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| **Student Code of Conduct and Disciplinary Policy**  **03:26:01 Student Code of Conduct and Disciplinary Policy** |
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| **Part 1 Institution Policy Statement**  **Part 2 Disciplinary Offenses**  **Part 3 Academic and Classroom Misconduct**  **Part 4 Disciplinary Sanctions**  **Part 5 Traffic and Parking**  **Part 6 Disciplinary Procedures**    **Part 1: Chattanooga State Policy Statement:  Student Code of Conduct**   * The exercise and preservation of student freedoms and rights require a respect for the rights of all in the community. Students enrolled in Chattanooga State assume an obligation to conduct themselves in a manner that is civil and compatible with the College's function as an educational institution. All students and student organizations are expected to maintain a high standard of conduct both on and off campus. Students at Chattanooga State are part of a community where communication is important. When students are asked to meet with the Vice President for Student Affairs, the Student Judicial Affairs representative, or a judicial hearing board, they are expected to comply in a timely fashion. A student is expected to be solely responsible for his/her actions whether acting individually or in a group. * Pursuant to this authorization and in fulfillment of its duties to provide a secure and stimulating atmosphere in which individual and academic pursuits may flourish, Chattanooga State has developed the following policies which are intended to govern student conduct on the several campuses under its jurisdiction. In addition, students are subject to all federal, state and local laws and ordinances. If a student's violation of such laws or ordinances also adversely affects the College's pursuit of its educational objectives, the College may enforce its own policies regardless of the status or outcome of any external proceedings instituted by other civil or criminal authorities. * For the purpose of these provisions, a "student" shall mean any person who is admitted and/or registered for study at Chattanooga State for any academic period. This shall include any period of time following admission and/or registration, but preceding the start of classes for any academic period. The disciplinary policies also apply to participants in special programs of the College, which include but are not limited to the following programs: AHEAD; Adult Education; Diploma Completion Program; and Continuing Education. It will also include any period which follows the end of an academic period through the last day for registration for the succeeding academic period, and during any period while the student is under suspension from the College.Finally, "student" shall also include any person subject to a period of suspension or removal from campus as a sanction which results from a finding of a violation of the regulations governing student conduct.Students are responsible for compliance with the Student Code of Conduct, and with similar College policies at all times. * Disciplinary action may be taken against a student for violation of the policies which occur on College owned, leased or otherwise controlled property, while participating in international or distance learning programs, and off campus, when the conduct impairs, interferes with, or obstructs any College sponsored activity or the mission, processes, and functions of the College.The College may enforce its own regulations regardless of the status or outcome of any external proceedings instituted in any other forum, including any civil or criminal proceeding. * This policy, and related material incorporated herein by reference, are applicable to student organizations as well as individual students. Student organizations are subject to discipline for the conduct and actions of individual members of the organization while acting in their capacity as members of or while attending or participating in any activity of the organization. * Confidentiality of Discipline Process.Subject to the exceptions provided pursuant to the Family Educational Rights and Privacy Act of 1974 (FERPA), 20 U.S.C. 1232g and/or the Tennessee Open Records Act, T.C.A. §10-7-504(a)(4), a student's disciplinary files are considered "educational records" and are confidential within the meaning of those Acts.     *This policy is promulgated pursuant to, and in compliance with, TBR Rule 0240-02-03-.01, Institution Policy Statement.  To the extent that a conflict exists between this policy and TBR rule, policy and/or applicable law(s), the TBR rule, policy and/or law will control.  History - Adopted by TBR: 12/8/11.  Effective: 1/29/12.*    **Part 2: Disciplinary Offenses**   1. Institutional disciplinary measures shall be imposed, through appropriate due process procedures, for conduct which adversely affects the institution's pursuit of its educational objectives, which violates or shows a disregard for the rights of other members of the academic community, or which endangers property or persons on property owned or controlled by an institution. 2. Institutions shall adopt and publish a non-exclusive list, providing notice of offenses for which both individuals and organizations may be subject to disciplinary action. 3. The list may include any appropriate offense given the specific needs of the individual institution, subject to prior review and approval by the TBR Offices of General Counsel and Academic Affairs. 4. Institutions are pre-authorized to implement any or all of the disciplinary offenses, in the form set forth immediately below, without need for prior review or approval: 5. Threatening or Disruptive Conduct. Any conduct, or attempted conduct, which poses a threat to the safety of others or where the student's behavior is disruptive of the institution's learning environment. 6. 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 institution 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; 7. Disorderly Conduct. Any individual or group behavior which is abusive, obscene, lewd, indecent, violent, excessively noisy, disorderly, or which unreasonably disturbs institutional functions, operations, classrooms, other groups or individuals; 8. Obstruction of or Interference with institutional activities or facilities. Any intentional interference with or obstruction of any institutional, program, event, or facility including the following: 9. Any unauthorized occupancy of facilities owned or controlled by an institution or blockage of access to or from such facilities, 10. Interference with the right of any institution member or other authorized person to gain access to any activity, program, event or facilities sponsored or controlled by an institution, 11. Any obstruction or delay of a campus security officer, public safety officer, police officer, firefighter, EMT, or any official of an institution, or failure to comply with any emergency directive issued by such person in the performance of his or her duty; 12. 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 another including, but not limited to, any personal property, fire alarms, fire equipment, elevators, telephones, institution keys, library materials and/or safety devices; 13. Theft, Misappropriation, or Unauthorized Sale of Property; 14. Misuse of Documents or Identification Cards. Any forgery, alteration of or unauthorized use of institutional 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 institution; 15. 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. (Refer to Guidance on Firearms on Campus, Exhibit #1); 16. Explosives, Fireworks, and Flammable Materials. The unauthorized possession, ignition or detonation of any object or article which would cause damage by fire or other means to persons or property or possession of any substance which could be considered to be and used as fireworks; 17. Alcoholic Beverages. The use and/or possession of alcoholic beverages on institution owned or controlled property. This offense includes the violation of any local ordinance, state, or federal law concerning alcoholic beverages, on or off institution owned or controlled property, where an affiliated group or organization has alcoholic beverages present and available for consumption; 18. Drugs. The unlawful possession or use of any drug or controlled substance (including, but not limited to, any stimulant, depressant, narcotic or hallucinogenic drug, or marijuana), sale or distribution of any such drug or controlled substance. This offense includes the violation of any local ordinance, state, or federal law concerning the unlawful possession or use of drugs, on or off institution owned or controlled property; 19. Drug Paraphernalia. The use or possession of equipment, products or materials that are used or intended for use in manufacturing, growing, using or distributing any drug or controlled substance. This offense includes the violation of any local ordinance, state, or federal law concerning the unlawful possession of drug paraphernalia, on or off institution owned or controlled property; 20. Public Intoxication. Appearing on institution owned or controlled property or at an institutional sponsored event while under the influence of a controlled substance or of any other intoxicating substance; 21. Gambling. Unlawful gambling in any form; 22. Financial Irresponsibility. Failure to meet financial responsibilities to the institution promptly including, but not limited to, knowingly passing a worthless check or money order in payment to the institution; 23. Unacceptable Conduct in Disciplinary Proceedings. Any conduct at any stage of an institutional disciplinary proceeding or investigation that is contemptuous, disrespectful, threatening, or disorderly, including false complaints, testimony or other evidence, and attempts to influence the impartiality of a member of a judicial body, verbal or physical harassment or intimidation of a judicial board member, complainant, respondent or witness; 24. Failure to Cooperate with Institutional Officials. Failure to comply with directions of institutional officials acting in the performance of their duties; 25. Violation of General Policies. Any violation of the general policies of the institution as published in an official institutional publication, including the intentional failure to perform any required action or the intentional performance of any prohibited action; 26. Attempts, Aiding and Abetting. Any attempt to commit any of the offenses listed under this section or the aiding or abetting of the commission of any of the offenses listed under this section (an attempt to commit an offense is defined as the intention to commit the offense coupled with the taking of some action toward its commission). Being present during the planning or commission of any offense listed under this section will be considered as aiding and abetting. Students who anticipate or observe an offense must remove themselves from the situation and are required to report the offense to the institution; 27. Violations of State or Federal Laws. Any conviction of violation of state or federal laws or regulations proscribing conduct or establishing offenses, if a student's violation of such laws or regulations also adversely affects the institutions' pursuit of its educational objectives; 28. Violation of Imposed Disciplinary Sanctions. Intentional or unintentional violation of a disciplinary sanction officially imposed by an institution official or a constituted body of the institution; 29. Sexual Misconduct. Committing any act of sexual misconduct as defined by TBR Policy 6:03:00:00; 30. Harassment or Retaliation. Any act by an individual or group against another person or group in violation of TBR policies, as well as federal and/or state laws prohibiting discrimination, including, but not limited to, TBR policies 5:01:02:00,(F), 6:01:00:00, 6:02:00:00, and TBR Guideline P-080; 31. Academic Misconduct. Plagiarism, cheating, fabrication. For purposes of this section the following definitions apply: 32. Plagiarism. The adoption or reproduction of ideas, words, statements, images, or works of another person as one's own without proper attribution, 33. 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, 34. Fabrication. Unauthorized falsification or invention of any information or citation in an academic exercise. 35. Unauthorized Duplication or Possession of Keys. Making, causing to be made or the possession of, with the intent to use or make available for use by others, any key for an institutional facility without proper authorization; 36. Litter. Dispersing litter in any form onto the grounds or facilities of the campus; 37. 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; 38. Abuse of Computer Resources and Facilities. Misusing and/or abusing campus computer resources including, but not limited to the following:     * + Use of another person's identification to gain access to institutional computer resources,       + Use of institutional computer resources and facilities to violate copyright laws, including, but not limited to, the act of unauthorized distribution of copyrighted materials using institutional information technology systems,       + Unauthorized access to a computer or network file, including but not limited to, altering, using, reading, copying, or deleting the file,       + Unauthorized transfer of a computer or network file,       + Use of computing resources and facilities to send abusive or obscene correspondence,       + Use of computing resources and facilities in a manner that interferes with normal operation of the institutional computing system,       + Use of computing resources and facilities to interfere with the work of another student, faculty member, or institutional official,       + Violation of any published information technology resources policy,       + Unauthorized peer-to-peer file sharing; 39. Unauthorized Access to Institutional Facilities and/or Grounds. Any unauthorized access and/or occupancy of institutional facilities and grounds is prohibited, including, but not limited to, gaining access to facilities and grounds that are closed to the public, being present in areas of campus that are open to limited guests only, being present in academic buildings after hours without permission, and being present in buildings when the student has no legitimate reason to be present; 40. Providing False Information. Giving any false information to, or withholding necessary information from, any institutional official acting in the performance of his/her duties in connection with a student's admission, enrollment, or status in the institution; 41. Unauthorized Surveillance. Making or causing to be made unauthorized video or photographic images of a person in a location in which that person has a reasonable expectation of privacy, without the prior effective consent of the individual, or in the case of a minor, without the prior effective consent of the minor's parent or guardian. This includes, but is not limited to, taking video or photographic images in shower/locker rooms, residence hall rooms, and men's or women's restrooms, and storing, sharing, and/or distributing of such unauthorized images by any means; 42. Smoking Violations. Violation of any TBR and/or institutional smoking or other tobacco use rules or policies. 43. Student Identification Cards. Failure to possess at all times a valid student identification card, and/or failure to surrender ID card to College official upon proper request; 44. Sirens and Loudspeakers. Unauthorized use of sirens, loudspeakers, and other sound amplification equipment; 45. Graffiti. Damage or defacement of ChSCC property by painting, writing, stenciling, or by any other means of application on such property; 46. Student on student harassment. Unwelcome conduct directed toward a person that is discriminatory on a basis prohibited by federal, state, or local law and that is so severe, pervasive, and objectively offensive that it effectively bars the victim's access to an educational opportunity or benefit.   Disciplinary action may be taken against a student for violations of the foregoing policies which occur at or in association with enrollment at an institution governed by the State Board of Regents for any academic period.   1. Each student shall be responsible for his/her conduct from the time of application for admission through the actual awarding of a degree including periods prior to or between semesters. 2. Conduct occurring while a student is registered or enrolled at the institution, but not discovered until after the student leaves the institution, including after the awarding of a degree, is actionable under these provisions and may result in the retroactive application of a disciplinary sanction. 3. Should a student withdraw from the institution with disciplinary action or academic misconduct action pending, the student's record may be encumbered by the appropriate institutional office until the proceedings have been concluded.     **Part 3:  Academic and Classroom Misconduct**   * The instructor has the primary responsibility for maintenance of academic integrity and controlling classroom behavior, and can order the temporary removal or exclusion from the classroom of any student engaged in disruptive conduct or conduct that violates general rules and policies of the institution for each class session during which the conduct occurs. Extended or permanent exclusion from the classroom, beyond the session in which the conduct occurred, or further disciplinary action can be effected only through appropriate procedures of the institution. * Plagiarism, cheating, and other forms of academic dishonesty are prohibited. Students guilty of academic misconduct, either directly or indirectly, through participation or assistance, are immediately responsible to the instructor of the class. In addition to other possible disciplinary sanctions which may be imposed through the regular institutional disciplinary procedures, the instructor has the authority to assign an appropriate grade for the exercise or examination, proportional to the nature and extent of academic misconduct. Disciplinary sanctions will be imposed only through the appropriate institutional student disciplinary processes. * Students may appeal a grade assignment associated with a finding of academic misconduct, as distinct from a student disciplinary sanction, through appropriate institutional academic misconduct or grade appeal procedures. Courses may not be dropped pending the final resolution of an allegation of academic misconduct. * Disruptive behavior in the classroom may be defined as, but not limited to, behavior that obstructs or disrupts the learning environment (e.g., offensive language, harassment of students and professors, repeated outbursts from a student which disrupt the flow of instruction or prevent concentration on the subject taught, failure to cooperate in maintaining classroom decorum, etc.), text messaging, and the continued use of any electronic or other noise or light emitting device which disturbs others. * Academic Misconduct Procedures   The faculty member who determines that a student has engaged in an act of academic misconduct, violated principles of academic integrity and/or "cheated" in connection with an assignment, test, course taught by the faculty member or an examination proctored by the faculty member, or his or her designee may choose to exercise the disciplinary process as outlined below:   * The instructor should collect all information regarding the situation. Such information may include the student's papers, printed copies of material from a book or website, tests, unauthorized sources or unauthorized devices. * The faculty member must complete the "Academic Integrity Violation Report". This form can be located in Tiger Web or on the Chattanooga State Website. * The faculty member shall notify the appropriate department chairperson of the action. * The faculty member must notify the student and schedule a conference with him or her. During the conference the faculty member will present the student with a copy of the "Academic Integrity Violation Report" form. Supporting documentation of the academic integrity violation should accompany the form. The form must include possible sanctions for the violation. * The faculty member will discuss the incident as described on the form including the possible sanctions. * The faculty member will give the student a chance to respond and a written statement from the student will be attached to the form. * A student's grade in the course, or the assignment or examination affected by the alleged academic misconduct may be lowered to any extent, including a grade of "F". * The faculty member will explain the student's right to due process. The student will also be given a copy of the Academic Integrity Violation Incident Report, information describing due process rights and the hearing procedures in written format. * If the student admits violation the student indicates yes on the Academic Integrity violation report form. If the student admits the violation and agrees to the sanctions to be imposed by the faculty member, the violation report form will be filed with the Academic Department head and a copy forwarded to the Academic Integrity Committee Chairperson, the Vice President for Academic Affairs Office, and the Judicial Affairs Office. The report will be kept on file in the office of the Vice President of Academic Affairs and with the Judicial Affairs Office. * If the student does not accept the faculty member's findings and /or sanctions, he or she may elect a hearing. The student will be referred to the appropriate department to request a hearing. * To elect a hearing, the student will contact the department head. The student must make the request to the Department head within five (5) days of the conference with the instructor. * A hearing will be scheduled as promptly as possible, but no sooner than five (5) days after the request for hearing is received. * The student will be notified of the time, date, and place of the hearing, allowing reasonable time for preparation. * Failure of the student to appear at a hearing will be treated as a waiver of the right to a hearing. * The chairman of the Academic Integrity Hearing Committee will conduct the hearing. * The Academic Integrity charge and documenting information will be presented to the board by the faculty member or his or her designee. * The student will have the right to present her or his case and the right to be accompanied by an advisor, to call witnesses and to confront witnesses against the student and of the method and time limitations for appeal. * A majority of the Committee members of the hearing committee must be in agreement in order for a decision to be binding. * The Committee will render its' decision at the conclusion of the hearing by a majority vote. A copy of the decision will be sent to the student within three business days and a copy will be forwarded to the office of the Vice President for Academic Affairs. The decision will be filed in the office of the Vice President of Academic Affairs and the office of Judicial Affairs. * The student may appeal the decision of the Academic Integrity Hearing Committee to the Vice President for Academic Affairs within five (5) business days of notification of the decision. Such appeals must be in writing and shall be delivered to the Office of the Vice President for Academic Affairs. * The Vice President will review the written appeal form from the student which must include the student's basis for the appeal, the record of the academic integrity Hearing Committee, the attached documentation, and other relevant information. * The Vice President for Academic Affairs will issue a written decision within five (5) business days. The decision of the Vice President for Academic Affairs will be final. * The Academic Integrity Hearing Committee   The Academic Integrity Hearing Committee is a college-wide standing committee composed of two (2) faculty members, ( 1) staff member  and two (2) students, all appointed by the Vice President of Academic Affairs or his or her designee.  Academic Integrity Hearing Committee members will serve staggered terms of three calendar years.  If a committee member is not able to serve the three year term, the Vice President of Academic Affairs will appoint a replacement.  A majority of the Committee members present for a hearing must be in agreement in order for a decision to be binding on a student.  In the event that the Committee's decision, requires a grade sanction to be overturned the grade will be adjusted by appropriate administrative action.   * Classroom Misconduct   Charges not involving academic integrity violations must adhere to judicial processes found in Part 4 and Part 6 of the Chattanooga State Disciplinary Policy document.   1. The instructor has primary responsibility for maintenance of academic integrity and control over classroom behavior and can order the temporary removal or exclusion from the classroom ofany student engaged in disruptive conduct or conduct that violates the general rules and regulations of the institution for each class session during which the conduct occurs. Extended or permanent exclusion from the classroom (beyond the session in which the conduct occurred) or further disciplinary action can be effected only through appropriate procedures of the institution. The instructor shall report any incident in which he/she finds it necessary to remove a student for one or more class periods to the Office of Judicial Affairs and to the academic department chair. The Judicial Officer will meet with the instructor and with the student to determine the appropriate action before the next class period.   If an instructor wishes to remove a student from the classroom for a longer period of time, or permanently, he/she must refer the student to the Office of Judicial Affairs to initiate the disciplinary process.  A student can subsequently be removed from the classroom for each additional incident of disruptive conduct.  Disruptive conduct is defined as conduct which may include, but is not limited to, intentional interference with the normal classroom procedure or presentation of the instructor or other student(s) and/or interference with another student's right to pursue coursework.   *This policy is promulgated pursuant to, and in compliance with, TBR Rule 0240-02-03-.03 Academic and Classroom Misconduct. To the extent that a conflict exists between this policy and TBR rule, policy and/or applicable law(s), the TBR rule, policy and/or law will control. History - Adopted by TBR: 12/8/11.  Effective: 1/29/12.*    **Part 4:  Disciplinary Sanctions**     * Upon determination that a student or student organization has violated any of the disciplinary offenses set forth in the Chattanooga State Student Code of Conduct, or the general policies of the College, disciplinary sanctions may be imposed, either singly or in combination, by the Chattanooga State Office of Judicial Affairs. * Definition of Sanctions:  1. Restitution. Restitution may be required in situations which involve destruction, damage, or loss of property, or unreimbursed medical expenses resulting from physical injury. When restitution is required, the student or student organization is obligated by the appropriate judicial authority to compensate a party or parties for a loss suffered as a result of disciplinary violation(s). Any such payment in restitution shall be limited to actual cost of repair, replacement or financial loss; 2. Warning. The appropriate College official may notify the student or student organization that continuation or repetition of specified conduct may be cause for other disciplinary action; 3. Reprimand. A written or verbal reprimand or censure may be given to any student or student organization whose conduct violates any part of these regulations and provides notice that the conduct reflects behavior unacceptable to the College and inconsistent with College rules and policies. Use of a written reprimand is meant to document the occurrence of the behavior and formally advise that any further violation(s) may result in more serious sanctions; 4. Service to the College or Community. A student, or student organization, may be required to donate a specified number of service hours to the College performing reasonable tasks for an appropriate College office, official(s), or the local community. The service required shall be commensurate to the offense (e.g., service for maintenance staff for defacing College property); 5. Specified Educational/Counseling Program. A student or student organization may be required to participate in specified educational or counseling program(s) relevant to the offense, or to prepare a project or report concerning a relevant topic. Participation may be required of the student at his or her own expense. 6. Apology. A student or student organization may be required to apologize to an affected party, either verbally or in writing, for the behavior related to a disciplinary offense; 7. Fines. Penalties in the form of fines may be imposed against a student or student organization whenever the appropriate College authority deems appropriate. The sanction of fines may be imposed in addition to other forms of disciplinary sanctions. Failure to pay fines may result in further disciplinary action; 8. Restriction. A restriction upon a student's or student organization's privileges for a period of time may be imposed. This restriction may include, for example, denial of the ability to represent the College at any event, the ability to participate in Chattanooga State sponsored travel, use of facilities, parking privileges, participation in extracurricular activities or restriction of organizational privileges; 9. Probation. Continued enrollment of a student or recognition of a student organization on probation may be conditioned upon adherence to these regulations.Any student or organization placed on probation will be notified in writing of the terms and length of the probation. Probation may include restrictions upon extracurricular activities, or any other appropriate special condition(s). Any further violation of these regulations while on probationary status or the failure to comply with the terms of the Student Code of Conduct may result in the imposition of further disciplinary action; 10. Suspension. Suspension is the separation of a student or student organization from the College for a specified period of time. Suspension may be accompanied by special conditions for readmission or recognition; 11. Expulsion. Expulsion entails a permanent separation from the College. The imposition of this sanction is a permanent bar to the student's admission, or a student organization's recognition to the College. A student or organization that has been expelled may not enter College property or facilities without obtaining prior approval from an appropriate campus official with knowledge of the expulsion directive; 12. Interim Involuntary Withdrawal or Suspension. As a general rule, the status of a student or student organization accused of violation of TBR regulations, this policy, or institutional policies should not be altered until a final determination has been made in regard to the charges. However, interim involuntary withdrawal or suspension, pending the completion of disciplinary procedures, may be imposed upon a finding by the appropriate institutional official that the conduct, or attempted conduct of the student poses a direct threat to the safety of any other member of the institution, its guests, property, or the student's behavior is materially and substantially disruptive of the institution's learning environment or other campus activities. In any case of interim involuntary withdrawal or suspension, the student, or student organization, shall be given an opportunity at the time of the decision, or as soon thereafter as reasonably possible, to contest the suspension; 13. Revocation of Admission, Degree, or Credential. Admission to the College and/or a degree awarded from the College may be revoked for serious violations committed by a student prior to beginning classes or prior to graduation; 14. Any alternate sanction deemed necessary and appropriate to address the misconduct at issue; 15. Parental Notification. Pursuant to Tennessee Code Annotated 49-7-1, Chattanooga State Community College is required to notify a parent of a student under the age of 21 if the student has committed a disciplinary violation involving the use or possession of alcohol or a controlled substance that is a violation of any federal, state, or local law, or of any rule or policy of the College, except as prohibited by the Federal Education Rights and Privacy Act (FERPA). In the event of a guilty plea to the applicable code of conduct violation or a final finding of guilt pursuant to disciplinary procedures, including completion of an appeal, notification of parents will be initiated.  * The president is authorized, at his or her discretion, to intervene in order to negotiate a mutually acceptable resolution to any disciplinary proceeding, or, subsequently, to convert any sanction imposed to a lesser sanction, or to rescind any previous sanction, in appropriate cases.     *This policy is promulgated pursuant to, and in compliance with TBR Rule 0240-02-03-.04 Disciplinary Sanctions.  To the extent that a conflict exists between this policy and TBR rule, policy and/or applicable law(s), the TBR rule, policy and/or law will control. History - Adopted by TBR: 12/8/11.  Effective: 1/29/12.*    **Part 5:  Traffic and Parking**     * General: Chattanooga State shall adopt College policies governing traffic and parking on their respective campuses. * Registration of Automobiles/Permits/Decals: All student vehicles on campus are required to display a parking decal that is clearly visible through the front windshield. Drivers must register their vehicle during the week of general academic registration or immediately after the vehicle is brought to campus. Students may register for the parking decal at the Bursar's Office.The registration is free with paid college access fees. * Parking: All students, faculty and staff are expected to comply with the traffic/parking regulations in force at Chattanooga State.  Visitors are expected to abide by posted signs depicting restricted parking locations allocated for college visitors.     PARKING LOCATIONS   * WHITE CURBS: Student Parking.All student parking is marked with either blue parking bumpers or blue striping.When parking in gravel areas, park your vehicle as close as feasible to the wheel stop.Only one vehicle per bumper is permissible.Areas designated for motorcycles are smaller than standard automobile spaces and are painted with "Motorcycle" on the pavement or parking bumper. * ORANGE CURBS: Faculty/Staff Parking.Reserved for faculty or staff. * LIGHT BLUE CURBS: Disabled/Handicap Parking.Disabled/Handicap parking spaces are identified with vertical signs or painted symbols onto the parking space. * GREEN CURBS: Visitor Parking.Visitor parking is located in the first row of the Omniplex and Health Science Center parking lots. * YELLOW OR UNPAINTED CURBS:Traffic Lane, No parking. * RED CURBS: Fire Lane, No parking.     PARKING FOR DISABLED PERSONS   * All handicap parking spaces on campus are available to vehicles with a valid state-provided handicap license plates or placards. * Any unauthorized vehicle parked in a handicap space, as defined by T.C.A. 55-21-108, shall be subject to the penalty of $200. The fine for disabled/handicapped parking violations is established by statue and will be adjusted to comply with state law. * Traffic/Parking Regulations: Such violations may include, but are not limited to, all traffic offenses provided under state, county, or municipal ordinance applicable to Chattanooga State Campus sites. Violators will be issued a citation.  Refusal to pay traffic / parking fines will result in holding of grades and student records until all fines are paid.  Motor vehicles blocking entrances, exits, or other cars may be towed at the owner's expense. * Decals must be entirely visible through the vehicle front windshield.Where a non-registered vehicle is necessary for a limited time, the student or faculty/staff member must secure a temporary parking permit from the Department of Campus Police in order not to be liable for a fine. * Parking is prohibited on any curb, roadway, loading zone, fire lane or reserved area. * Parking in gravel or grass islands is a violation. * Wheels must be headed into parking bumpers in gravel lots * Maximum speed on campus is 15 mph. * Many roads on campus are one-way. * Motor vehicle accidents on campus must be reported to Campus Police. * When a faculty member or a member of the staff has need to park overnight on the Chattanooga State parking facilities, he/she should check with Campus Police. * Students are allowed to park in Faculty/Staff parking spaces (orange curbs) in the evenings after 5:15 p.m.     E. Fines/Penalties:  Moving violations                  Minimum Fine     Reckless Driving                         $50  Running Stop Sign                     $25  Speeding                                     $15  Other (situational)                     $20  Unlawful Parking:                      $24  Cafeteria Parking                        $15  CDC Parking                                $25  Faculty/Staff Parking                  $15  Handicap Area                             $200  Motorcycle Parking                     $15  Parking on Grass or Median        $30  Parking on Red Curb (Fire Lane)      $50  Parking on Yellow Curb                    $25  Obstruction of Traffic                       $30  Unregistered Vehicle                         $15     Visitor Parking                                    $15      TICKET APPEAL PROCEDURE   * Students may contest the citation by submitting appropriate documentation within a seventy-two (72) hour period (Saturdays and Sundays accepted.) * Appeal forms are available in the Campus Police Office * The appeal form must be completed with the proper return address, a copy of the student's parking decal and the ticket in question attached to the appeal form. * The appeal and review will be based on the written submission and documentation provided by the student.Review will be conducted by the Chief Justice of the Student Government Association. * The Chief Justice will issue a written decision within ten (10) days of the date the appeal is submitted. * A copy of the appeal form stating the decision of the Chief Justice will be mailed to the student's address on record. The decision of the Chief Justice is final. * Students should retain the copy of the decision in case future questions arise about the disposition of the ticket. * Disabled parking violations are governed by state law and are not administered by the college. There is no college appeal process for a disabled parking violation.     *This policy is promulgated pursuant to, and in compliance with, TBR Rule 0240-02-03-.05 Traffic and Parking.  To the extent that a conflict exists between this policy and TBR rule, policy and/or applicable law(s), the TBR rule, policy and/or law will control. History - Adopted by TBR: 12/8/11.  Effective: 1/29/12.*    **Part 6:  Disciplinary Procedures**     * Chattanooga State's policy pertaining to discipline and conduct of students shall insure the constitutional rights of students by affording a system of constitutionally and legally sound procedures which provide the protection of due process of law. The policy is enacted consistent with the requirements of the TBR System-Wide Student Disciplinary Rule, 0240-02-03-.01 *et seq*., and TBR Policy 3:02:01:00, subject to prior review and approval by the Board of Regents. In accordance with TBR rule andpolicy, Chattanooga State Community College has set forth the following procedures governing due process for student conduct leading to disciplinary action.  1. Chattanooga State Community College understands the important role of preventative     strategies when working with student disciplinary issues and expends resources for providing information and training workshops for faculty, staff and students.  Good communication is imperative between all constituencies, as is immediacy when addressing disciplinary violations. 2. Violations of the Student Code of Conduct may be made, in the form of a complaint, by any member of the College community. Complaints or charges shall be prepared in writing and directed to the Dean of Students or his or her designee.  A complaint of an alleged conduct violation should be submitted as soon as possible after the incident takes place. The College may initiate judicial proceedings. 3. A student or representative of a student organization alleged to have acted in violation of the Student Code of Conduct will be interviewed by the Dean of Students or his or her designee. The student or student organization representative will be advised as to the allegations and possible charges in regard to the Student Code of Conduct violation. The options for due process will be explained to the student and procedural information will be provided in writing. The student will be informed of the options for adjudication and of his or her right to choose from the following options: 1) adjudication by the Dean of Students or his or her designee; 2) adjudication by a Disciplinary Hearing Board of the College; 3) adjudication in accordance with Uniform Administrative Procedures Act ("UAPA") (when appropriate and as explained below). 4. The Dean of Students or his or her designee will thereafter conduct an investigation to determine if the complaint or charge has merit and whether a code of conduct violation has occurred.  It may be possible to resolve the issue without a formal charge with the consent of all parties involved. This does not include sexual misconduct violations, see Chattanooga State Sexual Misconduct Policy 12:02:00 <http://catalog.chattanoogastate.edu/content.php?catoid=5&navoid=2920> 5. Disciplinary Conference: Following the initial meeting and a completed review/investigation, the Dean of Students or his or her designee will meet with the student and inform the student of factual findings and proposed sanctions.Charges, if any, shall be presented to the accused student (hereinafter referred to as "the student") in written form, specifying the code of conduct violations and the resulting sanctions. The options for due process will again be explained to the student and procedural information will be provided in writing.The student may waive his/her hearing right and accept the findings and sanction or elect the appropriate hearing procedure.  * Disciplinary charges shall be heard by or pursuant to one of the following: * Uniform Administrative Procedures Act (UAPA) Uniform Administrative Procedures Act (UAPA), T.C.A. §4-5-301 *et seq.*,   Disciplinary charges that may result in suspension or expulsion from the College may, at the student's option, be heard in conformance with the requirements of the Uniform Administrative Procedures Act.The UAPA is an official state act defining certain procedures that are required when a student chooses to have his or her case heard through the Act's provision.A more detailed description of the Act and its provisions may be obtained from the office of the Vice President for Student Affairs.  For matters not subject to the requirements of UAPA, Chattanooga State students have an opportunity to have their case adjudicated by the Dean of Student Life or his or her designee, or a judicial hearing board composed of seven members described in Part 6 (D)(d)   * Institutional Hearing - If student elects an Institutional Hearing, the following provisions shall apply:  1. At least five (5) business days before the hearing date, the student shall be advised, in writing, of the breach of policy which she/he is charged, with sufficient specificity so the student understands the incident(s) on which the charge(s) is based. 2. The student shall be advised in writing of the time, date, and place of the hearing.  The date of the hearing will be no less than five days from the date when the charge is made to allow students adequate time for preparation. 3. The student shall be advised of the following rights applicable at the hearing 4. The right to present his or her case, 5. The right to be accompanied by an advisor, counselor whose participation shall be limited to advising the respondent, 6. The right to call witnesses in his or her behalf, 7. The right to confront witnesses against him or her, 8. The right to present information on his/her own behalf including oral and written information and information from witnesses, 9. Confidentiality as provided by the Federal Family Education Rights and Privacy Act and the College's Student Rights and Student Records Policy, rance of the evidence, 10. The student shall be advised of the process and time limitations for appeal, if any is applicable. 11. The standard of proof for the purpose of this hearing will be by the preponde  * Chattanooga State Disciplinary Hearing Format  1. Hearings shall be conducted in private so as to protect the confidential nature of the proceedings. 2. In cases involving more than one student, the chairperson of the disciplinary board or the Judicial Officer, in his or her discretion, may permit the hearings concerning each student to be conducted separately. 3. The individual who filed the complaint and the accused have the right to be present during the hearing. 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 Association.   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 College 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 presented against him or her. 9. The student will have the opportunity to present information on his or her behalf and call witnesses on 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.  * The student may appeal the decision of the Disciplinary Hearing Committee to the Vice President for Student Affairs within five (5) business days of notification of the decision.Such appeals must be in writing and shall be delivered to the Office of the Vice President for Student Affairs. The Vice President will review the written appeal form from the student which must include the student's rationale, the record of the Disciplinary Hearing Committee, the attached documentation, and other relevant information. Except as required to explain the basis of new evidence, an appeal shall be limited to review of the verbatim record of the initial hearing and/or supporting documents for one or more of the following purposes:   1. To determine whether the original hearing was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures.   2. To determine whether the sanction(s) imposed were appropriate for the violation of the Student Code of Conduct which the student was found to have committed.   3. To consider new evidence, sufficient to alter a decision or other relevant facts, not brought out in the original hearing, because such information and /or facts were not known to the person appealing at the time of the original hearing. * The Vice President of Student Affairs will issue a written decision within five business days.The Vice President's decision will be final. * A copy of the letter will be placed in the student's disciplinary file maintained by the Judicial Officer when proceedings have become final. * Cases of Alleged Sexual Assault - All matters involving allegations of impermissible discrimination, harassment (including, but not limited to, sexual violence), or retaliation will be governed by the procedures outlined in TBR Guideline P-080 *Subject: Discrimination and Harassment - Complaint and Investigation Procedure* and/or an institutional policy that reflects the requirements of that Guideline.  Sexual misconduct policy, <http://catalog.chattanoogastate.edu/content.php?catoid=5&navoid=2920> * Interim Suspension Hearings. Upon request by the affected student, a preliminary hearing will be initiated by the Dean of Student Life or his or her designee.The hearing will be held within three (3) working days of the student's request for a hearing concerning interim suspension, pending a final determination of the disciplinary process.Three (3) members of the Judicial Committee [described earlier in Part 6, (D) (d)] will be selected to hear the case.The student will have the opportunity to explain his rationale for requesting to return to campus and challenge the basis for the imposition of the interim suspension.The Dean of Student Life or his or her designee will present information as to why the interim suspension should be upheld.At the conclusion of the hearing, a decision will be made to determine if the interim suspension should continue, pending a final determination. * The president of the College is authorized, at his or her discretion, to intervene in order to negotiate a mutually acceptable resolution to any disciplinary proceeding, or, subsequently, to convert any finding or sanction imposed to a lesser finding or sanction, or to rescind any previous finding or sanction, in appropriate cases.     *This policy is promulgated pursuant to, and in compliance with, TBR Rule 0240-02-03-.06 Disciplinary Procedures and due Process. To the extent that a conflict exists between this policy and TBR rule, policy and/or applicable law(s), the TBR rule, policy and/or law will control. History - Adopted by TBR: 12/8/11.  Effective: 1/29/12.* |