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For Department of State Use Only

Sequence Number: 09-23-16
Rule ID(s): 6308
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
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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
1720-04-04	Student Housing Regulations
Rule Number	Rule Title
1720-04-04-.01	Housing/Food Services General
1720-04-04-.02	Differentiated Housing
1720-04-04-.03	Open House and Visitation Procedures
1720-04-04-.04	Residence Hall Regulations
1720-04-04-.05	Residence Hall Safety Regulations
1720-04-04-.06	Termination of Housing Contract

The University of Tennessee, Knoxville
 Chapter 1720-04-04
 Student Housing Regulations

Repeal

Chapter 1720-04-04 Student Housing Regulations is repealed in its entirety.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 1720-04-04 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: 

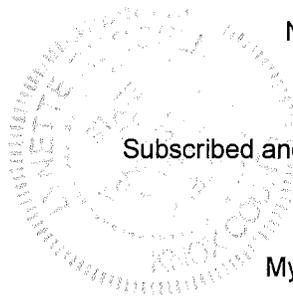
Name of Officer: Matthew Scoggins

Title of Officer: Deputy General Counsel

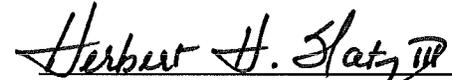
Subscribed and sworn to before me on: 7-1-16

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. Staley III
Attorney General and Reporter
7/27/2016
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

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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

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Knoxville, TN 37996-0170
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- (I) Any additional information relevant to the rule proposed for continuation that the committee requests.

None.

**RULES
OF
THE UNIVERSITY OF TENNESSEE, KNOXVILLE**

**CHAPTER 1720-4-4
STUDENT HOUSING REGULATIONS**

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1720-4-4-.01 HOUSING/FOOD SERVICES - GENERAL.

- (1) ~~Freshman Students: All single freshmen students, who do not commute from the home of their parent or legal guardian, are required to live in University Residence Halls.~~

~~**Authority:** T.C.A. §49-9-209(e). **Administrative History:** New rule filed May 27, 1986; effective August 12, 1986. (For history prior to August 12, 1986 see pages (iii)-(i).) Amendment filed March 22, 1990; effective June 26, 1990. Amendment filed August 31, 1995; effective December 30, 1995. Amendment filed January 13, 1999; effective May 31, 1999. Repeal and new rule filed October 30, 2007; effective February 28, 2008.~~

1720-4-4-.02 DIFFERENTIATED HOUSING.

- (1) ~~The University maintains a differentiated housing concept begun Fall Quarter, 1971. Differentiated housing permits the student to select the type of facility in which he or she will live, within the University's capability to offer such living arrangements. Students are encouraged to give considerable thought and attention to their housing selection.~~

~~**Authority:** T.C.A. §49-9-209(e). **Administrative History:** New rule filed May 27, 1986; effective August 12, 1986. (For history prior to August 12, 1986 see pages (iii)-(i).) Amendment filed March 22, 1990; effective June 26, 1990. Amendment filed August 31, 1995; effective December 30, 1995. Repeal and new rule filed October 30, 2007; effective February 28, 2008.~~

1720-4-4-.03 OPEN HOUSE AND VISITATION PROCEDURES.

- (1) ~~Hours of authorized visitation periods will be posted in the lobby of each residence hall.~~
- (2) ~~All guests of floor members participating in open houses/visitation periods must be escorted by an eligible host (a member of the participating floor) at all times in non-public (living) areas (i.e., rooms, floor corridors, floor study lounges, elevators and stairwells, etc. Resident Assistants are able to define these specifically for the hall). Guests of the opposite sex must stay on floors participating in open houses/visitation periods.~~
- (3) ~~Guests of the opposite sex must use the restroom provided in the hall main lobby area.~~
- (4) ~~Any resident who violates the policy shall be subject to disciplinary action and be asked to:~~
- (a) ~~Leave, if he or she is not a member of the floor.~~
- (b) ~~Escort his or her guest out and not participate in the remainder of the open house/visitation period if he or she is a resident of the floor.~~

(Rule 1720-4-4-.03, continued)

1. In the event of a floor violation, the Hall Director or Assistant Hall Director on duty may terminate the open house/visitation period at his/her discretion.
2. Hosts and their guests are responsible for the particulars of this policy and will be personally charged when violations occur. Hosts are responsible for the conduct of their guests and may be personally charged for a guests's violations.

Authority: ~~T.C.A. §49-9-209(e). **Administrative History:** New rule filed May 27, 1986; effective August 12, 1986. (For history prior to August 12, 1986 see pages (iii)-(i).) Amendment filed August 31, 1995; effective December 30, 1995. Repeal and new rule filed October 30, 2007; effective February 28, 2008.~~

1720-4-4-.04 RESIDENCE HALL REGULATIONS.

- (1) ~~Soliciting: For the residents' protection against fraudulent sales and annoyance, soliciting is not permitted in the halls. Permission for any soliciting must be obtained through the Dean of Students.~~
- (2) ~~Windows and Screens: Window screens may not be unfastened or removed.~~
- (3) ~~Business from Resident's Rooms: Residents are not permitted to carry on any organized business for remunerative purposes from their apartments or rooms; inscribe or affix any sign, object, advertisement, or notice on any part of the inside or outside of the building or premises; or use their room phone numbers for business purposes.~~
- (4) ~~Pets: Pets are not permitted in the halls or on the premises. The only exceptions to this policy are fish, guide dogs accompanying sight-impaired persons or guide dogs in training.~~
- (5) ~~Attachments: Residents should not modify the room without prior, written approval of the Hall Director.~~
- (6) ~~Furniture and Fixtures: All University property is inventoried according to location and is not to be moved or dismantled except with written permission of the Hall Director.~~
- (7) ~~Water furniture: Water furniture, including beds and chairs, are not permitted in residents' rooms.~~
- (8) ~~Keys: Residence hall keys are the sole property of The University of Tennessee and may not be duplicated under any circumstances.~~
- (9) ~~Unauthorized Moving: Unauthorized room and hall changes are prohibited.~~

Authority: ~~T.C.A. §49-9-209(e). **Administrative History:** New rule filed May 27, 1986; effective August 12, 1986. (For history prior to August 12, 1986 see pages (iii)-(i).) Amendment filed March 22, 1990; effective June 26, 1990. Amendment filed August 31, 1995; effective December 30, 1995. Repeal and new rule filed October 30, 2007; effective February 28, 2008.~~

1720-4-4-.05 RESIDENCE HALL SAFETY REGULATIONS.

- (1) ~~Flammable Items: Items which are flammable, such as fuel, etc., may not be stored in residents' rooms.~~
- (2) ~~Open Flames: Items which require an open flame to operate or which produce heat are not allowed in residents' rooms.~~

(Rule 1720-4-4-.05, continued)

- (3) ~~Decorations: Decorative items which are flammable are not permitted in residents' rooms, unless they have been fireproofed. Only Underwriters' Laboratory (UL) approved lights may be used to decorate a room.~~
- (4) ~~Cooking: Hall kitchens and other facilities are provided for residents to use for cooking. Cooking meals is not permitted in student rooms except in the apartment style residence halls. Snack preparation is limited to the use of approved cooking appliances.~~
- (5) ~~Cooking Appliances: Underwriters' Laboratories (UL) approved, closed coil or hot air popcorn poppers, sealed unit coffee makers, and thermostatically controlled hot pots may be kept in student rooms. A student may use a microwave in the Apartment Residence Hall provided the microwave is UL approved and does not exceed 600 watts and provided that student must have prior roommate approval; only one microwave is permitted per room. Other appliances, including slow cookers, electric frying pans, and open coil appliances (including, but not limited to, toasters, toaster ovens, and hot plates) are prohibited except in the apartment style residence halls where kitchens are equipped with fire extinguishers.~~
- (6) ~~Fire Safety: Fire evacuation plans are posted in each resident's room. Tampering with, vandalizing, or misuse of fire safety equipment is prohibited and constitutes reason for eviction from the residence hall and possible suspension or expulsion from the University. Fire safety equipment includes, but is not limited to, alarms, extinguishers, smoke detectors, door closures, alarmed doors, and sprinklers. A Safety Exit Drill will be conducted regularly in each residence hall in accordance with state law.~~

~~Failure to evacuate a building during such a Safety Exit Drill will be grounds for disciplinary action.~~
- (7) ~~Elevators: Tampering with, vandalism to, or other misuse of elevator equipment in the University residence halls is prohibited. Such action will constitute reason for disciplinary action, including eviction from the residence hall.~~
- (8) ~~Extension Cords and Multiple Plugs: An extension cord must be UL approved, 16 gauge, a polarized plug and a single outlet; it may not be placed under floor covering or furnishings and may not be secured by penetrating the insulation. Multiple outlets are prohibited; however, one UL approved 15 amp multiple outlet strip with a circuit breaker may be used in each room.~~
- (9) ~~Refrigerators: Refrigerators are prohibited in the residence halls except those provided by the Department of University Housing.~~

Authority: ~~T.C.A. §49-9-209(e). **Administrative History:** New rule filed May 27, 1986; effective August 12, 1986. (For history prior to August 12, 1986 see pages (iii) (i).) Amendment filed March 22, 1990; effective June 26, 1990. Amendment filed August 31, 1995; effective December 30, 1995. Repeal and new rule filed October 30, 2007; effective February 28, 2008.~~

1720-4-4-.06 TERMINATION OF HOUSING CONTRACT.

- (1) ~~The University may cancel a student's housing contract if the student fails to meet the full terms and conditions of his/her contract, or for violation of University or Residence Hall regulations.~~
- (2) ~~Hearings and/or appeals of disciplinary action are available through established University administrative and judicial procedures.~~

Authority: ~~T.C.A. §49-9-209(e). **Administrative History:** New rule filed May 27, 1986; effective August 12, 1986. (For history prior to August 12, 1986 see pages (iii) (i).) Amendment filed October 18, 1989;~~

(Rule 1720-4-4-.06, continued)

~~effective January 29, 1990. Amendment filed March 22, 1990; effective June 26, 1990. Amendment filed August 31, 1995; effective December 30, 1995. Amendment filed January 13, 1999; effective May 31, 1999. Repeal and new rule filed October 30, 2007; effective February 28, 2008.~~