

**Department of State
Division of Publications**

312 Rosa L. Parks Avenue, 8th Floor Snodgrass/TN Tower
Nashville, TN 37243
Phone: 615-741-2650
Fax: 615-741-5133
Email: register.information@tn.gov

For Department of State Use Only

Sequence Number: 09-21-16
Rule ID(s): 6306
File Date: 9/16/16
Effective Date: 8/1/17

Proposed Rule(s) Filing Form

Proposed rules are submitted pursuant to T.C.A. §§ 4-5-202, 4-5-207 in lieu of a rulemaking hearing. It is the intent of the Agency to promulgate these rules without a rulemaking hearing unless a petition requesting such hearing is filed within sixty (60) days of the first day of the month subsequent to the filing of the proposed rule with the Secretary of State. To be effective, the petition must be filed with the Agency and be signed by twenty-five (25) persons who will be affected by the amendments, or submitted by a municipality which will be affected by the amendments, or an association of twenty-five (25) or more members, or any standing committee of the General Assembly. The agency shall forward such petition to the Secretary of State.

Agency/Board/Commission:	University of Tennessee
Division:	
Contact Person:	Matthew Scoggins, Deputy General Counsel
Address:	719 Andy Holt Tower, 1331 Circle Park, Knoxville, TN
Zip:	37996-0170
Phone:	865-974-3245
Email:	scoggins@tennessee.edu

Revision Type (check all that apply):

- Amendment
 New
 Repeal

Rule(s) Revised (ALL chapters and rules contained in filing must be listed here. If needed, copy and paste additional tables to accommodate multiple chapters. Please enter only ONE Rule Number/Rule Title per row)

Chapter Number	Chapter Title
1720-03-06	Student Housing Regulations
Rule Number	Rule Title
1720-03-06-.01	General Rules and Regulations
1720-03-06-.02	Safety Inspection
1720-03-06-.03	Violations
1720-03-06-.04	Housing Contracts

The University of Tennessee, Health Science Center
 Chapter 1720-03-06
 Student Housing Regulations

Repeal

Chapter 1720-03-06 Student Housing Regulations is repealed in its entirety.

Authority: T.C.A. § 49-9-209(e) and Public Acts of Tennessee, 1839-1840, Chapter 98, Section 5, and Public Acts of Tennessee, 1807, Chapter 64.

*If a roll-call vote was necessary, the vote by the Agency on these rules was as follows:

Board Member	Aye	No	Abstain	Absent	Signature (if required)
Governor Bill Haslam				X	
Commissioner Candace McQueen				X	
Commissioner Jai Templeton	X				
Dr. Joe DiPietro	X				
Dr. Russ Deaton (non-voting)					
Charles C. Anderson, Jr.				X	
Shannon Brown	X				
George E. Cates	X				
Dr. Susan C. Davidson (non-voting)					
Spruell Driver, Jr.				X	
Dr. William E. Evans	X				
John N. Foy	X				
Crawford Gallimore	X				
Vicky B. Gregg				X	
Raja J. Jubran	X				
Brad A. Lampley	X				
James L. Murphy, III	X				
Sharon J. Miller Pryse	X				
Dr. Jefferson S. Rogers	X				
Rhedona Rose	X				
Miranda N. Rutan	X				
John Tickle	X				
Julia T. Wells	X				
Charles E. Wharton	X				
Tommy G. Whittaker	X				

University of Tennessee Rules
Chapter 1720-03-06 Student Housing Regulations

I certify that this is an accurate and complete copy of proposed rules, lawfully promulgated and adopted by the University of Tennessee Board of Trustees on 06/23/2016, and is in compliance with the provisions of T.C.A. § 4-5-222. The Secretary of State is hereby instructed that, in the absence of a petition for proposed rules being filed under the conditions set out herein and in the locations described, he is to treat the proposed rules as being placed on file in his office as rules at the expiration of ninety (90) days of the first day of the month subsequent to the filing of the proposed rule with the Secretary of State.

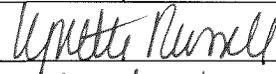
Date: 07/01/2016

Signature: 

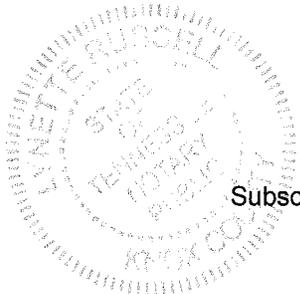
Name of Officer: Matthew Scoggins

Title of Officer: Deputy General Counsel

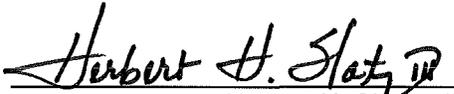
Subscribed and sworn to before me on: 7-1-16

Notary Public Signature: 

My commission expires on: 12-4-18



All proposed rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.


Herbert H. Slatery III
Attorney General and Reporter
8/4/2016
Date

Department of State Use Only

Filed with the Department of State on: 9/16/16

Effective on: 8/1/17


Tre Hargett
Secretary of State

RECEIVED
2016 SEP 16 AM 11:16
SECRETARY OF STATE
PUBLICATIONS

Regulatory Flexibility Addendum

Pursuant to T.C.A. §§ 4-5-401 through 4-5-404, prior to initiating the rule making process as described in T.C.A. § 4-5-202(a)(3) and T.C.A. § 4-5-202(a), all agencies shall conduct a review of whether a proposed rule or rule affects small businesses.

(If applicable, insert Regulatory Flexibility Addendum here)

The Regulatory Flexibility Addendum is not applicable.

Impact on Local Governments

Pursuant to T.C.A. §§ 4-5-220 and 4-5-228 “any rule proposed to be promulgated shall state in a simple declarative sentence, without additional comments on the merits of the policy of the rules or regulation, whether the rule or regulation may have a projected impact on local governments.” (See Public Chapter Number 1070 (<http://state.tn.us/sos/acts/106/pub/pc1070.pdf>) of the 2010 Session of the General Assembly)

The University of Tennessee anticipates that this rule change will have no impact on local governments.

Additional Information Required by Joint Government Operations Committee

All agencies, upon filing a rule, must also submit the following pursuant to T.C.A. § 4-5-226(i)(1).

- (A) A brief summary of the rule and a description of all relevant changes in previous regulations effectuated by such rule;

Student affairs and housing officials in The University of Tennessee System have worked together to develop a rule on student housing. The rule provides a uniform framework within which each UT campus will manage student housing, including development of policies, procedures, and agreements that apply to the lease, assignment, occupancy, pricing, safety, construction, maintenance, use, and visitation of student housing. The new rule will replace the current UT campus rules on student housing, which are being repealed in conjunction with the promulgation of the new rule.

- (B) A citation to and brief description of any federal law or regulation or any state law or regulation mandating promulgation of such rule or establishing guidelines relevant thereto;

None.

- (C) Identification of persons, organizations, corporations or governmental entities most directly affected by this rule, and whether those persons, organizations, corporations or governmental entities urge adoption or rejection of this rule;

Students of the University of Tennessee are most directly affected by this rule. The student member of the UT Board of Trustees voted to approve the rule.

- (D) Identification of any opinions of the attorney general and reporter or any judicial ruling that directly relates to the rule;

None.

- (E) An estimate of the probable increase or decrease in state and local government revenues and expenditures, if any, resulting from the promulgation of this rule, and assumptions and reasoning upon which the estimate is based. An agency shall not state that the fiscal impact is minimal if the fiscal impact is more than two percent (2%) of the agency's annual budget or five hundred thousand dollars (\$500,000), whichever is less;

Not significant.

- (F) Identification of the appropriate agency representative or representatives, possessing substantial knowledge and understanding of the rule;

Matthew Scoggins
Deputy General Counsel
University of Tennessee

- (G) Identification of the appropriate agency representative or representatives who will explain the rule at a scheduled meeting of the committees;

Matthew Scoggins
Deputy General Counsel
University of Tennessee

- (H) Office address, telephone number, and email address of the agency representative or representatives who will explain the rule at a scheduled meeting of the committees; and

Matthew Scoggins
Deputy General Counsel
University of Tennessee
719 Andy Holt Tower
Knoxville, TN 37996-0170
scoggins@tennessee.edu
865-974-3245

- (I) Any additional information relevant to the rule proposed for continuation that the committee requests.

None.

**RULES
OF
THE UNIVERSITY OF TENNESSEE, HEALTH SCIENCE CENTER**

**CHAPTER 1720-3-6
STUDENT HOUSING REGULATIONS**

TABLE OF CONTENTS

1720-3-6-.01	General Rules and Regulations	1720-3-6-.03	Violations
1720-3-6-.02	Safety Inspection	1720-3-6-.04	Housing Contracts

1720-3-6-.01 GENERAL RULES AND REGULATIONS:

- (1) ~~Room Damages— Student Housing recognizes the residents' desire to personalize their room with items such as pictures, lamps, etc. When the use or hanging of these items damages the walls, floors, ceilings or furnishings of a room or apartment, charges for repair or replacement will be the responsibility of the resident.~~
- (2) ~~Possession of alcohol and drugs in residence halls is prohibited.~~
- (3) ~~Possession of explosive or firearms in residence halls is prohibited.~~
- (4) ~~Pets are prohibited in the residence halls and on the premises. The only exception to this policy is trained guide dogs accompanying individuals with visual impairment.~~
- (5) ~~Cooking in the residence halls is allowed in designated kitchen areas. Appliances approved for use in student rooms are: Electric coffeepots, coffee warmer, electric hot pots and microwave ovens. All other appliances are prohibited. No appliances with an open flame or exposed heating element are allowed.~~

~~*Authority: Public Acts of Tennessee, 1839-1840, Chapter 98, Section 5 and Public Acts of Tennessee, 1807, Chapter 64. Administrative History: Original rule filed September 15, 1976; effective October 15, 1976. Repealed by Public Chapter 575; effective July 1, 1986. New rule filed May 27, 1986; effective August 12, 1986. Amendment filed August 31, 1995; effective December 30, 1995.*~~

1720-3-6-.02 SAFETY INSPECTION:

- (1) ~~Fire drills are conducted a minimum on 4 times each year. All residents are required to participate. Persons in the hall who fail to exit the building when a fire alarm sounds, shall be subject to disciplinary action.~~
- (2) ~~Safety inspections are conducted monthly to check smoke detectors and check for other fire or safety violations. A notice of the scheduled inspection will be posted in visible areas of the residence halls 24 hours before the scheduled inspection. Residents violating safety rules and regulations are subject to disciplinary action.~~
- (3) ~~Smoke Detectors have been installed in each residence hall room according to Tennessee Fire Code. These detectors are placed in the room to alert the residents to the presence of smoke. UT, Health Science Center staff members inspect the smoke detectors monthly to assure that they are operating properly. Removal or tampering with smoke detectors or other fire safety equipment is prohibited.~~

~~*Authority: Public Acts of Tennessee, 1839-1840, Chapter 98, Section 5 and Public Acts of Tennessee, 1807, Chapter 64. Administrative History: Original rule filed May 27, 1986; effective August 12, 1986. Amendment filed August 31, 1995; effective December 30, 1995.*~~

(Rule 1720-3-6-.02, continued)

~~1720-3-6-.03 VIOLATIONS.~~ Any violation of these regulations is punishable by those penalties set forth in the Student Rights and Responsibilities section of the UT Health Science Center Student Handbook.

~~Authority: Public Acts of Tennessee, 1839-1840, Chapter 98, Section 5 and Public Acts of Tennessee, 1807 Chapter 64. Administrative History: New rule filed May 27, 1986; effective August 12, 1986. Amendment filed August 31, 1995; effective December 30, 1995.~~

1720-3-6-.04 HOUSING CONTRACT:

- (1) ~~The Housing Acceptance Agreement Form (Housing Contract) is a binding contract. Signing of the agreement constitutes a legal contract between The University of Tennessee, Health Science Center and the resident to fulfill the terms of the contract.~~
- (2) ~~Contract Period: The Housing Acceptance Agreement Form, unless otherwise stated on the agreement, is for the full academic year from July 1 through June 30.~~
- (3) ~~Release from Contract: Release from the contract will be granted for any of the following reasons: Marriage during a term, end of term, university assignment to an out of town rotation, withdrawal or suspension. Residents are required to submit a notice of cancellation to the Office of Student Housing thirty (30) days before the date they plan to cancel the contract. Providing the request for release meets the terms of the contract residents will be held responsible for 30 days rent from the date cancellation notice is received.~~
 - (a) ~~New assignments—A contract may be cancelled with no penalty providing the Office of Student Housing is notified in writing by the cancellation date shown on the contract. A contract cancelled after the contract cancellation date through the first day of registration will be accepted providing the student has not checked in the residence hall. This cancellation will result in forfeiture of the \$50.00 advance rent deposit.~~
 - (b) ~~Current residents/End of term—A resident may cancel the upcoming portions of a contract by submitting a written notice of cancellation to the office of Student Housing 30 days before the end of any term. A resident who fails to check out at the end of the term may be held responsible for rent for the next term.~~
 - (c) ~~Assignment to out of town rotation—A resident who receives an out of town assignment will be released by submitting a 30-day notice of cancellation.~~
 - (d) ~~Marriage during Contract—A resident will be released with 30-day notice and proof of marriage.~~
 - (e) ~~Withdrawal, Suspension or Dismissal—A resident who withdraws from the university or is suspended or dismissed from the University is expected to vacate the residence halls within 24 hours of completing university withdrawal or official notification of suspension or dismissal.~~

~~Authority: T.C.A. §4-9-209(e). Administrative History: Original rule filed August 31, 1995; effective December 30, 1995. Amendment filed November 17, 2000; effective March 30, 2001.~~