

**Department of State  
Division of Publications**

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**For Department of State Use Only**

Sequence Number: 10-33-09  
Rule ID(s): 4514  
File Date: 10/29/2009  
Effective Date: 03/31/2010

# Proposed Rule(s) Filing Form

*Proposed rules are submitted pursuant to T.C.A. §4-5-205 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 thirty (30) days of the publication date of the issue of the Tennessee Administrative Register in which the proposed rules are published. 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.*

**Agency/Board/Commission:** Tennessee Board of Regents  
**Division:** Jackson State Community College  
**Contact Person:** Mickey Sheen  
**Address:** 1415 Murfreesboro Rd. Ste. 350 Nashville, Tennessee  
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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. Please enter only ONE Rule Number/Rule Title per row)**

Chapter Number	Chapter Title
0240-03-11	Student Disciplinary Rules
Rule Number	Rule Title
0240-03-11-05	Disciplinary Procedures
0240-03-11-06	Traffic and Parking Regulations

Chapter 0240-03-11  
Jackson State Community College Student Disciplinary Rules

Amendments

Rule 0240-03-11-.05 Disciplinary Procedures, paragraph (1), is amended by deleting the present language and replacing it with the following:

- (1) The principle of due process in student discipline is assured at Jackson State Community College. Any student accused of academic misconduct will be afforded an opportunity to contest the charge through procedures initiated by and coordinated with the Vice President for Academic Affairs.

Rule 0240-03-11-.05 Disciplinary Procedures, paragraph (3), subparagraph (a) is amended by deleting the present language and replacing it with the following:

- (a) The principle of due process in student discipline is assured at Jackson State Community College. Any student accused of a disciplinary offense will be afforded an opportunity to contest the charge through procedures initiated by and coordinated with the Vice President for Student Services.

Authority: T.C.A. §49-8-203. Administrative History: Repeal of all rules by Public Chapter 261; effective July 1, 1983. New rule filed April 28, 1983; effective July 13, 1983. Amendment filed May 18, 1994; effective September 28, 1994. Amendment filed November 26, 1997; effective March 30, 1998. Amendment filed January 11, 2002; effective May 31, 2002. Repeal and new rule 0240-3-11-.05 filed August 11, 2004; effective December 29, 2004. Amendments filed June 28, 2005; effective October 28, 2005. Amendment filed January 16, 2007; effective May 31, 2006. Amendments filed September 20, 2007; effective January 28, 2008.

Rule 0240-03-11-.06 Traffic and Parking Regulations, paragraph (6), subparagraph (b), is amended by deleting the present language and replacing it with the following:

(b) Violations and Fines

1. Parking on grass	\$25.00
2. Parking in designated employee area	\$60.00
3. Parked within 15 ft of a fire hydrant	\$50.00
4. Parked in loading zone	\$25.00
5. Double parked	\$25.00
6. Parked in reserved employee area	\$50.00
7. Parked in disabled area	\$200.00 *
8. No parking decal	\$50.00
9. Improper parking	\$25.00

\* The fine for disabled/handicapped parking violations is established by statute and will be adjusted as necessary to remain in compliance with state law.

Authority: T.C.A. §49-8-203. Administrative History: New rule filed August 28, 1984; effective November 13, 1984. Amendment filed November 3, 1989; effective February 28, 1990. Amendment filed June 11, 1990; effective September 26, 1990. Amendment filed April 23, 1993; effective July 28, 1993. Amendment filed May 18, 1994; effective September 28, 1994. Amendment filed August 8, 1995; effective September 29, 1995. Repeal and new Rule 0240-3-11-.06 filed August 11, 2004; effective December 29, 2004. Amendments filed June 28, 2005; effective October 28, 2005. Amendments filed January 16, 2007; effective May 31, 2007.

\*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)
Jacques G. Carr	X				
Agenia W. Clark	X				
Gregory M. Duckett				X	
Pamela Fansler	X				
John M. Farris	X				
Ken Givens				X	
Judy Gooch	X				
Jonas Kisber	X				
Fran F. Marcum				X	
Paul Montgomery	X				
Millard Oakley			X		
Howard W. Roddy	X				
J. Stanley Rogers				X	
Stanley E. Stevens, Jr.			X		
Robert P. Thomas	X				
Tim Webb				X	

I certify that this is an accurate and complete copy of proposed rules, lawfully promulgated and adopted by the Tennessee Board of Regents on 03/26/2009, and is in compliance with the provisions of TCA 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 thirty (30) days after the publication date of the issue of the Tennessee Administrative Register in which these proposed rules are published.



Date: 8-3-09

Signature: Christine Madisher

Name of Officer: Christine Madisher

Title of Officer: GENERAL COUNSEL

Subscribed and sworn to before me on: 8-3-09

Notary Public Signature: [Signature]

My commission expires on: 2-26-13

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.

RE Cooper  
 Robert E. Cooper, Jr.  
 Attorney General and Reporter  
10-7-09  
 Date

Department of State Use Only

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

10/29/09

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

3/31/10

*Tre Hargett*

Tre Hargett  
Secretary of State

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SECRETARY OF STATE  
PUBLICATIONS

**Regulatory Flexibility Addendum**

Pursuant to Public Chapter 464 of the 105<sup>th</sup> General Assembly, prior to initiating the rule making process as described in § 4-5-202(a)(3) and § 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)

**Additional Information Required by Joint Government Operations Committee**

All agencies, upon filing a rule, must also submit the following pursuant to TCA 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;

Rule 0240-3-11-.05(1) & (3)(a) clarifies that cases involving academic misconduct and related due process will be handled through the Vice President for Academic Affairs chain of command while student disciplinary matters will be handled through the Vice President for Student Affairs chain of command.

Rule 0240-3-11-.06(6)(b)7 reflects that fines for disabled parking violations are established by statute and will be adjusted to remain in compliance with state law.

All other amendments are non-substantive grammatical, spelling, or structural, or reflect changes to titles of administrative offices responsible for administering student disciplinary rules at the College.

- (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;

T.C.A. §§49-8-203, 55-21-108

- (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;

College administration, faculty, students, and visitors

- (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;

Minimal

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

Donald R. Ungurait  
Assistant General Counsel  
Tennessee Board of Regents

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

Donald R. Ungurait  
Assistant General Counsel  
Tennessee Board of Regents

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

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

None