General Student Housing Policy: 3:03:01:00

Policy Area

Student Policies

Applicable Divisions

Universities

Purpose

The purpose of this policy is to establish the minimum policy and provisions that shall be applicable to all institutions that operate student housing facilities.

Definitions

- Application Fee - A fee charged by an institution to accept and/or process an application for student residence facility units.
- Occupant - Spouses, children, immediate family members and/or other persons residing with a student resident in a student residence facility/unit.
- Reservation Deposit - A payment required by an Institution to secure accommodation within a residence facility prior to taking occupancy of a particular room, bed, or unit.
- Security Deposit - A payment required by an Institution to secure a residential unit against damage other than usual wear and tear.
- Student Residence Facility - Means any residence hall, dormitory building, apartment, or other facility owned or operated by a university to provide housing accommodations for student residents
- Student Housing Agreement - The contract document setting forth the terms of occupancy of any student residence facility/unit as between the institution and the student residents that occupy any such facility/unit.
- Student Resident - A student residing in a residence facility who is a signatory to a student housing agreement.

- Visitor - means any person invited by a student resident or an institution, to visit in a residence facility.

Policy

I. General Requirements

A. Each institution that operates student housing facilities shall adopt a policy consistent with this system-wide policy.

B. Each institution is authorized to enact additional provisions that are appropriate to their facilities and operations, and are consistent with the provisions of the system policy.

C. Each institution shall submit its proposed student housing policy to the Board of Regents Office of Academic Affairs and Office of General Counsel for approval. After initial approval any subsequent revision shall be submitted to the Board of Regents Office of Academic Affairs for approval.

D. Each institutional policy shall set forth the eligibility requirements for residence in student housing facilities. Institutional policies may establish requirements that are specifically applicable to the varying types of housing operated by the institution.

E. If an institution mandates that students reside in a student residence facility, the institution's policy shall set forth the parameters of that requirement in terms of academic progression and/or age.

F. Each student residing in a student residence facility shall sign a TBR standard contract applicable to the type of facility he or she occupies.

G. All student residence facilities shall be limited to occupancy by students and housing staff of the institution:

1. Institutions may permit part-time students to reside in student residence facilities; and

2. Student residence facilities may be leased/licensed to other persons in connection with programs and activities on campus.

H. All students, with the exception of students who are prohibited by federal or state law from residing in student residence facilities for any reason, shall have an equal opportunity to reside in student residence facilities regardless of race, color, national origin, religion, sex, familial status, or disability, provided that separate student residential facilities may be established on the basis of sex.

I. No person who is registered, or required to register, as a sex offender pursuant to the Tennessee Sexual Offender and Violent Sexual Offender Registration, Verification and Tracking Act of 2004, as amended, shall be eligible to reside in any on-campus student residence facility, including dormitories and apartments if:

1. The campus includes a public school, private or parochial school, licensed day care center, other child care facility, public park, playground, recreation center or public athletic field available for use by the general public; or
2. The campus is within one thousand feet (1,000') of a public school, private or parochial school, licensed day care center, other child care facility, public athletic field available for use by the general public.

J. The rental rate or fee payable for any student residence unit shall be as established by the institution at the beginning of any academic term, and may be subject to increase by the institution for a subsequent academic term with notice at least twenty (20) days prior to execution of the student housing agreement.

K. Officials and agents of the institution may enter a student housing facility/unit at all reasonable times to examine and inspect the facility/unit for maintenance, health, safety, emergency purposes, or to render service and/or repairs to any unit.

L. Any student housing facility may be searched with the consent of the student resident(s) or any other occupant of the unit.

M. All entries/searches, other than those described in sections K and L above, shall be conducted in accord with federal/state law.

N. In the event any occupant of a multiple occupancy dormitory or residence facility/unit ceases to reside in the unit for any reason, the institution shall have the right to reassign the remaining occupants to other student residence facility units on campus.

O. Student residents, and occupants shall comply with the system-wide and institutional student housing policies and with general institutional policies at all times. Student residents and occupants shall be responsible for compliance with same by their invited guests.

P. Each institution's policy shall address student conduct within its student housing facilities.

Q. Each institution may adopt/utilize its institutional policy and procedures applicable to general student conduct violations or may establish a separate housing conduct code and procedure. Where separate, housing disciplinary procedures shall provide at least minimum due process as set forth in TBR Policy No. 3:02:00:01 (VI) (E) for general student disciplinary hearings.

R. The housing conduct policy and procedures shall be published with sathe student housing policy and/or the general student conduct policy and procedures.

S. Student residents and other occupants of each student housing unit will be specifically notified of the institution's housing conduct policy and the general student conduct policy.

T. Each institution operating student housing facilities shall develop and publish a non- exclusive list of potential sanctions for violations of the student housing conduct policy.

U. The institution may choose to adopt or amend the sanctions provided for in the general student conduct policy for this purpose or may establish a separate set of housing sanctions.

V. Institutions may include as a potential sanction that student residents may be assessed, on a pro rata basis, for damage in corridors, bathrooms, lounges, and other common areas within or around facility, either by floor or areas or by the entire facility where the cause of such damage is attributable to multiple student residents, occupants or their guests.

W. The use and/or possession of alcoholic beverages shall be prohibited in all student residence facilities.

X. The unlawful use and/or possession of drugs and/or drug paraphernalia shall be prohibited in all student residence facilities.

Y. Smoking shall be prohibited inside all student residence facilities, consistent with TBR Policy No. 3:05:01:01, Alcohol and Smoking.

Z. Institutions are authorized to establish policies permitting or prohibiting pets. Whether by policy or practice, institutions shall comply with the requirements of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973 with regard to service animals and The Fair Housing Act with regard to non-service comfort animals in student housing facilities. Institutions shall consult with campus SDS offices regarding the implementation of such policies and practices. (Title VIII of the Civil Rights Act of 1968, as amended (42 U.S.C. §§ 3601-3631)

II. Reservations/Fees/Deposits/Cancellations/Refunds

A. Each Institution is authorized, subject to the requirements set forth in TBR Guideline B-060, to require an application fee, a reservation deposit, and/or a security deposit for student residents who apply for residence facility/unit facilities.

B. Each institution policy shall include a definition of each fee, describe when same are refundable, if ever, and when each fee will be applied toward payment of rent for student residence facility or to resolve other debt to the institution.

C. Where required, the amount of any application fee, reservation deposit, and/or security deposit an shall be stated in the institution housing policy.

D. Institutions may require other fees not specifically identified in this policy, subject to Board policy governing fees charged to students, and any prior review and/or approval required by such policy.

E. Each institution's student housing policy shall set forth the schedule for the application for residence in student residence facilities as well as all other deadlines for providing deposits, supporting documentation, submitting required pre-payments, and/or the execution of the student housing agreement. Once initially established, these dates may be revised from term to term without additional approval by the Board.

F. Consistent with TBR Guideline B-060 (XI) & (XII) each institution's student housing policy shall set forth the circumstances, if any, for refunds of reservation deposits, pre-paid rent, and/or security deposits for a student housing facility.

G. That policy shall also set forth the schedule for full and/or pro rata refunds of reservation deposits, pre-paid rent and/or security deposits when such refunds are appropriate. Refunds of rent paid in advance shall be prorated on a weekday calendar basis when the student resident is forced to withdraw from the premises:

   1. Due to personal medical reasons confirmed in writing by a licensed physician; or
   2. At the request or direction of the institution for other than disciplinary reasons.

H. Each institution policy shall provide that a refund of rent paid in advance in the event of the death of the student resident.

III. Resident Responsibilities & General Regulations

A. All student residence facility units shall be used for by students as private residences only.

B. Spouses, children, dependents, and/or other persons residing with student residents in a student residence facility must be documented/identified on the student housing agreement document or an attachment thereto.

C. No student shall assign the lease/license of any student residence facility unit, or sublet the unit, and any attempted assignment shall be void without the written consent of the institution.

D. No student resident may make any alterations, additions, or improvements to a residence unit without the written consent of the institution.

E. All student residents shall maintain student residence facility units in the same condition and repair as accepted at the commencement of the period of occupancy, and upon termination of such occupancy, shall surrender the premises in the same condition and repair, ordinary wear and tear excepted.

F. Each student resident and occupant of any student residence facility unit agrees to pay the institution, 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 resident/occupant, or guests/invitees of the student resident/occupant.

G. All personal property of student residents on the premises shall be maintained at the risk of the student residents.

H. No student resident shall permit or create a nuisance, or disturb any other resident of the unit or the facility.

I. All student residents and/or occupants of student residence housing facilities shall be subject to and comply with the rules and policies of the Tennessee

Board of Regents and all institutional policies, including but not limited to student discipline and housing policies, as well as all federal and state laws.

IV. Visitation

A. Institutions shall adopt policies regarding visitation in student residence facilities. Institutional visitation policies shall be subject to prior review and approval of the Board.

B. Visitation provisions should be developed in accord with the nature and suitability of differing types of residence facilities for visitation.

C. Visitors may be permitted in residence facilities pursuant to the institution's policy for open house visitation, which may supersede the regular visitation provisions.

D. In the development of visitation provisions, each institution shall give due consideration to the privacy rights of all student residents, and should ensure that visitation practices do not adversely affect student residents who choose not to participate in visitation privileges.

E. Institutions shall be responsible for the enforcement of visitation provisions.

V. Exceptions

A. Exceptions to the provisions of this policy may be made with the written approval of the Chancellor or designee.

Sources

TBR Meetings, September 29, 1978; December 7, 1979; March 18, 1983; September 30, 1983; June 21, 1996; March 27, 2008; Approved at June 20, 2014 Board Meeting, effective 11/28/14 to coincide with effective date of TBR Student Residence Regulation rules repeals, 0240-02-06 and 0240-02-07.

Related Policies

- Deferred Payment Plan