

### **III 00 05 STUDENT CONDUCT AND DISCIPLINE POLICY**

- Part I. Institution Policy Statement
- Part II. Disciplinary Offenses
- Part III. Academic and Classroom Misconduct
- Part IV. Disciplinary Sanctions
- Part V. Traffic and Parking
- Part VI. Disciplinary Procedures

#### Part I: Institution Policy Statement

##### Purpose

The purpose of this policy is to outline a Student Conduct and Discipline Policy, including disciplinary hearing procedures, academic misconduct, and traffic and parking regulations applicable to the Volunteer State Community College (VSCC) community.

##### A. Policy

1. Volunteer State Community College (VSCC) students are considered citizens of their civic communities and of the VSCC academic community and are, therefore, expected to conduct themselves as law-abiding members of each community at all times. Admission to VSCC carries with it special privileges and imposes special responsibilities apart from those rights and duties enjoyed by non-students. In recognition of the special relationship that exists between VSCC and the academic community, which it seeks to serve, the Tennessee Board of Regents (TBR) has authorized the President of Volunteer State Community College, under its jurisdiction, to take such action as may be necessary to maintain campus conditions and preserve the integrity of VSCC and its educational environment.
2. Pursuant to this authorization and in fulfillment of its duty to provide a secure and stimulating atmosphere in which individual and academic pursuits may flourish, Volunteer State Community College adheres to the following policies, consistent with the regulations developed by the TBR which are intended to govern student conduct and which may be expanded or supplemented by VSCC subject to TBR approval. In addition, students are subject to all national, state and local laws and ordinances. If a student's violation of such laws or ordinances also adversely affects VSCC's pursuit of its educational objectives, VSCC may enforce its own regulations regardless of any proceedings instituted by other civil or criminal authorities. Conversely, violation of any section of these Regulations may subject a student to disciplinary measures by Volunteer State Community College whether or not such conduct is simultaneously violative of state, local or national laws.
3. The regulations, 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 student organization.

4. 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. [NOTE: MOVED FROM PART 2 TO COINCIDE WITH SYSTEMWIDE RULE]

## B. Definitions

1. For the purpose of these regulations, a "student" shall mean any person who is admitted and/or registered for study at VSCC 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. 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 VSCC. 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 Rules of Student Conduct contained in this policy and with similar VSCC policies at all times.

*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 II: Disciplinary Offenses

- A. VSCC disciplinary measures shall be imposed, through appropriate due process procedures, for conduct which adversely affects VSCC'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 VSCC.
- B. Disciplinary offenses are listed below and disciplinary action may be taken against a student for violation of the regulations which occur on VSCC owned, leased or otherwise controlled property, while participating in college sponsored activities or activities where the student is representing the college, international or distance learning programs, and off campus when the conduct impairs, interferes with, or obstructs any VSCC activity or the mission, processes, and functions of VSCC.
  1. Threatening Conduct. Any conduct, or attempted conduct, which poses a direct threat to the safety of others or where the conduct creates a reasonable perception of an imminent threat to the safety of others;
  2. 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;

3. Disruptive and/or Disorderly Conduct. Any behavior which is materially and substantially disruptive of the VSCC learning environment or of VSCC functions, operations, classrooms, other groups or individuals;
4. Obstruction of or Interference with VSCC activities or facilities. Any intentional interference with or obstruction of any VSCC program, event, or facility including the following:
  - a. Any unauthorized occupancy of facilities owned or controlled by VSCC or blockage of access to or from such facilities,
  - b. Interference with the right of any VSCC member or other authorized person to gain access to any activity, program, event or facilities sponsored or controlled by VSCC,
  - c. Any obstruction or delay of a campus security officer, public safety officer, police officer, firefighter, EMT, or any official of VSCC, or failure to comply with any emergency directive issued by such person(s) in the performance of his or her duty;
5. 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, VSCC keys, library materials and/or safety devices;
6. Theft, Misappropriation, or Unauthorized Sale of Property;
7. Misuse of Documents or Identification Cards. Any forgery, alteration of or unauthorized use of VSCC 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 VSCC;
8. 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;
9. 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;

10. Alcoholic Beverages. The use and/or possession of alcoholic beverages on VSCC owned, leased, or controlled property. This offense includes the violation of any local ordinance, state, or federal law concerning alcoholic beverages, on or off VSCC owned, leased, or controlled property, where an affiliated group or organization has alcoholic beverages present and available for consumption;
11. 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 VSCC owned or controlled property;
12. 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 VSCC owned or controlled property;
13. Public Intoxication. Appearing on VSCC owned or controlled property or at a VSCC sponsored event while under the influence of a controlled substance or of any other intoxicating substance;
14. Gambling. Unlawful gambling in any form;
15. Financial Irresponsibility. Failure to meet financial responsibilities to VSCC promptly including, but not limited to, knowingly passing a worthless check or money order in payment to VSCC;
16. 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;
17. Failure to Cooperate with VSCC Officials. Failure to comply with directions of VSCC officials acting in the performance of their duties;
18. Violation of General Rules and Regulations. Any violation of the general rules and regulations of VSCC as published in VSCC policies, the VSCC catalog and/or the VSCC Student Handbook, including the intentional failure to perform any required action or the intentional performance of any prohibited action;
19. 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 VSCC;

20. Violations of State or Federal Laws. Any violation of state or federal laws or regulations proscribing conduct or establishing offenses, which laws and regulations are incorporated herein by reference;
21. Violation of Imposed Disciplinary Sanctions. Intentional or unintentional violation of a disciplinary sanction officially imposed by a VSCC official or a constituted body of VSCC;
22. Sexual Misconduct. An offense including acts of sexual assault, domestic violence, dating violence and/or stalking as defined in VSCC Policy VIII:05:00. All matters involving allegations of sexual misconduct will be governed by the procedures set forth in VSCC Policy VIII:05:00;
23. 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, VSCC Policies VIII:01:00, VIII:02:00, VIII:03:00, and VIII:04:00 as well as TBR Guideline P-080;
24. Student on Student Harassment. Any 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.
25. Academic Misconduct. Plagiarism, cheating, fabrication. For purposes of this section the following definitions apply:
  - a. Plagiarism. The adoption or reproduction of ideas, words, statements, images, or works of another person as one's own without proper attribution,
  - b. 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,
  - c. Fabrication. Unauthorized falsification or invention of any information or citation in an academic exercise,
  - d. Self-Plagiarism. Submitting the same paper in two different courses without specific permission of the current instructor(s).
26. Unauthorized Duplication or Possession of Keys. Making, causing to be made or the

- possession of any key for a VSCC facility without proper authorization;
27. Litter. Dispersing litter in any form onto the grounds or facilities of VSCC;
  28. 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;
  29. Abuse of Computer Resources and Facilities. Misusing and/or abusing VSCC computer resources including, but not limited to the following:
    - a. Use of another person's identification to gain access to VSCC computer resources,
    - b. Use of VSCC computer resources and facilities to violate copyright laws, including, but not limited to, the act of unauthorized distribution of copyrighted materials using VSCC information technology systems,
    - c. Unauthorized access to a computer or network file, including but not limited to, altering, using, reading, copying, or deleting the file,
    - d. Unauthorized transfer of a computer or network file,
    - e. Use of VSCC computing resources and facilities to send abusive or obscene correspondence,
    - f. Use of VSCC computing resources and facilities in a manner that interferes with normal operation of the VSCC computing system,
    - g. Use of VSCC computing resources and facilities to interfere with the work of another student, faculty member, or VSCC official,
    - h. Violation of any published VSCC information technology resources policy,
    - i. Unauthorized peer-to-peer file sharing;
  30. Unauthorized Access to VSCC Facilities and/or Grounds. Any unauthorized access and/or occupancy of VSCC 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;
  31. Providing False Information. Giving any false information to, or withholding necessary information from, any VSCC official acting in the performance of his/her duties in

connection with a student's admission, enrollment, or status in the institution;

32. 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;

33. Smoking Violations. Violation of any TBR and/or VSCC smoking or other tobacco use rules or policies (VSCC Policy I:01:04).

C. Disciplinary action may be taken against a student for violations of the foregoing regulations which occur at or in association with enrollment at VSCC which is governed by the TBR for any academic period. Conduct occurring while a student is registered or enrolled at VSCC, but not discovered until after the awarding of a degree is actionable under these provisions and may result in the retroactive application of a disciplinary sanction. Should a student withdraw from VSCC with disciplinary action or academic misconduct action pending, the student's record may be encumbered by the Office of Records and Registration upon the recommendation of the Vice President for Student Services and/or the President until the proceedings have been concluded.

*This policy is promulgated pursuant to, and in compliance with, TBR Rule 0240-02-03-.02, Disciplinary Offenses. 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 III: Academic and Classroom Misconduct

A. 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 the general rules and regulations of VSCC 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.

B. 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. The instructor may make a decision regarding the appropriate action including assigning a grade of "F" for the exercise, examination, project or the course. In addition, other possible disciplinary sanctions may be imposed through the regular institutional disciplinary procedures. Other disciplinary sanctions will be imposed only through the appropriate institutional student disciplinary processes found



in section VI, subsections A and B of this policy, which will include faculty reporting instances of academic dishonesty/misconduct to the Vice President for Student Services.

- C. Students may contest a grade assignment for the exercise, examination, project or the course associated with a finding of academic misconduct, as distinct from a student disciplinary sanction, through the applicable institutional academic misconduct procedures set forth in Sections VI, Disciplinary Procedures, below. The student shall be informed of his/her hearing rights, in writing, at the time the grade decision is made. Courses may not be dropped pending the final resolution of an allegation of academic misconduct.
- D. 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 disrupts the flow of instruction or prevents 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 (e.g., disturbing noises from beepers, cell phones, palm pilots, lap-top computers, games, etc.). In instances where it appears a student may be a physical threat to self and/or the campus community the Behavioral Intervention Team will be consulted to conduct a threat assessment to ensure the safety of the individual and the campus community.
- E. Class attendance and punctuality requirements are established by individual faculty members in the printed syllabus for each course. Along with these requirements individual faculty members will outline in the course syllabus the consequences associated with a student(s) not meeting the class attendance and punctuality requirements. Students are expected to attend classes regularly and are responsible for absences or lateness directly to the faculty member for each course in which they are enrolled.

*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 IV: Disciplinary Sanctions

- A. Upon a determination that a student or student organization has violated any of the disciplinary offenses set forth in these regulations, VSCC disciplinary policies, or the general policies of VSCC, disciplinary sanctions may be imposed, either singly or in combination, by the Vice President for Student Services or designee.
- B. Sanctions that may be imposed include, but are not limited to:
  - 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 Vice President for Student Services or designee 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 any further violation(s) may result in more serious penalties;
4. **Service to VSCC or Community.** A student, or student organization, may be required to donate a specified number of service hours to VSCC performing reasonable tasks for an appropriate VSCC office, official(s), or the local community. The service required shall be commensurate to the offense (e.g., service for maintenance staff for defacing VSCC 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;
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 Vice President for Student Services or designee 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 VSCC at any event, ability to participate in VSCC or TBR 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 conduct in further violation of these regulations while on probationary status or the failure to comply with the terms of the probationary period may result in the imposition of further disciplinary action;
10. **Suspension.** Suspension is the separation of a student or student organization from VSCC 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 VSCC. The imposition of this sanction is a permanent bar to the student's admission, or a student organization's recognition to VSCC. A student or organization that has been expelled may not enter VSCC property or facilities without obtaining prior approval from the Vice President for Student Services or designee with knowledge of the expulsion directive;
12. Revocation of Admission, Degree, or Credential;
13. Any alternate sanction deemed necessary and appropriate to address the misconduct at issue.
14. Interim Involuntary Withdrawal or Suspension. As a general rule, the status of a student or student organization accused of violation of these regulations 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.
15. Other Interim Measures. In certain circumstances, the Vice President for Student Services, or designee, may impose an immediate interim measure affecting a student privilege or other restriction, less than suspension from the institution pending completion of the disciplinary process. This may occur when it is determined that the conduct at issue indicates the existence of a material and substantial disruption of or interference with the normal operations of the College or adversely affects another student's right to participate in the educational process.

*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 V: Traffic and Parking

A. The purpose of these traffic and parking regulations is to facilitate the orderly and efficient flow of traffic, to provide a safe atmosphere for both pedestrians and motor vehicle operators, and to provide order with regard to parking within limited space. The entry, operation and control of motor vehicles on college property are authorized by this policy. Enforcement of traffic and parking violations is for the purpose of controlling congestion, assuring that only authorized persons are using the facilities of Volunteer State Community College (VSCC) and

controlling the proper utilization of parking spaces. Citations will be issued when, in the judgment of the officer, a specific vehicle is in violation of the College's parking and traffic policies. Persons operating a vehicle on campus are responsible for compliance with all state, county and city ordinances relating to ownership, registration, and operation of motor vehicles. The Chief of Campus Police is responsible for the enforcement of this policy, Tennessee Motor Vehicle Laws and related city ordinances.

B. VSCC parking areas are restricted for use by its faculty, staff, students and guests for events approved by the College. VSCC assumes no responsibility for the care or protection of any vehicle or vehicle contents while parked or driven on College property. In addition, the College assumes no responsibility for the care and protection of any vehicle or contents during its removal or subsequent storage for violation of College traffic and parking regulations. Any violation of these regulations by a VSCC student, faculty or staff is subject to appropriate disciplinary action. Additionally, all traffic accidents, which occur on campus and involve injury to persons or damage to equipment, property or vehicles, must be reported to the Campus Police Department.

### C. Decals/Motor Vehicle Registration

1. All VSCC students must display a VSCC parking decal. Failure to display this decal will result in a citation and fine.
2. Vehicle Registration - Individuals can register a vehicle online through the Volunteer State Community College Police Department website and obtain a decal during normal business hours in the Wood Campus Center, Student Services Suite and/or at each off-campus site.
3. Each student must present a current Student ID to obtain a decal.
4. Campus Access Fee – A campus access fee is charged each semester to all students as part of the tuition and fees and covers the cost of parking decals.
5. Persons are expected to read and familiarize themselves with VSCC Traffic and Parking Regulations. Ignorance of the regulations is no defense for a violation.
6. Decals must be placed on the outside of the rear window in the bottom left corner on the driver's side. Motorcycle operators are encouraged to register but are not required to display a decal. Interior decals will solely be issued through the Campus Police Department with the verification of the vehicle type. Soft top/convertible vehicles are the only vehicles qualifying for an interior decal. Interior decals must be displayed in the lower corner of the passenger side front windshield.
7. Temporary parking permits must be displayed on any non-registered vehicle, which is parked on campus. It is the responsibility of student to obtain a temporary decal when using an alternate

vehicle without a parking decal, etc. These individuals may obtain a temporary permit from the Campus Police Department.

8. Vehicle owners/operators are responsible to notify Campus Police of any vehicle being left on campus overnight or for an extended period.

9. Lost or stolen decals must be reported immediately to Campus Police.

10. Misrepresentation – Any student who obtains a decal through misrepresentation will be subject to disciplinary action. No student shall obtain a decal for anyone other than himself or herself to park designated restricted parking spaces.

11. All visitors conducting college business on campus are required to obtain and display a temporary parking pass, which can be obtained from the Campus Police Department.

12. The Campus Police Department will recognize current parking decals from all universities and colleges that hold classes on Volunteer State Community College campuses.

13. Select student leadership positions, as determined by the Student Engagement and Support Office will receive faculty/staff decals entitling them to faculty/staff parking privileges during their tenure in those positions-

#### D. Parking Regulations

The inability to locate a legal parking space in an approved parking area on campus does not justify improper parking unless approved by the Chief of Campus Police or designee.

Parking violations include but are not limited to:

- i. Parking along curbs
- ii. Parking in driveways and intersections
- iii. Parking on grass or lawns
- iv. Parking in roadways
- v. Parking on sidewalks
- vi. Parking across painted lines in such a way as to take up more than one designated parking space
- vii. Parking which obstructs traffic as in double parking
- viii. Parking in a fire lane
- ix. Parking within fifteen (15) feet of a fire hydrant
- x. Improper or no display of parking decal
- xi. Blocking access to trash dumpsters or recycle containers

xii. Use of college parking facilities for purposes other than its designated use

1. Students will not park in “Visitor” parking spaces during regular business hours.

\*Parking is allowed in “visitor” and “staff” after 5:00 pm Monday through Friday and all day on Saturday. All campus sites are closed on Sundays and officially recognized holidays/administrative days (VSCC Policy IV:30:04) .

2. "Accessible" parking is enforced at all times. The fine for an accessible parking violation is established by statute, and will be adjusted as necessary to remain in compliance with State law (T.C.A. 55-21-108 Amendment Chapter 909 Bill No. SB2706). \*Other disabled persons displaying a valid license plate, placard, etc. may park in staff parking when the accessible parking area is occupied.

3. Any unattended vehicles will be considered as parked.

4. Motorcycles, motorbikes and bicycles will park in designated areas. Only motorcycles and motorbikes may park in motorcycle spaces.

5. No bicycles are allowed inside campus buildings unless secured in an office. Bicycles should be secured when left unattended. Parking bicycles in walkways or on the grass is prohibited.

\*Volunteer State Community College reserves the right to tow and/or impound any vehicle that is parked in such a way to constitute a serious hazard, impede vehicular or pedestrian traffic movement, hinder the operation of emergency equipment, or hinder the access to make essential repairs or services. The owner and/or driver will be responsible for any costs or charges incurred for towing, the removal, impounding or storage of towed vehicles.

#### E. Traffic Regulations

Traffic Regulations include but are not limited to:

1. Speed limit on campus is 20 mph.

2. All vehicles shall come to a complete stop at stop signs and crosswalks.

3. Driving vehicles on the grass is prohibited. Exception – VSCC service vehicles including trucks, cars and gasoline powered utility vehicles.

#### F. Traffic Violations

Traffic Violations include but are not limited to:

1. Failure to obey stop sign or traffic signal.

2. Failure to yield to pedestrians at crosswalk.
3. Speeding (exceeding maximum speed limit).
4. Failure to yield right-of-way.
5. Operating or riding a motorcycle without protective headgear.
6. Failure to obey the lawful direction of an officer.
7. Failure to yield to an emergency vehicle.

#### G. Criminal Traffic Violations

Criminal Traffic Violations include but are not limited to the following and are subject to arrest:

1. Reckless driving
2. Driving while intoxicated
3. Leaving the scene of an accident with injury
4. Leaving the scene of an accident with property damage
5. Racing or drag racing with motor vehicle
6. Passing a school bus (loading or unloading)
7. Operating a vehicle with a revoked or suspended license

\*State citations require a court appearance in the county/city where the citation was issued (i.e. Highland Crest – Robertson County, Main Campus – Sumner County, Livingston – Overton County, Cookeville Higher Education Campus – Putnam County).

#### H. Fines/Penalties

##### 1. Citations, Penalties & Fines

- a. Fines for traffic and parking violations are \$25 each. The fine for accessible parking violations is established by statute and will be adjusted to comply with state law.
- b. Citations are to be paid through the Business Office at the appropriate campus site within 14 business days of issuance.
- c. Penalties for non-payment: Registration for the subsequent semester will be blocked until all fines are paid. Transcripts will not be released until all fines are paid.
- d. A student who receives three (3) or more citations during a semester (regardless of whether or not the citations have been paid) may be charged under the student code of conduct and appropriate disciplinary action taken which may include the suspension of parking/driving privileges on campus for the remainder of the semester. The student will have ten (10) business

days to appeal the suspension of driving/parking privileges to the Student Traffic Appeals Committee. In the absence of an appeal, the suspension will go into effect and subsequently the vehicle may be towed if found on campus.

- e. Operation of a vehicle in such a manner to show complete disregard for the rights and safety of other members of the College community may cause immediate suspension of driving/parking privileges or other disciplinary action.
- f. Any student who alters or attempts to alter a traffic citation will be subject to disciplinary action.

## 2. Towing/Impoundment of Vehicles

Volunteer State Community College reserves the right to remove any vehicle by towing that is in violation of this policy. The owner/driver will be responsible for any costs or charges incurred for towing, the removal, impounding or storage of towed vehicles.

Violations, which may result in towing of vehicles, include but are not limited to the following:

- a. Unauthorized vehicles parked in spaces designated “accessible”.
- b. Parking in “no parking” or restricted areas.
- c. A car parked in such a manner to block a driveway or roadway, block a service entrance, create a hazard to the safety of the public, or impede construction and/or maintenance requirements.
- d. Display of a counterfeit, altered, transferred or otherwise fraudulent parking decal, or a decal obtained by an applicant giving false information on the application.
- e. Operation of any vehicle used as an instrument in a crime or suspected of being stolen.
- f. Abandoned Vehicle – Any motor vehicle left unattended longer than five (5) business days without notifying Campus Police, will be considered abandoned. All efforts will be made by Campus Police to notify the owner.

### I. Citation Appeals

Students who choose to file an appeal must do so within fourteen (14) business days from the date of the citation. Citation appeal forms are to be completed online and can be found on the VSCC Campus Police Department website. Failure to file an appeal within fourteen (14) business days from the date of the citation will constitute a waiver of the right to appeal.

The student may submit any pertinent evidence to support the appeal (i.e. Photographs, eye witnesses, proof of parking decal and/or hardship, etc.). Reviewers reserve the right to request additional information before a decision is rendered.



## 1. Student Traffic Appeals

The Student Traffic Appeals Committee is a Student Government Association (SGA) committee charged to hear student traffic appeals and is comprised of the SGA Judicial Committee and the SGA Attorney General, as defined in the Student Government Association Constitution. A student who chooses to appeal a citation may appear before the SGA Judicial Committee and SGA Attorney General, present testimony and related documents to support their appeal and answer any questions from the committee members.

- a. The Student Traffic Appeals Committee shall:
  - i. Have at least four (4) members of the committee present in order to hear appeals.
  - ii. Conduct hearings on an as needed basis. The appellant will be notified of hearing time and date two (2) weeks prior to hearing. The appellant may request to waive the two (2) weeks notice for an earlier hearing.
  - iii. Vote to uphold or deny the citation by a majority of the committee members present.
  - iv. Will notify the appellant of the committee's decision.
  - v. Keep a current file of all decisions by the Student Traffic Appeals Committee maintained by the recorder and kept in the SGA office.
  - vi. Reach a final decision no later than five (5) business days after a student's case is heard.

\*The Chief of Campus Police or designee is available for all appeal hearings for evidentiary and clarification purposes. During those times when the committee does not meet, the Chief of Campus Police or designee shall serve as the appellate authority.

- b. When an appeal has been denied, the appellant must:
  - i. Pay the prevailing traffic fine to the Business Office, no later than ten (10) business days after notification of decision; or
  - ii. Request a second review by the Vice President for Student Services no later than ten (10) business days after notification of the decision. The appellant must submit a request for a second review to the Office of the Vice President for Student Services and will be notified by the office concerning the decision of the Vice President for Student Services or designee.
  - iii. If the appellant wishes to appeal further he/she will appeal to the President.

*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 VI: Disciplinary Procedures

A. Volunteer State Community College, which is governed by the TBR, in the implementation of TBR regulations pertaining to discipline and conduct of students, insures the constitutional rights of students by affording a system of constitutionally and legally sound procedures which provide the protection of due process of law.

### B. General Discipline

The Vice President for Student Services, or designee, is responsible for the enforcement of the College student disciplinary rules and procedures. When an allegation or charge of student misconduct is made, the Vice President for Student Services, or designee, shall conduct an initial investigation. The investigation shall include, at minimum, an interview with any complaining witness, an interview with the responding student, and any witness identified by the responding student. In addition, the Vice President for Student Services, or designee, may consider any other witness or other evidence relevant to the allegations. At the conclusion of the investigation, the Vice President for Student Services, or designee, will issue a written summary which will include a finding of essential facts, a determination of which student misconduct offenses or other policy violation, if any, has occurred, as well as any appropriate sanction.

When an adverse finding or disciplinary sanction(s) has been made/imposed by the Vice President for Student Services, or designee, the student will be given notice of his/her hearing options. The student or student organization will have the option to accept the decision or to request an appropriate hearing. The student must make the election within five (5) business days of receiving the Vice President's, or designee's, decision. Once a student has made an election it shall be considered irrevocable. Failure to make an election within five (5) business days constitutes a waiver of all hearing alternatives. Decision timeframes for institutional decision makers may be extended due to extenuating circumstances with notice to involved parties.

C. Hearing Alternatives. The student shall be advised of his/her opportunity to elect one (1) of the following procedural options toward the disposition of the findings made by the Vice President for Student Services or designee as specified below:

1. Hearing before College Ad Hoc Committee on Discipline Pursuant to College Procedures. The Ad Hoc Committee on Discipline is comprised of two (2) faculty members, three (3) Student Services staff members, two (2) students (one (1) being a member of the Student Government Association) and three (3) at-large members. This committee is selected through the committee membership process which allows College faculty and staff to indicate a preference of which committee(s) he/she would like to be a member and it is subsequently approved by the President's Cabinet. Faculty and staff members shall serve a three (3) year term. Student members shall serve a one (1) year term. A chairperson shall be appointed on a bi-annual basis by the President's Cabinet. The Ad Hoc Committee on Discipline shall

report to the Vice President for Student Services or designee in matters concerning disciplinary appeals of a non-academic nature. In all hearings, the Ad Hoc Committee on Discipline shall observe the procedures described in College Hearing Procedures below, consider all evidence, determine the facts, render a decision and recommend to the Vice President for Student Services or designee, the appropriate disciplinary sanctions. Hearings under this procedure are available to students or student organizations charged with any violation of College rules.

2. College Hearing Procedures. The following procedures shall apply to all College Hearings in matters of student disciplinary issues conducted by the Ad Hoc Committee on Discipline or in matters of academic misconduct conducted by the Academic Integrity Committee:
  - a. Hearings occur on an as needed basis.
  - b. Prior to the Hearing:
    - i. The student shall be advised on the time, date and place of the hearing at least fourteen (14) days prior to the hearing.
    - ii. The student shall be advised, in writing, of the conduct violation(s);
    - iii. The student shall be advised of the following rights:
      1. The right to present his/her case;
      2. The right to be accompanied by an advisor whose participation shall be limited to counseling the student and shall not include representation;
      3. The right to call witnesses on his/her behalf; and,
      4. The right to confront witnesses against him/her; and,
    - iv. The student shall be advised of the right and method and time limitations of the appeal.
  - c. The Vice President for Student Services, or designee, will present the evidence supporting the initial determination and sanction to the Ad Hoc Committee on Discipline concerning disciplinary matters of a non-academic nature. In cases of academic misconduct, the faculty member alleging academic misconduct will present the evidence supporting the allegation to the Academic Integrity Committee.
  - d. The student will be permitted the opportunity to present testimony and related documents to support their position, and will answer any questions from the Committee members.
  - e. The Committee may hear any other witness testimony, or consider any other evidence, that it determines to be relevant to issues presented at the hearing.
  - f. At the conclusion of the hearing, the Committee will render a decision by majority vote.
  - g. The findings and decision of the Committee in relation to disciplinary matters of a non-academic nature will be issued in writing and forwarded to both the student and the Vice President for Student Services or designee within five (5) business days after the conclusion of the hearing. In matters of academic misconduct, the findings of the committee will be issued in writing and forwarded to both the student and the Vice President for Academic Affairs or designee within five (5) business days after the conclusion of the hearing.



1. The instructor shall notify the student, in writing, of the basis for the misconduct allegation once the misconduct has been verified.
2. The student shall have the opportunity to respond to the allegation and request a meeting with the instructor to discuss the matter. Decision by a student not to respond, or request a meeting, within five (5) business days, shall constitute a waiver of the right to contest the finding or related grade sanction.
3. When requested, the instructor shall document the response and /or meeting. Following the meeting the instructor may choose one of the following options:
  - a. If the instructor and student agree on a resolution, the agreement should be written and signed by both parties. If the student is penalized, the Department Chair, Program Director or Coordinator will be notified, regardless whether the student and instructor agree on the penalty.
  - b. If the instructor and student do not resolve the matter at the meeting, notice of the instructor's determination will be sent to the student and the Department Chair, Program Director or Coordinator within five (5) business days. In all cases, the Vice President for Student Services will be copied on the instructor's decision for review regarding any additional disciplinary procedures.
4. The student may appeal the instructor's decision to the Department Chair, Program Director or Coordinator. The appeal must be filed within five (5) business days of the instructor's decision.
5. The Department Chair, Program Director or Coordinator will review the record generated by the instructor and student. The parties may request an in-person meeting with the Department Chair, Program Director or Coordinator as part of the appeal review. The Department Chair, Program Director or Coordinator will issue a written decision within five (5) business days after receipt of the appeal or any in-person meeting and provide any further recommendation(s) to assist with a resolution.
6. The student may appeal the Department Chair, Program Director or Coordinator's decision to the Division Dean. The appeal must be filed within five (5) business days from the date of the Department Chair, Program Director or Coordinator's decision.
7. The Division Dean will review the record generated by the instructor, student, and Department Chair, Program Director or Coordinator. The parties may request an in-person meeting with the Division Dean as part of the appeal review. The Division Dean will issue a written decision within five (5) business days after receipt of the appeal or any in-person meeting providing any further recommendation(s) to assist with a resolution.
8. The student may appeal the Division Dean's decision to the Academic Integrity Committee. The appeal must be filed within five (5) business days from the date of the Division Dean's decision. The student appealing an allegation of academic misconduct and the faculty member alleging the academic misconduct are required to attend the appeal hearing before the Academic Integrity Committee (see subsection C above).
9. A student accused of academic misconduct who has been assigned a grade of "F" for the course and is subsequently appealing the grade and finding will not be

permitted to withdraw from the course in which the allegation of academic misconduct has been made.

E. Academic Misconduct Hearings Before the Academic Integrity Committee Pursuant to College Procedures

1. The Academic Integrity Committee hears all grade appeals including those related to academic misconduct. In matters of academic misconduct the committee membership shall consist of at least two (2) faculty members from each academic division, and two (2) students from the Student Government Association appointed by the SGA President. At least five (5) faculty members must be present in order to meet quorum. Faculty and students have voting rights in the committee in matters of academic misconduct. Hearing procedures for the Academic Integrity committee are the same as those outlined in section VI, C.3. a – h above. The Vice President for Student Services or designee will attend the hearing to ensure proper due process. In matters of academic misconduct the Academic Integrity Committee will report to the Vice President for Academic Affairs or designee.
2. The student may appeal the decision of the Academic Integrity Committee to the Vice President for Academic Affairs or designee.
3. The appeal must be filed, in writing, within five (5) business days of receipt of the decision from the Academic Integrity Committee.
4. The appeal document shall set forth the complete basis for the student's appeal from the decision of the Academic Integrity Committee as well as the relief the student seeks.
5. Review by the Vice President for Academic Affairs or designee shall be limited to the original allegation of academic misconduct and the record created at the hearing before the Academic Integrity Committee. In addition, newly discovered evidence may be considered by the Vice President for Academic Affairs or designee. If newly discovered evidence is included in the appeal, the Vice President for Academic Affairs or designee may return the matter to the Academic Integrity Committee for review for the committee members involved in the original academic misconduct hearing to consider the new evidence and determine what impact it may have had on the original decision.
6. The Vice President for Academic Affairs or designee will render a decision, in writing, within five (5) business days after receipt of the appeal.
7. The student may appeal the decision of the Vice President for Academic Affairs or designee to the President. Such appeal will be governed by the procedures set forth in section VI, G below.

F. Academic Misconduct Appeals Procedures

1. In instances related to academic misconduct, the student may appeal the decision of the Academic Integrity Committee to the Vice President for Academic Affairs or designee.
2. The appeal must be filed, in writing, within five (5) business days of receipt of the decision from the Academic Integrity Committee.
3. The appeal document shall set forth the complete basis for the student's appeal from

the decision of the Academic Integrity Committee.

4. The Vice President for Academic Affairs or designee will review the grounds submitted in the student's appeal document together with the Academic Integrity Committee written decision, and the information developed in the hearing.
5. The Vice President for Academic Affairs or designee will render a decision, in writing, to uphold or deny the decision of the Academic Integrity Committee within five (5) business days after receipt of the appeal. Decision timeframes for institutional decision makers may be extended due to extenuating circumstances with notice to involved parties.

#### G. Appeals to the President

1. A student may appeal the decision of the Ad Hoc Committee on Discipline in cases of general student discipline, or in cases of academic misconduct, the decision of the Vice President for Academic Affairs or designee, to the President of the College.
2. The appeal to the President must be filed, in writing, within five (5) business days of receiving the decision.
3. The appeal document shall set forth the complete basis for the student's appeal from the decision below.
4. The President will review, in all cases, all of the information associated with the initial investigation, and decision, the subsequent hearing before the Ad Hoc Committee on Discipline or the Vice President for Academic Affairs or designee.
5. The President will reserve the right to speak with anyone involved with the disciplinary offense as well as anyone involved with the initial investigation and/or prior appeal procedures.
6. The President shall issue a decision, in writing within five (5) business days of the receipt of the appeal. Decision timeframes for institutional decision makers may be extended due to extenuating circumstances with notice to involved parties.
7. The decision of the President shall be final, subject only to any appeal provided by policies of the Tennessee Board of Regents.

- H. Students found responsible for multiple acts of academic misconduct may be subject to further disciplinary action up to and including suspension or expulsion from the College. In the event the sanction is suspension or expulsion, the student will have the additional option to appeal the decision pursuant to the UAPA found in Section VI, C subsection 3.
- I. All adverse findings of academic misconduct will be recorded on the student's academic record at the conclusion of all proceedings and at the direction of the Vice President for Academic Affairs. The final decision shall additionally be copied to the Vice President for Student Services.
- J. Students may not drop or withdraw from any course while an allegation of Academic Misconduct remains pending. If the student receives a failing or diminished grade for the course, the student may not subsequently drop or withdraw from the course. If the student is found to have not committed academic misconduct, he or she may drop or withdraw even if the deadlines for such action have passed.



- K. In cases where more than one student is suspected of academic misconduct, each student's case will be adjudicated separately.
- L. Decision timeframes for institutional decision makers may be extended ordinarily with notice to involved parties.
- M. Privacy of Disciplinary Proceedings. Personal confidences and the identities of students involved in disciplinary proceedings will be protected to the extent reasonably possible [see Part 1, (A), subsection 4].
- N. The President of Volunteer State Community 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.*

TBR Source: 3:02:00:01: SBR Meetings, December 2, 1977; March 3, 1978; March 18, 1983; September 30, 1983; TBR Board Meeting, March 29, 2012

TBR Source: 3:02:01:00: TBR Meetings, August 17, 1973; September 30, 1983; March 29, 2013, June 19, 2015

VSCC Source: November 3, 2008, President's Cabinet; September 3, 2009, President; July 23, 2010, President; November 11, 2011, President's Cabinet by email, to be effective January 29, 2012; February 11, 2013, President's Cabinet, to be effective April 1, 2013; President's Cabinet, January 22, 2014; TBR Approval March 28, 2014; President's Cabinet by email, to be effective May 15, 2015; President's Cabinet, February 1, 2016 to be effective July 1, 2016; President's Cabinet, January 30, 2017; TBR Approval, February 15, 2017; President's Cabinet, August 27, 2018; TBR Approval, September 6, 2018