

**RULES
OF
THE TENNESSEE BOARD OF REGENTS
STATE UNIVERSITY AND COMMUNITY COLLEGE SYSTEM OF TENNESSEE**

INSTITUTIONAL STUDENT HOUSING RULES

**CHAPTER 0240-04-01
AUSTIN PEAY STATE UNIVERSITY
STUDENT HOUSING RULES**

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0240-04-01-.01 ELIGIBILITY.

- (1) All full-time and part-time freshman single students under twenty-one (21) years of age not residing with their parents or legal guardians must reside in University housing and participate in a meal plan.
- (2) Residents must be enrolled for at least twelve (12) undergraduate and nine (9) graduate semester hours in order to reside in campus housing. Students enrolled for less than nine (9) undergraduate and six (6) graduate semester hours at any time during the term must have approval of the Director of Housing/Residence Life to reside in campus housing. If a resident ceases to attend classes for any reason other than illness, he/she will be asked to move from a residence hall. If a student withdraws from the University, he/she must vacate his/her room within twenty-four (24) hours after he/she completes his/her withdrawal procedures.
- (3) Married students living with their spouses and single students with dependent children have first priority for housing assignment in Emerald Hills Apartments (family housing). Single students with special needs would have second priority; other single students (by seniority or class rank) have third priority when no space is available in regular student housing.

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 January 31, 1986; effective April 15, 1986. Amendment filed April 30, 1987; effective July 29, 1987. Amendment filed July 29, 1988; effective October 29, 1988. Amendment filed June 11, 1990; effective September 26, 1990. Amendment filed May 13, 1991; effective August 28, 1991. Amendment filed October 8, 2003; effective February 27, 2004.

0240-04-01-.02 RESIDENCE HALL CONDUCT AND DISCIPLINARY SANCTIONS.

- (1) Residents are expected to live by the general academic and social standards of Austin Peay State University as stated in the student contract (which follows in section .03) the Residence Life Handbook and in the Student Handbook. Persons who violate residence hall regulations are subject to disciplinary action, through the University Judicial System.
- (2) In addition, the following special regulations concerning conduct in residence facilities shall apply, and failure to comply with them shall subject the resident to disciplinary action.

(Rule 0240-04-01-.02, continued)

- (a) No pets or animals of any nature shall be permitted in any residence unit in any residence facility with the exception of fish in aquariums of up to 20 gallons.
- (3) Occupants of a resident unit shall be responsible for all conduct in a unit including the conduct of visitors and guests.
- (4) Any residence unit may be searched with the consent of any occupant of the unit, or without such consent upon a finding of probable cause, and the issuance of an authorization to search by the appropriate University official or by any court with jurisdiction.
- (5) Upon a determination that a resident has violated any of the rules, regulations, or disciplinary offenses set forth in these Student Housing rules, the disciplinary sanctions listed in the Austin Peay State University Student Disciplinary rules, section 0240-03-01-.04(2), which is incorporated herein by reference, may be imposed, either singly or in combination, by the appropriate University officials.
- (6) Disciplinary action against a student for violating any rule, regulation, or disciplinary offense related to student housing shall be carried out in accordance with the procedures described in the Austin Peay State University Student Disciplinary Rules, section 0240-03-01-.04 (2), which is incorporated herein by reference, may be imposed, either singly or in combination, by the appropriate University officials.

Authority: T.C.A. §49-8-203. **Administrative History:** Repeal of all rules by Public Chapter 261; effective July 1, 1983. New rules filed April 28, 1983; effective July 13, 1983. Amendment filed July 29, 1986; effective October 29, 1986. Amendment filed July 29, 1988; effective October 29, 1988. Amendment filed June 11, 1990; effective September 26, 1990. Amendment filed October 8, 2003; effective February 27, 2004. Amendment filed August 11, 2004; effective December 29, 2004.

0240-04-01-.03 RESIDENT RESPONSIBILITIES.

- (1) Any student who occupies a student residence unit shall maintain the unit in the same condition and repair as accepted at the commencement of the period of occupancy; and upon termination of occupancy, the student shall surrender the premises in the same condition and repair, ordinary wear and tear excepted. No student may make any alteration, addition, or improvement to a student resident unit without the written consent of the Director of Housing/Residence Life.
- (2) Each student who occupies a student residence unit agrees to pay the University, immediately upon demand for any and all damages to the unit, including but not limited to damages to exterior or interior walls, ceilings, floors, windows, doors, locks, hardware, plumbing fixtures, cabinets, shrubbery, lawn, appliances, fixtures, and furnishings of the unit and its surrounding premises, if such damage is caused by any act or failure to act by the student or guests or invitees of the student.
- (3) Students in student residence units may be assessed on a pro rata basis for damages in corridors, bath areas, lounges, and other common areas within or around a residence facility, either by floor, area, or entire facility if individuals responsible for the damages cannot be determined. The group assessment shall be by the Director of Housing/Residence Life.
- (4) When vacating a residence unit, a student must properly check-out with a member of the Residence Life staff and review the room condition sheet signed at the time of occupancy. Failure to do so shall result in a charge to the student's account.
- (5) Residents shall be charged a fee for replacement of a residence hall lock and key.

(Rule 0240-04-01-.03, continued)

- (6) Each student shall pay to the University the rental provided for the particular housing to which he student is assigned, and such payment is to be made each semester or term or prior to registration.

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 July 29, 1986; effective October 29, 1986. Amendment filed July 29, 1988; effective October 29, 1988. Amendment filed June 11, 1990; effective September 26, 1990. Amendment filed April 23, 1993; effective July 28, 1993. Amendment filed October 8, 2003; effective February 27, 2004.

0240-04-01-.04 VISITATION POLICY.

- (1) Visitation hours for all residence halls: 8:00 a.m. - midnight, seven (7) days a week. Emerald Hill Complex visitation hours shall be twenty-four (24) hours a day.
- (2) Guidelines for Visitation
 - (a) In enclosed corridor-style halls, all guests of the opposite sex must be escorted to and from a resident's room.
 - (b) Residents are accountable for the actions of their guests. Visitation violations will result in the resident being referred for disciplinary action to the Office of Housing/Residence Life.
 - (c) In individual residence hall suites/annex areas, and in individual university apartments, residents may, through mutual agreement, limit, but not increase, visitation hours.

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 January 31, 1986; effective April 15, 1986. Amendment filed July 29, 1986; effective October 29, 1986. Amendment filed April 30, 1987; effective July 29, 1987. Amendment filed July 29, 1988; effective October 29, 1988. Amendment filed June 11, 1990; effective September 26, 1990. Amendment filed May 13, 1991; effective August 28, 1991. Amendment filed July 3, 1996; effective November 28, 1996. Amendment filed February 18, 1999; effective June 28, 1999. Amendment filed October 8, 2003; effective February 27, 2004. Amendment filed November 12, 2008; effective March 30, 2009. Amendment filed October 29, 2009; effective March 31, 2010.

0240-04-01-.05 CONTRACT TERM AND CONDITIONS.

- (1) Except for terms for summer term housing, the housing term shall extend from the first day of the specified school term until twenty-four (24) hours following final examinations of the subsequent spring semester, until twenty-four (24) hours following graduation for persons graduating or until twenty-four (24) hours after termination of student status; provided however, that such term does not entitle the student to housing during stated recesses or vacation periods of the University.
- (2) Request for cancellation of the contract must be approved by the Director of Housing/Residence Life. Failure to make a request for cancellation by July 1 for the academic year or November 1 for new applications for the spring semester will result in the forfeiture of the prepayment fee. Applications submitted after these dates will be subject to automatic forfeiture of the prepayment fee upon cancellation.
- (3) The University's acceptance of the housing contract shall not constitute a guarantee of assignment to a particular type of accommodation.

(Rule 0240-04-01-.05, continued)

- (4) Assignments to or occupancy of a room does not include vacation periods, but will begin and end on the dates of the semester(s) as indicated in the University Bulletin. Occupancy of a room between semesters must be approved by the Director of Housing/Residence Life. When approved, such occupancy will be at additional cost.
- (5) Residents shall hold harmless the University from any suit, action at law or other claim whatsoever resulting from or arising out of any injury to the student's person or property while an occupant of a residence hall under this contract, except where such injury is caused by the negligence of the University or its agents. (If the student is a minor, the covenant contained in this paragraph shall be constructed as the covenant of the student and his or her parent or guardian).
- (6) The University reserves the right of entry to any room for purposes of health and sanitation inspection, maintenance inspection, and during normal working hours, to perform maintenance or custodial work.

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 July 29, 1986; effective October 29, 1986. Amendment filed April 30, 1987; effective July 29, 1987. Amendment filed July 29, 1988; effective October 29, 1988. Amendment filed June 11, 1990; effective September 26, 1990. Amendment filed May 1, 1991; effective August 28, 1991. Amendment filed October 8, 2003; effective February 27, 2004. Amendments filed October 29, 2009; effective March 31, 2010.

0240-04-01-.06 RESERVATIONS (DEPOSIT, CANCELLATION AND REFUND POLICIES).

- (1) All students in University housing are required to pay a prepayment fee.
- (2) Request for cancellation of the contract must be approved by the Director of Housing Residence Life. Failure to make a request for cancellation of contract by July 1 for the academic year or November 1 for new applications for the spring semester will result in forfeiture of the prepayment fee. Applications submitted after these dates will be subject to automatic forfeiture of the prepayment fee upon cancellation.
- (3) The University will make a pro rata refund of the student's rent on a weekly calendar basis when the student is forced to withdraw from the residence hall because of personal medical reasons confirmed in writing by a licensed physician, or at the request of the University for other than disciplinary reasons pursuant to Board of Regents rule 0240-02-06-.02 (9)(a)(d). A full refund will be made in case of the death of the student. Withdrawals for other reasons, except disciplinary reasons, will be subject to the 75%-25% amounts and time periods as maintenance fees. No refunds will be made other than under the above conditions.
- (4) A refund of the prepayment fee will be made only if the University is notified that the student is unable to enter the University because of medical reasons confirmed in writing by a licensed physician or if residence hall space is not available. Full refund also will be made in the case of the death of a student.
- (5) No refund will be made to a student dismissed or suspended for disciplinary reasons or who violates the terms of the contract by willingly vacating the residence hall except as specified within the terms of the contract.

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 July 29, 1986; effective October 29, 1986. Amendment filed April 30, 1987; effective July 29, 1987. Amendment filed June 11, 1990; effective September 26, 1990. Amendment filed April 23, 1993; effective July 28, 1993. Amendment filed October 8, 2003; effective February 27, 2004. Amendments filed September 20, 2007; effective January 28, 2008. Amendment filed November 12, 2008; effective March 30, 2009.

0240-04-01-.07 SPECIAL REGULATIONS APPLICABLE TO PARTICULAR HOUSING FACILITIES.

- (1) The following additional regulations shall apply to students residing in Family Housing:
 - (a) Residents must notify the University at least thirty (30) days in advance of termination of the lease.
 - (b) Residents must pay monthly rental on the first day of each month in advance at the Business Office.
 - (c) The resident shall not assign, sublet, or part with the possession of the whole or any part of the premises without first obtaining the written consent of the University.
 - (d) The resident shall permit the University and its agents, at all reasonable times, to enter upon the premises and to examine the condition thereof and for necessary upkeep.
 - (e) The resident shall remain liable for rent until all the premises, with keys to same, are cleared of all persons, goods, or things not belonging to the University. Liability shall cease when the keys have been tendered or delivered to the Housing Office for inspection of the property and approval of refund, if any.
 - (f) Residents shall not obstruct sidewalks, entrance halls, passages, stairways, electrical access panels, or fire escapes, or use them for any purposes other than ingress to and egress from the respective apartments.
 - (g) Residents shall not attach to, or connect with the electric fixtures within the leased apartment, lamp fixtures, or appliances of any sort, except such that are approved by the University. No radio or television aerial shall be installed on the roof or exterior walls of the building without prior written consent of the University.
 - (h) The lease of student tenants who are graduating from the University shall terminate then (10) days following date graduation.
 - (i) The maximum number of occupants residing in Emerald Hills shall be: One (1) bedroom apartments: a maximum of two (2) occupants; two (2) bedroom apartments: a maximum of four (4) occupants; three (3) bedroom apartments: a maximum of six (6) occupants.
 - (j) Quiet hours shall be maintained in family housing for the purpose of enhancing the academic environment.
 - (k) Guidelines for the proper supervision of children shall be maintained. These guidelines shall be the same as specified by the Department of Human Services.
 - (l) All family housing leases, and leases for all non-traditional single students residing in family housing shall be renewed during the month of June for the following academic year. Students will be permitted to move into family housing a maximum of twenty-eight (28) days prior to the semester for which they initially enroll.
 - (m) The lease of non-enrolled students shall terminate ten (10) days following the end of the current semester for which they are enrolled. The exception shall be for non-enrolled students residing in family housing during the summer academic terms who intend to re-enroll in the University for the fall semester.

(Rule 0240-04-01-.07, continued)

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 July 29, 1986; effective October 29, 1986. Amendment filed July 29, 1988; effective October 29, 1988. Amendment filed June 11, 1990; effective September 26, 1990. Amendment filed May 13, 1991; effective August 28, 1991. Amendment filed April 23, 1993; effective July 28, 1993. Amendment filed November 12, 2008; effective March 30, 2009. Amendment filed October 29, 2009; effective March 31, 2010.

0240-04-01-.08 MISCELLANEOUS.

- (1) For the protection of residents, no solicitation, whether in person or by telephone, shall be permitted in residence facilities. Any person selling or soliciting in residence facilities should be reported to Public Safety.
- (2) Small refrigerators are permitted in resident's rooms subject to the following conditions:
 - (a) They are U.L. approved,
 - (b) They draw no more than 1.5 amps of current while running or are no larger than 5 cu. feet storage; and
 - (c) They are in good repair.
- (3) Private Rooms. When space permits, students may pay an additional fee each semester for a private room. Students residing in under capacity rooms who do not wish to pay a private room fee may be asked to consolidate with other students in under capacity rooms, or accept a roommate assigned at the discretion of the Residence Life Office.

Authority: T.C.A. §49-8-203. **Administrative History:** Repeal of all rules by Public Chapter 261; effective July 1, 1983. New rules filed April 28, 1983; effective July 13, 1983. Amendment filed July 29, 1986; effective October 29, 1986. Amendment filed July 29, 1988; effective October 29, 1988. Amendment filed June 11, 1990; effective September 26, 1990. Amendment filed April 23, 1993; effective July 28, 1993. Amendment filed October 8, 2003; effective February 27, 2004.