

Rule 0240-02-03-.03 Academic and Classroom Misconduct, is amended by deleting the present language in its entirety and replacing it with the following:

Current policy to be entirely replaced.

(1) The instructor has the primary responsibility for control over classroom behavior and maintenance of academic integrity, and can order the temporary removal or exclusion from the classroom of any student engaged in disruptive conduct or conduct violative of the general rules and regulations of the institution or school. Extended or permanent exclusion from the classroom or further disciplinary action can be effected only through appropriate procedures of the institution or school.

(2) 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. In addition to other possible disciplinary sanctions which may be imposed through the regular institutional or school procedures as a result of academic misconduct, the instructor has the authority to assign an F or a zero for the exercise or examination, or to assign an F in the course.

(3) If the student believes that he or she has been erroneously accused of academic misconduct, and if his or her final grade has been lowered as a result, the student may appeal the case through appropriate institutional or school procedures.

(4) 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 disrupt the flow of instruction or prevent concentration on the subject taught, failure to cooperate in maintaining classroom decorum, etc.), 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.).

(5) Class attendance and punctuality requirements are contracted between the faculty and the students, through specific expectations for attendance and punctuality and specific consequences that are outlined by individual faculty members in the printed syllabus for each course. Students are expected to attend classes regularly and on time and are responsible for giving explanations/rationale for absences and lateness directly to the faculty member for each course in which they are enrolled.

In cases, where student absences are the result of emergency circumstances (e.g., death in the family, a student's serious injury or incapacitating illness), for which students are unable to make immediate contact with faculty, the student may contact the Office of Student Affairs for assistance in providing such immediate notification to faculty. However, the student remains responsible for verifying the emergency circumstances to faculty and for discussing arrangements with faculty for completion of course work requirements.

The proposed new language.

(1) 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 the institution 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.

(2) 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. In addition to other possible disciplinary sanctions which may be imposed through the regular institutional disciplinary procedures, the instructor has the authority to assign an appropriate grade for the exercise or examination, proportional to the nature and extent of academic misconduct. Disciplinary sanctions will be imposed only through the appropriate institutional student disciplinary processes.

(3) Students may appeal a grade assignment associated with a finding of academic misconduct, as distinct from a student disciplinary sanction, through appropriate institutional academic misconduct or grade appeal procedures. Courses may not be dropped pending the final resolution of an allegation of academic misconduct.

(4) 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 disrupt the flow of instruction or prevent 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.).

Authority: T.C.A. § 49-8-203; T.C.A. § 4-5-101 et seq.; *State Board of Regents v. Gray*, 561 S.W. 2d 140, 142-43 (TN S Ct. 1978); *Moody v. State Public Defender's Conference*, 980 S.W. 2d 385, 387-88 (Tenn. App. 1998); *Tenn. Op. Atty. Gen. No 85-212*. 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 August 28, 1984; effective November 13, 1984. Amendment filed August 11, 2004; effective December 29, 2004.