

Proposed Rules
of
The Tennessee Board of Regents
State University and Community College System of Tennessee
The University of Memphis

Chapter 0240-03-03
Student Disciplinary Rules

Presented herein are proposed amendments of the Tennessee Board of Regents submitted pursuant to Tennessee Code Annotated § 4-5-202 in lieu of a rulemaking hearing. It is the intent of the Tennessee Board of Regents to promulgate these rules without a rulemaking hearing unless a petition requesting such hearing is filed within thirty (30) days of the publication date of the issue of the Tennessee Administrative Register in which the proposed amendments are published. Such petition to be effective must be filed in Suite 350 of the Genesco Park Building located at 1415 Murfreesboro Road, Nashville, TN 37217 and in the Department of State, Eighth Floor, Tennessee Tower, William R. Snodgrass Building, 312 Eighth Avenue North, Nashville, TN 37243, and must be signed by twenty-five (25) persons who will be affected by the rule, or submitted by a municipality which will be affected by the rule, or an association of twenty-five (25) or more members, or any standing committee of the General Assembly.

For a copy of this proposed rule, contact: Mary M. Slater, 1415 Murfreesboro Road, Suite 350, Nashville, Tennessee 37217, Tennessee Board of Regents, 615-366-4437.

The text of the proposed amendments is as follows:

Amendments

Parts 1. and 2. of subparagraph (a) of paragraph (1) of Rule 0240-03-03-.05 Academic Misconduct are amended by deleting the text of the parts and substituting the following language so that as amended the parts shall read:

1. A student found responsible for academic misconduct by the Academic Integrity Committee may be awarded a grade of "F" for the course, assignment, or examination at issue, and is also subject to additional disciplinary sanctions outlined in Section VI of this Code.
2. The Academic Integrity Committee shall determine and impose sanctions independently of the Judicial Officer.

Subparagraph (b) of paragraph (1) of Rule 0240-03-03-.05 Academic Misconduct is amended by deleting the text of the subparagraph and substituting the following language so that as amended the subparagraph shall read:

(b) Summary Discipline: a faculty member who has good cause to believe that a student engaged in academic misconduct in connection with a course taught by the faculty member or an examination proctored by the faculty member, or his or her designee may choose to exercise Summary Discipline as outlined below.

Parts 1. and 2. of subparagraph (b) of paragraph (1) of Rule 0240-03-03-.05 Academic Misconduct are amended by deleting the text of the parts and substituting the following language so that as amended the parts shall read:

1. When a faculty member exercises Summary Discipline, the faculty member shall notify the appropriate department chairperson of the action. The department chairperson shall notify the affected student in writing of the faculty member's exercise of Summary Discipline and advise the student of his or her right to appeal the Summary Discipline to the Academic Integrity Committee.

2. A student's grade in the course, or the assignment or examination affected by the alleged academic misconduct may be lowered to any extent, including a grade of "F."

Subparagraph (b) of paragraph (1) of Rule 0240-03-03-.05 Academic Misconduct is amended by adding new parts 4. and 5. so that as amended the parts shall read:

4. A student who is found responsible for academic misconduct will not be permitted to withdraw from the course to avoid Summary Discipline.

5. A student who is found responsible for academic misconduct may be subject to additional educational sanctions imposed by the office of Judicial and Ethical Programs.

Part 6. of subparagraph (b) of paragraph (1) of Rule 0240-03-03-.05 Academic Misconduct is amended by deleting the text of the part and substituting the following language so that as amended the part shall read:

6. Multiple Acts of Academic Misconduct: a student who receives more than one "F" as a result of Summary Discipline, may be summoned to appear before the Academic Integrity Committee, and may be subject to additional disciplinary sanctions described in Section VI of this Code.

Authority: T.C.A. § 49-8-203.

The proposed rules set out herein were properly filed in the Department of State on the 12th day of November, 2008, and pursuant to the instructions set out above, and in the absence of the filing of an appropriate petition calling for a rulemaking hearing, will become effective on the 30th day of March, 2009. (FS 11-11-10; DBID 3635)