

University Housing

The Student Conduct Process

University Housing's mission is to foster positive, student-centered residential communities, which support the academic mission of the University of Tennessee, Knoxville. As such, our residential communities are built on the principles of civility, respect, safety, and security. University Housing encourages the development and strengthening of these aforementioned values by holding students accountable when their decisions have adverse effects on their communities, and by educating students on how to formulate healthier and more advantageous decisions. University Housing partners closely with the Office of Student Conduct and Community Standards and the Center for Health Education and Wellness to provide this level of education and support to our students.

GOALS OF THE STUDENT CONDUCT PROCESS

The ultimate goal of the student conduct process is for students to consider, in advance, the consequences of their behavior, the impact their behavior may have on themselves and others within their communities, and to promote positive and healthy decision making based on these considerations. In order to achieve this goal, University Housing is dedicated to providing educational experiences to students who violate either the Standards of Conduct or University Housing policies.

CONFIDENTIALITY

At the university, academic and disciplinary records are kept separately. Information from disciplinary records is not available to unauthorized persons on campus or to any person off campus without express consent of the student or his/her legal representative except under legal compulsion or in cases where the safety of persons and property is involved.

HILLTOPICS AND THE STANDARDS OF CONDUCT

Students are responsible for reading and familiarizing themselves with [Hilltopics](#), University of Tennessee's student handbook. Hilltopics provides students with information related to every aspect of a student's life. Within Hilltopics, students are educated on academic related items, student support services and resources, student governing bodies and organizations, and campus policies and procedures on a variety of topics. University Housing will hold students accountable for all violations of the [Student Code of Conduct](#), and the specific [Standards of Conduct](#) it includes.

UNIVERSITY HOUSING POLICIES

Similar to the expectations laid out regarding Hilltopics, students are responsible for reading and familiarizing themselves with all University Housing policies. All [University Housing Policies](#) fall underneath the Standards of Conduct. University Housing will hold students accountable for all violations of University Housing policy.

OFFICE OF STUDENT CONDUCT AND COMMUNITY STANDARDS

University Housing partners with other offices on campus to assist with the facilitation of the University's student conduct process. The student conduct process is directly overseen by the Office of Student Conduct and Community Standards. As such, University Housing partners with the Office of Student Conduct and Community Standards to educate students on their fundamental rights and facilitate the student conduct process.

THE STUDENT CONDUCT PROCESS

Reports are received from University Housing, University of Tennessee's Police Department, the Knoxville Police Department, other law enforcement agencies, and members of the University community (i.e. professors, instructors, and other students). After receiving a report, the appropriate office reviews the information, and may conduct additional fact finding, to determine whether any of the Standards of Conduct or University Housing Policies have been violated.

If an incident happens within the residence hall, it is likely that the Hall Director will serve as the Judicial Advisor for the students who are allegedly involved in the incident. It is important to note that a student's case may be referred to the Office of Student Conduct and Community Standards. If this happens, the Office of Student Conduct and Community Standards will contact the student to facilitate the [Student Conduct Process](#).

THE CENTER FOR HEALTH EDUCATION AND WELLNESS

University Housing encourages the development and strengthening of our communities by helping students formulate healthier and more advantageous decisions. This is done through programming and other educational tools. As it relates to the student conduct process, University Housing partners with the Center for Health Education and Wellness to provide these educational opportunities to our students. Below are a list of programs frequently used to aid in the education of our students:

[Alcohol Education Program](#)

The Alcohol Education Program is a program students are typically sanctioned to complete upon receiving a citation from University Housing or the Office of Student Conduct and Community Standards for an alcohol violation. The purpose of this program is to engage our students in a discussion about alcohol use, encourage a harm reduction model, provide safety information, and provide resources.

[BASICS](#)

Brief Alcohol Screening and Intervention for College Students consists of two one hour one-on-one sessions with a Wellness Coordinator. The focus of these sessions are to learn more about the student, their drinking pattern, and working collaboratively toward preventing such incidents from occurring again. During these sessions, the student completes an online assessment.

[Drug Education Program](#)

The Drug Education Program is a program students are typically sanctioned to complete upon receiving a citation from University Housing (Housing) or the Office of Student Conduct and Community Standards (SCCS) for a drug violation. The purpose of this program is to engage our students in a discussion about drug use, provide safety information, and provide resources.

[CASICS](#)

Cannabis Screening and Intervention for College Students (CASICS) consists of two one hour one-on-one sessions with a Wellness Coordinator. The focus of these sessions is to learn more about the student, their marijuana use pattern, and working collaboratively toward preventing such incidents from occurring again. During these sessions, the student completes an online assessment.

[VOLSREACH](#)

The VOLSREACH class educates students on the value and implementation of the five tenets of the VOLSREACH class; respect, ethics, actions, civility and honesty. Students in this class will discuss how their actions reflect their values, understand how their behaviors impact themselves and the UTK

community, and explore the decision making process using ethical standards and moral reasoning. The VOLSREACH course will also help students embrace the University of Tennessee's vision statement.

The VOLSREACH classes are scheduled for approximately one and a half hour periods throughout the semester. During a student's appointment with a Student Conduct Assistant, they will schedule a time that best accommodates the student's schedule. Failure to attend a VOLSREACH class as part of a sanction is a violation of the Standards of Conduct and can result in an additional penalty.

ROOM INSPECTION AND SEARCH POLICY

The Department of University Housing reserves the right to enter student rooms under certain conditions. Entry, by University authorities into occupied rooms in residence halls, will be divided into three categories: inspection, search, and emergency.

- **Inspection:** Inspection is defined as the entry into an occupied room by University authorities in order to ascertain the health and safety conditions in the room, to check the physical condition of the room, to make repairs on facilities or to perform cleaning and custodial operations. Scheduled inspections by the residence life staff or university officials, with the exception of daily custodial operations, shall be preceded, if possible, by a 24-hour notice to the residents. During the inspection, there will be no search of drawers, closets, or personal belongings.
- **Room Search:** Search is defined as the entry into an occupied room by University authorities for the purpose of investigating suspected violations of University regulations and/or city, state, or federal law. University authorities will not enter the room for purposes of search without permission from the resident(s) or prior permission from 1) the Dean of Students, 2) Vice Chancellor for Student Life, or 3) designee of Dean of Students or the Vice Chancellor for Student Life, or in compliance with state law. **Search Procedure:** If authorization is given to search a room, it must be verified in writing to the student(s) by the person receiving permission to search. **NOTE:** Permission to search is not required when contraband to be confiscated is in view of the University authority. A request for permission to search may be made by the Hall Director, Assistant Hall Director, or their supervisors, when reasonable cause exists to suspect that a violation is occurring or has occurred. A copy of the authorization form shall be presented to the resident(s) or left in the room if the resident(s) is absent. The authorization form shall contain 1) a description of the place to be searched; 2) the name of the person authorizing the search; 3) the reasons for the search; 4) a description of the items sought; and 5) the name of the person requesting the search authorization.
- **Emergency Inspections:** An emergency condition exists when the delay necessary to obtain authorization constitutes a danger to persons, property, or the building. In such cases, campus authorities may enter the room immediately.
- **Resident Complaints:** Should a resident believe that a University staff member has misused or abused his/her authority to inspect said resident's room, the resident should file a complaint. The resident may prepare a written statement for review by the Office of Student Conduct and Community Standards. Or, if the resident prefers, he/she may state his/her complaint to an Area Coordinator or to a staff member of the Office of Student Conduct and Community Standards. The complaint will then be investigated, appropriate action will be taken, and the student will be informed in writing of the results of the investigation.

RESIDENCE HALLS ADMINISTRATIVE ACTION

The Department of University Housing reserves the right to take administrative action against students who fail to adhere to the rules and regulations of the university as stated in this guidebook and Hilltopics. Administrative action may take two forms: administrative room change or termination of the housing contract.

ADMINISTRATIVE ROOM CHANGE

University Housing, according to its [Standard Academic Year Student Housing Agreement](#), reserves the right to administratively move residents to other spaces or residence halls on-campus.

Article IX. Assignment and Use of Space

Section D. University Housing, in its sole discretion, may move residents for consolidation, disciplinary action, a facility failure, or for other reasons, in response to unforeseen or extraordinary circumstances.

If a situation arises where a student's behavior, conditions on the floor and/or relationships between individuals have begun to affect other residents, the Hall Director may request that a resident be moved to another room assignment either within that hall or in another hall. The student being asked to move will be notified in writing of his or her new assignment, the reason for the administrative change and a date by which the change should be completed.

TERMINATION OF HOUSING CONTRACT

University Housing reserves the right to terminate a resident's Housing Agreement, as identified in its [Standard Academic Year Student Housing Agreement](#).

Article VI. Termination of Housing Contract

Section C. The Agreement may be terminated by University as follows:

- Subsection i. upon the completion of graduation requirements by Student, if Student subsequently leaves the university; however, the Agreement will not be terminated if Student graduates but remains enrolled in the university;
- Subsection ii. if space is not available in any residence hall or temporary residence hall;
- Subsection iii. if Student fails to comply with the terms and conditions of the Agreement; or
- Subsection iv. if Student violates university standards of conduct as stated in Hilltopics or University Housing Policies, or any other University policies or regulations, including, but not limited to Parking Services and Information Technology policies, which are incorporated into this Agreement by reference.

Section D. In lieu of terminating this Agreement, University may reassign Student to another location, restrict Student from entering specified housing areas or units, and/or restrict Student from other privileges normally allowed to residents of University-owned student housing.

Section E. Termination of the Agreement by University may result in the eviction of Student upon five (5) calendar days' notice, except where University determines that the continued residency of Student would pose a danger to the life, health, or general well-being of the resident or other members of the residential community, in which case Student may be evicted upon twenty-four (24) hours' notice.

Section F. Within five (5) calendar days of termination the Agreement for any reason, except for eviction as set forth in VI(E), Student must officially check out of the residence hall.

The procedures followed by the University in terminating a housing contract and evicting a student from the residence hall, as described above in Section E., are as follows:

- An Assistant Director or Hall Director may recommend the termination of a housing contract. If an investigation indicates that a student has violated University or University Housing regulations which would justify the termination of the housing contract, the appropriate staff member shall forward a written recommendation of termination together with the findings of the investigation supporting that recommendation to the Executive Director of University Housing or his/her designee.
- If the Executive Director of University Housing (or designee) determines that the alleged misconduct would indicate that the continued residency of a student would pose a danger to the life, limb, health, or general well-being of other members of the residential community, the Executive Director (or designee) will advise the student in writing that his/her housing contract will be terminated twenty-four hours from the date of the receipt of the notice, the specific reasons for this action, and the time and place of the preliminary hearing. The Executive Director of University Housing (or designee) will schedule a preliminary hearing prior to the twenty-four hour termination date, the purpose of which will be to determine if sufficient grounds exist to support eviction upon twenty-four hours' notice as provided in the housing contract. At the conclusion of the preliminary hearing the student will be advised of the decision of the Executive Director (or designee), and if immediate eviction is upheld, of the student's right to a full evidentiary hearing, as provided below, as soon as practicable. If the student does not attend the preliminary hearing, the termination and eviction will become effective as set forth in the original letter of notification.
- If the Executive Director of University Housing (or designee) determines that the alleged misconduct of the student would justify termination of the housing contract after five days' notice, he/she shall notify the student in writing of the date of the proposed termination, the reasons therefore, and the student's right to an evidentiary hearing in accordance with the "contested case" section of the Administrative Procedures Act, Tenn. Code Ann. §4-5-301-323, or by the Executive Director of University Housing or his/her designated representative.
 - a) If the student elects a hearing under the provisions of the Administrative Procedures Act, the Executive Director of University Housing (or designee) shall forward the file to the Chancellor of the University for the appointment of a hearing officer.

- b) If the student elects a hearing by the Executive Director of University Housing, or his/her designated representative, he/she shall schedule a hearing prior to the effective date of the termination and notify the student in writing as follows:
 - 1) The date and time of the hearing;
 - 2) That the hearing will consider all allegations of misconduct contained in the original letter of notification;
 - 3) That at the hearing the student will have the right to make a personal appearance, to call witnesses, to present evidence, and to have a representative of his/her choice;
 - 4) That the Executive Director of University Housing will notify the student in writing of his/her decision prior to the effective date of the termination
- The student shall have the right of appeal as hereinafter provided:
 - a) The student may appeal the decision of the Executive Director of University Housing (or designee) to the Vice Chancellor for Student Life by notifying him/her in writing within forty-eight hours of receipt of the Executive Director's written decision. In the event of an appeal, the eviction will not become final until acted upon by the Vice Chancellor for Student Life. Article V, Section 7 of the University By-Laws allows further appeal through the Chancellor to the President.
 - b) The decision of the Chancellor or President is final in all cases heard under the contested cases provision of the Administrative Procedures Act. Further appeal shall be in accordance with the provision of that act.

RESTITUTION

Restitution may be required in situations that involve destruction, damage, loss of property, or unreimbursed medical expenses resulting from physical injury. Restitution may take the form of a monetary payment or appropriate service to repair or otherwise compensate for the destruction, damage, or loss.