

**Department of State  
Division of Publications**

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Sequence Number: 09-22-16  
Rule ID(s): 6307  
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.*

<b>Agency/Board/Commission:</b>	University of Tennessee
<b>Division:</b>	
<b>Contact Person:</b>	Matthew Scoggins, Deputy General Counsel
<b>Address:</b>	719 Andy Holt Tower, 1331 Circle Park, Knoxville, TN
<b>Zip:</b>	37996-0170
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**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
1720-02-02	Student Housing Regulations
Rule Number	Rule Title
1720-02-02-.01	Residence Requirements
1720-02-02-.02	Differentiated Housing
1720-02-02-.03	Contractual Arrangements
1720-02-02-.04	Damage
1720-02-02-.05	Room Changes
1720-02-02-.06	Check Out
1720-02-02-.07	Inspection and Search Policy
1720-02-02-.08	Residence Hall Regulations

The University of Tennessee at Chattanooga  
Chapter 1720-02-02  
Student Housing Regulations

Repeal

Chapter 1720-02-02 Student Housing Regulations is repealed in its entirety.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				

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: \_\_\_\_\_

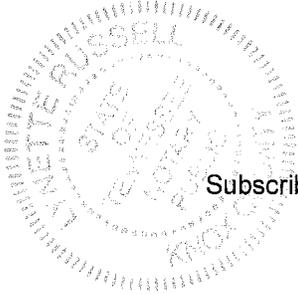
Name of Officer: Matthew Scoggins

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  
Herbert H. Slatery III  
Attorney General and Reporter  
8/17/2016  
Date

**Department of State Use Only**

Filed with the Department of State on: \_\_\_\_\_

9/16/16

Effective on: \_\_\_\_\_

8/1/17

Tre Hargett

Tre Hargett  
Secretary of State

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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](mailto: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 AT CHATTANOOGA**

**CHAPTER 1720-2-2  
STUDENT HOUSING REGULATIONS**

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1720-2-2-.04	Damage	1720-2-2-.08	Residence Hall Regulations

**~~1720-2-2-.01 RESIDENCE REQUIREMENTS.~~**

- ~~(1) Single out-of-town students attending the University are expected to live in University housing when space is available unless they commute from their homes in nearby towns.~~
- ~~(2) They may not live off campus when residence hall space is available without permission from the Housing Office.~~

~~*Authority:* TCA § 49-9-209(e). *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 June 19, 2006; effective October 27, 2006.~~

**~~1720-2-2-.02 DIFFERENTIATED HOUSING.~~**

- ~~(1) The concept of Differentiated Housing at The University of Tennessee at Chattanooga campus offers students, with parental involvement, the choice of the housing facility and living atmosphere in which he or she will live. The plans available are:
  - ~~(a) TYPE A—Visitation privileges are allowed in the living-dining area from 12:00 noon until 12:00 midnight.~~
  - ~~(b) TYPE B—This plan involves minimal rules, regulations, and supervision. This option is available to upper class students only.~~~~

~~*Authority:* TCA § 49-9-209(e). *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. Amendment filed June 19, 2006; effective October 27, 2006.~~

**~~1720-2-2-.03 CONTRACTUAL ARRANGEMENTS.~~**

~~Contractual Arrangements. Each resident student signs an individual contract with the University for the premises he/she will occupy. This agreement covers occupancy for the entire academic year unless specifically indicated otherwise on the contract itself. Any student who for any reason wishes to alter the terms of his/her contract, must apply in writing to the University Housing Office at least thirty days prior to the anticipated change. If the contract is modified, notification will be sent in writing to all parties concerned prior to the effective date of action. Unless written exception is granted by the University, he/she is liable for the full extent of the original statement.~~

~~*Authority:* TCA § 49-9-209(e). *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 June 19, 2006; effective October 27, 2006.~~

**1720-2-2-.04 DAMAGE.**

- (1) ~~The student is responsible for the condition and proper care of the accommodations assigned and shall reimburse the University for all damages done within or to said accommodations in which he/she is housed, for all damages to Resident Hall non-public areas, and all damage to, or loss of University fixtures, furnishings, or property furnished under the contract. Charges for damages and/or necessary cleaning will be assessed against the student, or students, by the University and must be paid promptly. Failure to pay assessment will result in a hold on a student's registration, graduation and/or transcript.~~
- (2) ~~Non-public areas refer to the studies, lounges and restroom facilities, hallways and other areas of a floor of the residence hall which are provided primarily for the use of students having accommodations on that floor.~~

*Authority:* TCA § 49-9-209(e). *Administrative History:* Original rule filed September 15, 1976; effective October 15, 1976. Amendment filed July 9 1983; effective October 14, 1983. Repealed by Public Chapter 575; effective July 1, 1986. New rule filed May 27, 1986; effective August 12, 1986. Amendment filed June 19, 2006; effective October 27, 2006.

**1720-2-2-.05 ROOM CHANGES.**

- (1) ~~The University expects students to continue residency in the room to which they are assigned. However, it realizes that changes are sometimes mutually beneficial.~~
- (2) ~~Through regularly scheduled procedures, room changes may be made. With the prior written approval of the Resident Director and the Housing Office one change that is mutually agreeable may be made without charge during the semester. After the first charge, a \$5.00 fee will be assessed any time a student is allowed to move. Failure to obtain the written prior approval of both the Resident Director and the Housing Office will result in a minimum \$5.00 assessment for administrative costs and also could result in the imposition of disciplinary sanctions.~~

*Authority:* TCA § 49-9-209(e). *Administrative History:* Original rule filed May 27, 1986; effective August 12, 1986. Amendment filed August 31, 1995; effective December 30, 1995. Amendment filed June 19, 2006; effective October 27, 2006.

**1720-2-2-.06 CHECK OUT.** Check Out. ~~When a student is assigned specific accommodations, the University assumes occupancy by that student until notified otherwise. When vacating the premises, either for another on-campus facility or to leave University housing it is the occupant's responsibility to check out in person with a staff member of the residence hall. At that time, an evaluation of the facility is made in the occupant's presence and a report is completed on deficiencies or damages for which the student is responsible. Failure to check out in the prescribed manner will result in the occupant's being held liable for any or all deficiencies or damages found, as well as for the cost to replace keys, locks or other such items that affect the appearance or security of the unit. He/she will also be assessed administrative costs incurred by this failure to check out.~~

*Authority:* TCA § 49-9-209(e). *Administrative History:* Original rule filed May 27, 1986; effective August 12, 1986. Amendment filed June 19, 2006; effective October 27, 2006.

**1720-2-2-.07 INSPECTION AND SEARCH POLICY.**

- (1) ~~Entry by University authorities into occupied rooms in residence halls will be divided into three categories: inspection, search, and emergency. Inspection is defined as the entry into an occupied room or apartment by University authorities in order to ascertain the health and safety conditions in the areas, or to check the physical condition of the area, or to make repairs on facilities, or to perform cleaning and janitorial operations. Search is defined as the entry into an occupied room by on-campus authorities for the purpose of investigating suspected violations of campus regulations and/or city,~~

## Rule 1720-2-2-.07, continued

state, or federal law. An emergency situation exists when the delay necessary to obtain search authorization constitutes a danger to persons, property, or the building itself.

- (a) ~~Inspection: Scheduled inspection by on-campus authorities with the exception of daily janitorial operations, shall be proceeded, if possible, by twenty-four hours notice to the residents.~~
- (b) ~~During the inspection, there will be no search of drawers or closets or personal belongings.~~
- (e) ~~Search: On-campus authorities will not enter a room for purposes of search except in compliance with state law or with the permission of the resident or the written permission of the Vice-Chancellor for Student Development or his/her representative. University authorities shall have, if possible, the Resident Director of the hall or his/her designee accompany them on the search.~~
- (d) ~~For purposes of maintenance, and fire and safety evaluation, rooms will be inspected periodically by the University staff. Normally the resident assistant will be involved in this part of the program and will work out arrangements with the individual occupant beforehand.~~

*Authority: TCA § 49-9-209(e). Administrative History: Original rule filed May 27, 1986; effective August 12, 1986. Amendment filed June 19, 2006; effective October 27, 2006.*

**1720-2-2-.08 RESIDENCE HALL REGULATIONS.**

- (1) ~~Telephone Services. Telephones have been installed in the rooms of all residence halls and apartments. Each phone may be reached directly from without the University as well as within it by merely dialing its assigned number. There is no additional charge for local service. However, long distance calls may be made or accepted collect only by those persons who have an official charge card number from the UTC Telephone Services, or a private company or the Bell Telephone Company. No calls may be charged to the telephone number that is listed on the telephone instrument. No collect calls will be accepted and extensions are prohibited.~~
- (2) ~~Safety Prohibitions.~~
  - (a) ~~Percolators, hot plates, immersion heaters, and popcorn poppers are prohibited in dorm rooms.~~
  - (b) ~~No candles, open flames, or incense burning is allowed.~~
  - (c) ~~Light bulbs should not be touching or near clothing or other flammables.~~
  - (d) ~~Extension cords must be underwriter laboratory approved or equal. Covering must be in good condition. Plugs and cords must be the same size or larger than appliance wire and not hidden under rugs, trash, paper, clothing, or books, nor near heat sources.~~
  - (e) ~~Storage of gasoline, other fuels or vehicles containing them is prohibited.~~
  - (f) ~~Hot plates or other cooking equipment may not be used in dormitory rooms because of fire regulations and sanitary reasons.~~
  - (g) ~~Cooking in individual rooms is prohibited.~~
- (3) ~~Fire Drills. Each dormitory must have at least one fire drill per month. These are conducted so that each resident can vacate the building quickly and safely in case of emergency. The drills are planned and supervised by the Housing Office, the Security Office, and the Resident Directors. Anytime that~~

(Rule 1720-2-2-.08, continued)

~~the fire alarm is sounded in a University building every occupant of the building is required to evacuate immediately. The University police will assist with the evacuation to see that the building is totally vacated and no one will be allowed to re-enter prior to the expressed consent of the security officers on duty. Reports are filed with the offices concerned.~~

- ~~(4) Guests. Residents may have overnight guests of the same sex only, if prior arrangements have been made with roommate(s). The maximum length of any visit is three days and three nights. All guests are governed by the University and residence hall regulations, and it is the host's responsibility to make guests aware of this. In cases where the guest is in violation of University regulations, disciplinary action may be brought against the host.~~
- ~~(5) Alcohol and Drugs. The possession or use of alcoholic beverages, other illegal drugs or intoxicants of any kind is prohibited on campus.~~
- ~~(6) Pets. Only fish tanks no larger than 10 gallons are allowed. Otherwise, no animals are permitted.~~
- ~~(7) Weapons or Explosives, Fireworks. The possession of firearms, hunting knives, fireworks or other type of weapons and explosives is not allowed in the residence halls or on the University property.~~
- ~~(8) Keys. Misuse or loss of them may jeopardize the safety of others and constitutes grounds for disciplinary action. There is a charge for lost keys and other security measures that must be taken due to the loss of such keys.~~
- ~~(9) Quiet Hours. If a student consistently violates Quiet Hours, he/she will be subject to disciplinary action.~~

~~*Authority: TCA § 49-9-209(e) Administrative History: Original rule filed May 27, 1986; effective August 12, 1986. Amendment filed August 31, 1995; effective December 30, 1995. Amendment filed June 19, 2006; effective October 27, 2006.*~~