief Justice is final.
- 699 • Students should retain the copy of the decision in case future questions arise about
700 the disposition of the ticket.
- 701 • Disabled parking violations are governed by state law and are not administered by
702 the college. There is no college appeal process for a disabled parking violation.
703

704 *This policy is promulgated pursuant to, and in compliance with, TBR Rule 0240-02-03-.05*
705 *Traffic and Parking. To the extent that a conflict exists between this policy and TBR rule,*
706 *policy and/or applicable law(s), the TBR rule, policy and/or law will control. History –*
707 *Adopted by TBR: 12/8/11. Effective: 1/29/12.*
708

709 Part 6: Disciplinary Procedures
710

- 711 (1) Chattanooga State policy pertaining to discipline and conduct of students, shall insure the
712 constitutional rights of students by affording a system of constitutionally and legally sound
713 procedures which provide the protection of due process of law. The policy is enacted
714 consistent with the requirements of the TBR System-Wide Student Disciplinary Rule,
715 0240-02-03-.01 *et seq.*, and TBR Policy 3:02:01:00, subject to prior review and approval
716 by the Board of Regents. In accordance with TBR rule and policy, Chattanooga State
717 Community College has set forth the following procedures governing Due Process for
718 student conduct leading to disciplinary action.
719
- 720 (a) Chattanooga State Community College understands the important role of preventative
721 strategies when working with student disciplinary issues and expends resources for
722 providing information and training workshops for faculty, staff and students. Good
723 communication is imperative between all constituencies as is the immediacy of which
724 the violation is acted upon.
725
- 726 (b) Violations of the Code of Conduct may be made, in the form of a complaint, by any
727 member of the college community. Complaints or charges shall be prepared in
728 writing and directed to the Dean of Students or his or her designee. A complaint of an
729 alleged conduct violation should be submitted as soon as possible after the incident
730 takes place. The College may initiate judicial proceedings.
731
- 732 (c) A student or representative of a student organization alleged to have acted in violation
733 of college regulations will be interviewed by the Dean of Students or his or her
734 designee. The student or student organization representative will be advised as to the
735 allegations and possible charges in regard to the Student Code of Conduct violation.

ChSCC Student Disciplinary Policy...

- 736 The options for due process will be explained to the student and procedural
737 information will be provided in writing. The student will be informed of the options
738 for adjudication and of his or her right to choose from the following options: 1)
739 adjudication by the Dean of Students or his or her designee; 2) adjudication by a
740 Disciplinary Hearing Board of the college; 3) adjudication in accordance with
741 Tennessee uniform Administrative Procedures Act (“TUAPA”) (when appropriate
742 and as explained below).
743
- 744 (d) The Dean of Students or his or her designee will thereafter conduct an investigation to
745 determine if the complaint or charge has merit and if a code of conduct violation has
746 occurred. It may be possible to resolve the issue without a formal charge with the
747 consent of all parties involved.
748
- 749 (e) Disciplinary Conference: Following the initial meeting and a completed
750 review/investigation, the Dean of Students or his or her designee will meet with the
751 student and inform the student of factual findings and proposed sanctions. Charges, if
752 any, shall be presented to the accused student (hereinafter referred to as “the student”)
753 in written form, specifying code of conduct violations and the resulting sanction. The
754 options for due process will again be explained to the student and procedural
755 information will be provided in writing. The student may waive his/her hearing right
756 and accept the findings and sanction or elect the appropriate hearing procedure.
757
758
- 759 (2) Disciplinary charges shall be heard by or pursuant to one of the following:
760 (a) Tennessee Uniform Administrative Procedures Act (TUAPA) Tennessee
761 Uniform Administrative Procedures Act (TUAPA), T.C.A. §4-5-301 *et*
762 *seq.*,
763 disciplinary charges that may result in suspension or expulsion from the
764 College may, at the student’s option, be heard in conformance with the
765 requirements of the Tennessee Uniform Administrative Procedures Act.
766 The TUAPA is an official state act defining certain procedures that are
767 required when a student chooses to have his or her case heard through the
768 Act’s provision. A more detailed description of the Act and its provisions
769 may be obtained from the office of the Vice President for Student Affairs.
770 (b) For matters not subject to the requirements of TUAPA, Chattanooga State
771 students have an opportunity to have their case adjudicated by the Dean of
772 Student Life or his or her designee, or
773 (c) a judicial hearing board composed of seven members and described in;
774 (d)(4)
775
- 776 (3) Institutional Hearing - If student elects an Institutional Hearing, the following provisions
777 shall apply:
778
- 779 (a) At least five (5) business days before the hearing date, the student shall be advised, in
780 writing, of the breach of policy which she/he is charged, with sufficient specificity so
781 the student understands the incident(s) on which the charge(s) is based.

ChSCC Student Disciplinary Policy...

- 782
783 (b) The student shall be advised in writing of the time, date, and place of the hearing. The
784 date of the hearing will be no less than five days from the date when the charge is
785 made to enable students to have adequate time for preparation.
786
- 787 (c) The student shall be advised of the following rights applicable at the hearing
788
- 789 1. The right to present his or her case,
790
 - 791 2. The right to be accompanied by an advisor, counselor whose participation shall
792 be limited to advising the respondent,
793
 - 794 3. The right to call witnesses in his or her behalf,
795
 - 796 4. The right to confront witnesses against him or her,
797
 - 798 5. Present information on their own behalf including oral and written information
799 and information from witnesses,
800
 - 801 6. Confidentiality as provided by the Federal Family Education Rights to Privacy
802 Act and the College's Student Rights and Student Records Policy,
803
 - 804 7. The standard of proof for the purpose of this hearing will be by the
805 preponderance of the evidence,
806
 - 807 8. The student shall be advised of the method and time limitations for appeal, if
808 any is applicable.
809
- 810 (d) Chattanooga State Hearing Format
811
- 812 1. Hearings shall be conducted in private in order to protect the confidential nature
813 of the proceedings.
814
 - 815 2. In hearings involving more than one student, the chairperson of the judicial body
816 or the Judicial Officer, in his or her discretion, may permit the hearings
817 concerning each student to be conducted separately.
818
 - 819 3. The individual who filed the complaint and the accused have the right to be
820 present during the hearing.
821
 - 822 4. Seven (7) individuals will be chosen to make-up an individual Disciplinary
823 Hearing Committee. Each hearing board will consist of four (4) faculty/staff,
824 two (2) students, and one (1) additional student representative of the Student
825 Government. The members of each Disciplinary Hearing Committee are
826 selected from the larger Judicial Committee which is a campus committee
827 selected by the Judicial Officer or they are faculty, staff or students who

ChSCC Student Disciplinary Policy...

- 828 volunteer for service with the exception of the one additional student
829 representative who is appointed by the Student Government Association. The
830 members of the Judicial Committee serve for one calendar year.
831
- 832 5. A chairperson for the Disciplinary Hearing Committee will be chosen by the
833 President or his or her designee and shall preside at the hearing; shall inform the
834 student of the charge, the hearing procedures, and his or her rights; and shall
835 answer any questions the student charged may have on these matters.
836
- 837 6. The Disciplinary Hearing committee will hear all evidence in the case including
838 witness testimony and other documentary evidence. The burden of proof will be
839 the “preponderance of the evidence”.
840
- 841 7. The Dean of Student Life or Judicial Officer shall present the College’s case
842 and shall offer information, which may include written testimony and witnesses
843 in support of the charge.
844
- 845 8. The student will be permitted to challenge information against him or her.
846
- 847 9. The student will have the opportunity to present information in his or her behalf
848 and call witnesses in his or her behalf.
849
- 850 10. The Disciplinary Hearing Committee thereafter will enter a decision as to
851 whether the student is responsible or not responsible for the alleged violation
852 and determine an appropriate sanction. The decisions will be issued within five
853 (5) business days of the conclusion of the hearing and sent to the student by
854 registered mail at the last known address provided to the college by the student.
855 This letter will include the reasoning by which the decision was reached.
856

857 (e) Appeals
858

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

- 868 1. To determine whether the original hearing was conducted
869 fairly in light of the charges and information presented, and
870 in conformity with prescribed procedures.
871 2. To determine whether the sanction(s) imposed were
872 appropriate for the violation of the Student Code of
873 Conduct which the student was found to have committed.

ChSCC Student Disciplinary Policy...

- 874 3. To consider new evidence, sufficient to alter a decision or
875 other relevant facts, not brought out in the original hearing,
876 because such information and /or facts were not known to
877 the person appealing at the time of the original hearing.
878
- 879 (f) The Vice President of Student Affairs will issue a written decision within five
880 business days. The decision of the Vice President for Student Affairs will be final.
881
- 882 (g) A copy of the letter will be placed in the student's disciplinary file maintained by
883 the Judicial Officer when proceedings have become final.
884
- 885 (h) Cases of Alleged Sexual Assault - All matters involving allegations of
886 impermissible discrimination, harassment (including, but not limited to, sexual
887 violence), or retaliation will be governed by the procedures outlined in TBR
888 Guideline P-080 *Subject: Discrimination and Harassment – Complaint and*
889 *Investigation Procedure* and/or an institutional policy that reflects the requirements
890 of that Guideline.
891
- 892 (5) Interim Suspension Hearings. Upon request by the affected student, a preliminary hearing
893 will be initiated by the Dean of Student Life or his or her designee. The hearing will be
894 held within three (3) working days of the student's request for a hearing concerning interim
895 suspension, pending a final determination of the disciplinary process. Three (3) members of
896 the Judicial Committee [described earlier in (3) (d) 4] will be selected to hear the case. The
897 student will have the opportunity to explain his rationale for requesting to return to campus
898 and challenge the basis for the imposition of the interim suspension. The Dean of Student
899 Life or his or her designee will present information as to why the interim suspension should
900 be upheld. At the conclusion of the hearing, a decision will be made to determine if the
901 interim suspension should continue, pending a final determination.
902
- 903 (5) The president of the College is authorized, at his or her discretion, to intervene in order to
904 negotiate a mutually acceptable resolution to any disciplinary proceeding, or,
905 subsequently, to convert any finding or sanction imposed to a lesser finding or sanction, or
906 to rescind any previous finding or sanction, in appropriate cases.
907

908 *This policy is promulgated pursuant to, and in compliance with, TBR Rule 0240-02-03-.06*
909 *Disciplinary Procedures and due Process. To the extent that a conflict exists between this*
910 *policy and TBR rule, policy and/or applicable law(s), the TBR rule, policy and/or law will*
911 *control. History – Adopted by TBR: 12/8/11. Effective: 1/29/12.*