

Section 5.0
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5.0 Grades and Other Matters Related to Students

5.1 Registration, Fee Payments, Class Rolls

5.1.1 TRB Requirement

TBR Policy 4:01:03 requires that fees be paid prior to students attending classes. These procedures are provided to address the total registration and payment process.

5.1.1.1 Procedure

ETSU conducts registration for day students, evening students, and off-campus students on specified dates which are published in the schedule of classes. Registration is available to students via telephone (*GoldLink*-telephone), the World Wide Web (*GoldLink*-online), or via walk-in registration in the Office of the Registrar.

For each of the three terms (Fall, Spring, and Summer), there is an early registration period that occurs during the preceding term. In addition, an early registration period for the Fall Semester is conducted during the Spring Semester. These early periods afford continuing students the opportunity to select their courses and University management the opportunity to make early adjustments to the class schedule.

5.1.2 Fee Payment Policy

The following policy is in accord with TBR Guideline B-10 and with the ETSU Financial Procedures Manual.

ETSU has adopted and concept that when students register for classes they have purchased these classes and are financially responsible for payment of the enrollment fees, unless they withdraw prior to the first day of classes. Therefore, the university requires students to pay in a timely manner, confirm their registration, or withdraw if they do not plan to attend.

All fees are due the Friday before classes begin. A purge of non-paid students is completed at 7:00 p.m. and enrollment rosters are produced reflecting only paid students.

ETSU assesses a late payment fee of \$100.00 for students first enrolling or re-enrolling after the Friday purge.

Additional information about Fee Payment Procedures and Due Dates is available at <http://www.etsu.edu/comptrol/bursar.htm>

Tennessee Board of Regents Guidelines
http://www.tbr.state.tn.us/policies_guidelines/

5.1.3 Class Rolls

The first and interim class rolls are distributed on the first day of classes and after the late registration period (first week of classes in fall and spring). The official class roll is distributed after the census date. The first and interim rolls reflect all students of record (paid and non-paid). These two rolls indicate to the professor the status of students showing as non-paid and the appropriate action to take for non-paid and not

listed students. Only paid students appear on the official roll and different instructions appear.

The Provost and Vice President for Academic Affairs also sends a memorandum to all faculty during the fall and spring terms. It outlines the importance of monitoring the rolls and reiterates the action professors should take regarding non-paid and not listed students. Deans, as part of the review and approval process for student requests after the late registration period, should make every effort to assure uniform monitoring of rolls.

TBR/THEC reporting is based upon the paid students of record on the census date. The snapshot of the file is retained by the Computer Center. Reports run against this file can be secured for review and audit with sufficient advance notice.

5.1.4 Late Registration Period - First 7 calendar days

TBR Guideline A-0190 defines the late registration period as the first seven calendar days of the term (fall and spring). During this time, students may late register and late add open courses.

Registration/Add After Late Registration Period

TBR Guideline A-0190:

Late Registration . . . may be permitted through the first seven calendar days. . . Only by exception as may be granted for good cause by the President or his/her designee may students be allowed to enroll in or add a class after this time.

The President has designated that the following procedure, as revised, be continued and that the Registrar has the authority to disapprove or approve registrations and adds according to this procedure.

Registration/adds after the Late Registration period that take place before the census date, will be purged as part of the census reporting and roll programs previously described. Registrations that take place after the census, as part of this procedure, will be purged individually. Adds after the census that generate additional fees will be billed as part of the normal bursar accounting process.

Students requesting to register or add a course after the late registration period must secure the "Student Request for Permission to Register or Add After the Published Last Day for Late Registration/Add" form. This form is available in the Dean's offices and in the Office of the Registrar.

The student must secure "cut cards" for each course from the instructor and the respective department chair must sign the card(s). The student will complete the "Request..." form specifying the reasons and justifications for consideration and secure the authorization of the school/college dean of the student's major. This completed form, along with the cut cards, will be submitted to the Registrar (associate or assistant in his/her absence) for consideration.

The Dean and Registrar will review the justification and circumstances and make an individual determination. Circumstances that clearly prevented the student from negotiating the transaction during the prescribed registration/add period should be evident.

Copies of approved forms (processed after the census date) will be sent to the Bursar on a daily basis. The Bursar will monitor these against payments. Students not having paid their proper fees will be purged upon notification to the Registrar.

01/88;6/01

5.2 Drop/Add Policy

5.2.1 Adding a Course

A course(s) may be added during the late registration/late add period without special permission, unless the course has reached the established maximum enrollment. To add any class that has reached the enrollment limit requires permission of the instructor and department chair. After the late registration/late add period, special permission must be obtained from the instructor, the department chair, the dean, and the registrar.

5.2.2 Dropping a Course

A course(s) may be dropped during the first eight calendar weeks of a regular semester. Courses dropped during the first two weeks will not appear on the student's permanent record. Students who drop a course after the second full week of classes through the eighth calendar week will receive the grade of "W." (During the summer session, or when courses do not conform with established term dates, this schedule is adjusted appropriately to fit the condensed time frames.)

After the eighth week, a student may not drop a course except where verifiable extenuating circumstances can be demonstrated. A petition for a late drop may be presented by the student for consideration to the dean of the college or school in which the student is majoring as of the beginning of the semester. Verifiable extenuating circumstances are reasons beyond the control of the student, such as illness or accidental injury. Poor performance in a class is not an extenuating circumstance.

Developmental studies courses cannot be dropped without written permission from the University Advisement Center located on the second level of the D. P. Culp Center.

Students seeking permission for late drops must present a petition to the dean of the college or school in which they are majoring as of the beginning of the semester. Students whose major is undecided must apply to the Office of Undergraduate Student Advisement located in the D. P. Culp University Center.

If a late drop is approved, the student will receive a grade of "W" (Withdrawn) or "WF" (Withdrawn-Failing), as assigned by the instructor of the course. All approved petitions for late drops must be received in the Office of the Registrar no later than 4:30 p.m. two days before the end of classes for all academic terms. Under no circumstances will a student be permitted to drop a course after that time.

01/01/86; *Spectrum* 1990; 02/07/08

5.3 Withdrawal Policy

Students may withdraw from all classes through the published last day to withdraw for a term. Students withdrawing from the university during the first two weeks of classes will not have those courses appear on their permanent records. Withdrawals from the university from the beginning of the third week through the end of the eighth week will be recorded with a grade of "W." Withdrawals from the University after the eighth week will be recorded with "W" or "WF" at the discretion of the instructor. (During the summer session or other shortened terms, this schedule is adjusted appropriately to fit the condensed time frame.) All requests for withdrawal from the university must be received in the Office of the Registrar no later than the close of business hours two days before the last day of classes of any academic term. Under no circumstances will a student be permitted to withdraw from the University after that date. Withdrawals from the university after the eighth week will be recorded with "W" or "WF" at the discretion of the instructor. (During the summer session or other shortened terms, this schedule is adjusted appropriately to fit the condensed time frame.) Students who do not withdraw by the official procedure will receive an "F" for each course.

01/01/86; Spectrum 1990; 02/07/08

5.4 Class Attendance Policy

5.4.1 General Statement of Policy

It is expected that students will attend class regularly and provide the faculty with a reason for any absence. *Failure to attend class regularly can affect students' grades and financial aid.* East Tennessee State University does not specify a fixed number of class absences as University-wide policy, but each department within the University has the right to set a maximum number of absences (including absences due to University activities and illnesses) permitted during an academic term. Departmental class absence policy is subject to approval by the dean of the school/college. At the beginning of the course each faculty member must provide a written statement governing attendance policy (including laboratory/clinical sessions where applicable) for the course so that all students may be fully informed of their attendance responsibilities, including penalties that may be imposed for failing to meet these responsibilities. If a student is not in attendance during the class meeting in which the class attendance policy is discussed it is the student's responsibility to ascertain the policy in that class.

5.4.2 Absences Occasioned by University Sponsored Activities

For the purpose of this policy University-sponsored activities include those activities sponsored either by a University department or by a student organization officially recognized by the University.

Absences occasioned by University sponsored activities must be excused by all faculty members as long as the number of absences does not exceed the number prescribed in an established and previously announced departmental policy and the faculty member has been informed in advance of the intended absence. *An excused absence means only that students must be allowed a reasonable opportunity to complete all assignments and tests missed because of these excused absences.* It is the responsibility of the student and of the faculty or staff sponsor of the activity to inform the faculty member in charge of the course of the upcoming absence. This information should be provided by transmitting a Class Absence Authorization form to the faculty member. Class Absence Authorization forms can be obtained from the office of the vice president for student affairs. However, it is not necessary to obtain permission for absences from the office of the vice president for student affairs, nor does this office inform the faculty members of the expected absences.

5.4.3 Absences Due to Emergency, Special Circumstances, or Illness

In the case of an emergency (e.g. death in the family or illness) absence from class may be excused, *and the student allowed a reasonable opportunity to complete all assignments and tests missed.* In such cases it is the responsibility of the student to explain the situation to the faculty member as soon as possible. The faculty member may require verification of the emergency situation or illness from the student. Students confined at home or in a hospital for an extended period of time should notify the faculty member from whose class he/she will be absent so that arrangements can be made for completion of assignments if feasible. The number of such absences may not exceed stated policy for the class and the student must make arrangements to complete missed assignments.

5.4.4 Appeal of the Faculty Member's Decision

If the student has evidence that a faculty member has not excused an absence which should have been excused within the guidelines stated above, the student can appeal the decision

of the faculty member to the chairperson of the department and/or dean of the college or school in which the course was offered.

08/15/83; *Spectrum* 1990; 10/1/98; 05/01/08

5.5 Grading Systems

5.5.1 Classification of Courses by Level

All courses in the 1000 series are freshman courses, all in the 2000 series are sophomore courses, all in the 3000 series are junior courses, and all in the 4000 series are senior courses. (4007 courses may carry graduate credit.) All courses in the 5000, 6000 and 7000 series are graduate courses.

Undergraduate students may not enroll in courses numbered higher than one year above their current classification. For example, a sophomore may enroll for junior courses, but may not enroll for senior courses. This policy does not apply in the College of Business where 3000 and 4000 level courses are open only to juniors and seniors who have completed the appropriate course prerequisites. Enrollment in the 5000, 6000, and 7000 series is limited to graduate students. At least one-half of all courses taken in a master's program must be in the 5000 series; at least one-half of all courses taken on the doctoral level must be in the 6000 and 7000 series.

Courses numbered below 1000 are offered through the Division of Developmental Studies and are not credited toward the degree.

5.5.2 Grades

5.5.2.1 Grade Points

Grade points are numerical values assigned to letter grades in order to provide a basis for quantitative determination of grade (quality) point averages. The four point system is used.

Grade	Quality Points
A	4 (Excellent)
A-	3.7
B+	3.3
B	3
B-	2.7
C+	2.3
C	2 (Average)
C-	1.7
D+	1.3
D	1
F	0

It should be noted that graduate students do not receive any grade below a "C" except an "F." Also, developmental studies students must not have a grade below "C" to be considered passing.

5.5.2.2 Grades That Do Not Influence Grade Point Average

P (Pass)	No grade points; degree credit hours (See Undergraduate Pass/Fail Policy)
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Cr (Credit)	No grade points; degree credit hours. Used to record credit established by nontraditional means. (See Advanced Standing)
I (incomplete)	Indicates a passing grade at the end of a semester, but an important part of course was not completed, e.g., term paper, outside reading, etc. (See section on Incomplete Grades)
Au (Audit)	(See section on Noncredit-Audit)
W (Withdrawal)	(See Drop-Add and Withdrawal Policies)
	WF (Withdrawal Failing) (See Drop-Add and Withdrawal Policies)

5.5.3 Advanced Standing

Eligible students may establish advanced standing through approved examination programs and educational experiences in the armed services. The grade of "Cr" is recorded for credit established in this manner. Transcripts of scores should be submitted to the Office of Admissions for review. Approved programs include the following:

Educational programs and experience in the Armed Services of the United States, minimum of 180 days of consecutive service, as recommended by the *Guide to the Evaluation of Educational Experiences in the Armed Services* published by the Commission on Educational Credit of the American Council on Education. U.S. Army Veterans should present the Army/ACE Registry transcript (AARTS). U.S. Air Force Veterans should present a Community College of the Air Force transcript. The DD214 or other official documentation should be submitted.

Advanced Placement Program of the College Entrance Examination Board

Subject and General College Level Examination Programs (CLEP) of the College Entrance Examination Board

5.5.3.1 International Baccalaureate Program

Validation of selected transfer credit from vocational schools or colleges not accredited by the Commission on Colleges of the Southern Association of Colleges and Schools or other regional accrediting associations. In no case shall advanced standing credit established by validation, including the courses taken at ETSU for the purpose of validating credit, exceed 40 semester hours.

Comprehensive departmental examination over the subject matter of courses taught at this University, as approved by the department offering the courses. The examination fee is \$5 for each semester hour credit sought. Grades of A, B, C, D, or F are assigned on the basis of examination performance.

5.5.4 Undergraduate Pass/Fail Policy

The purpose of this policy is to allow qualified undergraduate students to explore, in a limited manner, their interests and ability in courses of study that are unfamiliar to them and to receive a pass or fail grade instead of a regular letter grade. This purpose must not impair the need to maintain qualitative and rigorous academic standards of the University. Accordingly, the policy will be regularly evaluated for continuation by the Office of the Vice President for Academic Affairs.

The policy regulates the qualifications of undergraduate students applying for the P/F grade option, the limitations on the types of courses taken for P/F grades, limitations of P/F credit hours earned, the registration process, and the grading basis limitations. In addition it places academic advising in a critical role in approving requests for the P/F grading option.

The policy applies only to the limited P/F grading option available to individual students and is distinct from any use of non-letter grades for an entire course at the University. Grading in such courses shall not apply to the policy regulations cited here.

5.5.4.1 Student Qualification

For the undergraduate student pursuing a degree a 2.5 overall GPA is required. All ETSU credits plus any credits earned elsewhere and accepted by ETSU for transfer to a University program are counted.

For the undergraduate student not pursuing a degree there is no GPA requirement; however, in the event of a subsequent program change to pursue a degree, the GPA requirement becomes effective.

5.5.4.2 Courses Excluded and Included

For the undergraduate student pursuing a degree, all General Education Core courses are excluded; that is, humanities nine hours; physical education two hours; English 1110, 1120; natural sciences eight hours; History 2010, 2020 (and 3010 when substituted for 2010 or 2020); analysis and communication three hours; mathematics three hours; and social and behavioral sciences six hours. Also excluded are courses in the student's major or minor. Graduate students in 4XX7 courses are excluded from this P/F grading option. In the event that a subsequent program change places a completed P/F course in a student's major or minor, the student may petition the dean of the college or school in which the newly declared major or minor is offered to have the original letter grade earned substituted for the previously earned P/F grade.

For the undergraduate student not pursuing a degree, any course may be included to a maximum of 12 semester credit hours; however, all courses taken at ETSU and graded P/F which are then brought into a degree program at ETSU are subject to the regulations governing students pursuing a degree.

5.5.4.3 Registration Process and Limitations

For undergraduate students either pursuing a degree or not pursuing a degree, the P/F grading request must be made at the time of registration. Registration is for no more than one P/F course in a semester, and the registration for the P/F grade in a course must be approved by a student's assigned department or college advisor who must sign the course request card to certify review of qualifications and other applicable limitations.

5.5.4.4 Grading Basis

For both the undergraduate student pursuing a degree and the undergraduate student not pursuing a degree, the P/F grade option cannot be requested or approved for a class that is added after the first week of classes. In addition, a regular letter grade basis cannot be changed to P/F, nor can P/F grading basis be changed to regular letter grade basis after the first five days of classes of the semester.

The instructor will not know the identity of students enrolled on a P/F basis, and will record letter grades for all students that will be converted to P/F by the Office of the Registrar. P/F courses may be repeated for a regular letter grade at the student's own option.

5.5.4.5 Credit Hour Regulations

For the undergraduate student pursuing a degree, no more than 12 credit hours earned on a P/F basis at ETSU may count toward graduation. Courses with P/F grades cannot be applied toward a major or minor.

P/F graded courses will be counted as degree credit hours earned, and a failing grade (F) will be computed in a student's GPA. A pass grade (P) will not be computed in the GPA.

In the event that a subsequent program change places a completed P/F course in a student's major or minor, the student may petition the dean of the college or school in which the newly declared major or minor is offered to have the original letter grade that was earned substituted for the previously recorded P/F grade.

P/F grades awarded for departmental challenge exams or other advanced standing examination are not counted as credit hours earned.

For the undergraduate student not pursuing a degree, any credit hours earned with P/F grades that are brought into a degree program at ETSU are subject to all regulations governing students pursuing a degree.

5.5.5 Credit by Correspondence or Extension

Credit earned by correspondence or extension from an institution that is a member of the Division of Independent Study of the National University Extension Association, or any regional accrediting association may be accepted toward the completion of a four-year senior college curriculum, provided that the total hours earned by correspondence and extension or a combination of the two, may not exceed one-fourth of the hours required for a degree.

07/23/91; 8/92

5.6 Grade Appeal Process for Students

5.6.1 Basis for Appeal

A student may appeal a course grade if the student has evidence that the grade was assigned in a malicious, capricious, erroneous, or arbitrary manner. The following steps provide a guideline for the appeals process. All persons concerned with this process should make every attempt to adhere to the time schedule outlined in the following description of the appeals process. No appeal will be initiated more than one year following the date the grade was assigned.

5.6.2 Appeal to the Faculty Member for Review of the Assigned Grade

Within 21 calendar days after the beginning of the next term, excluding summer school, the student should discuss the assigned grade with the faculty member. If it is found that the assigned grade is incorrect in the judgment of the faculty member, he/she will initiate the appropriate change. If the change is made at this point, the matter is concluded.

If the faculty member is no longer with the University, the student should confer with the departmental chairperson who will then make every effort to receive written input concerning the matter from the former faculty member. If it is not possible to receive information from the former faculty member regarding the grade, then the student may appeal the grade as described below and the departmental chairperson will represent the interests of the faculty member who issued the grade.

5.6.3 Appeal to the Department Chairperson

If the question of the assigned grade cannot be resolved between the student and the faculty member, the student may appeal in writing to the chairperson of the department in which the course was taught. The written appeal to the departmental chairperson must be made by the end of the fourth week of the term. The student should include all known information relating to the appeal with the written appeal. After receiving such an appeal, in writing, from the student, the chairperson shall review with the faculty member the substance of the student's appeal and seek to determine its validity.

If the chairperson determines that the assigned grade is in his/her judgment, inappropriate, the chairperson should recommend to the faculty member that the grade be changed. The faculty member may or may not concur with the chairperson's recommendation.

The chairperson will notify the student in writing, within 14 calendar days of the appeal, whether or not the assigned grade will be changed by the faculty member. If the grade is changed to the student's satisfaction, the matter is concluded. If the grade will not be changed, the chairperson will also advise the student of the right of appeal to the dean of the college/school within which the grade was assigned.

If the grade will not be changed, copies of all written communication mentioned above should be sent by the chairperson to the dean of the college/school as described below.

5.6.4 Appeal to the College/School Dean

If the grade is not changed to the satisfaction of the student at the departmental level, an **undergraduate student** may appeal the assigned grade, in writing, to the dean of the college/school within which the course was offered. With the written appeal, the student

should provide all information possible relating to the appeal. The written appeal to the dean of the college/school must be made within seven calendar days of receipt by the student of the notice from the department chairperson.

If the dean of the college/school, or his/her designee, the student and the faculty member are unable to resolve the appeal informally, the dean shall request a review of the student's appeal by a committee comprised of three faculty members and three undergraduate students, all of whom have voting privileges, and meet the approval of the student and faculty member involved. This committee will be appointed by the dean, unless a standing committee already exists, and will elect its own chairperson.

The committee shall conduct a hearing and shall review all pertinent information presented by the student, the faculty member, and any others who may be called to assist the committee.

In the case of all **graduate students** (including those graduate students enrolled in the M.S.-Ph.D. program in Biomedical Sciences within the College of Medicine) the appeal shall be directed to the Dean of the Graduate School. If the dean, the student and the faculty member are unable to resolve the appeal informally, the dean shall convene an *ad hoc* committee, comprised of three members of the graduate council and three graduate students, all of whom shall have voting privileges. This committee shall elect a chairperson and hold a hearing concerning the appeal. At this hearing all material relevant to the appeal shall be presented by the student, faculty member, the department chairperson, dean of the college in which the course was taught, the Dean of the Graduate School, and any others who may be called to assist the committee.

In the case of a **medical student**, the appeal shall be prepared by the student in consultation with the Associate Dean for Academic Affairs of the College of Medicine who shall convene an *ad hoc* committee comprised of three members of the Faculty Advisory Council of the College of Medicine and three medical students all of whom have voting privileges. This committee shall elect a chairperson and hold a hearing concerning the appeal. At this hearing all material relevant to the appeal shall be presented by the student, the faculty member, the department chairperson, the Associate Dean for Academic Affairs, the Dean of the College of Medicine, and any others who may be called to assist the committee.

5.6.5 Appeals Process Following Committee Review

Within 21 calendar days of its constitution, the committee will submit to the appropriate dean a written report containing a recommendation for a specific course of action regarding the student's grade appeal. The dean will, in turn, review the committee's recommendation and reasoning. The dean may also confer with any of the parties involved. After consideration of all appropriate information, the dean shall accept, reject or modify the recommendation. The dean shall notify the student, the faculty member, the chairperson of the appeals committee, the departmental chairperson, and the appropriate individuals of his/her opinion concerning the appeal. The dean shall forward his/her decision to the Vice President for Academic Affairs/Vice President for Health Affairs who will hold the documentation for 21 calendar days, at the end of which time he/she will notify the Registrar of the disposition of the student's grade, if it is to be changed.

A written appeal of the decision of the dean may be submitted to the Vice President for Academic Affairs/Vice President for Health Affairs within 14 calendar days from the time the dean reports his/her decision to the appropriate individuals.

The Vice President for Academic Affairs/Vice President for Health Affairs will then review the dean's report and the other grade appeal documentation and endorse the dean's decision, reject the decision, or modify the decision. The Vice President for Academic Affairs/Vice President for Health Affairs shall then notify the student, the dean, the faculty member, the chairperson of the appeals committee, the departmental chairperson, and the appropriate individuals of his/her opinion concerning the appeal.

In the absence of further appeal, the opinion rendered by the Vice President for Academic Affairs/Vice President for Health Affairs becomes final. The Vice President of Academic Affairs will wait 21 calendar days, at the end of which time he/she will notify the Registrar of the disposition of the student's grade, if it is to be changed.

5.6.6 Appeal to the President

If either the student or faculty member believes that due process (the right to have one's concerns reviewed by an impartial third party) has not been afforded, a written appeal may be made to the President; otherwise, the decision of the Vice President for Academic Affairs/Vice President for Health Affairs is final. Such an appeal, based on denial of due process and specifically identifying the failure of the process, must be initiated ***in writing*** within 14 calendar days from the time the dean reports his/her decision to the appropriate individuals.

08/15/83; 05/91; TBR Approval 03/92

5.7 Academic Misconduct

Academic misconduct will be subject to disciplinary action. Any act of dishonesty in academic work constitutes academic misconduct. This includes plagiarism, the changing or falsifying of any academic documents or materials, cheating, and the giving or receiving of unauthorized aid in tests, examinations, or other assigned school work. Penalties for academic misconduct will vary with the seriousness of the offense and may include, but are not limited to: a grade of "F" on the work in question, a grade of "F" of the course, reprimand, probation, suspension, and expulsion. For a second academic offense the penalty is permanent expulsion.

Plagiarism is defined as follows by Black, Henry Campbell, *Black's Law Dictionary*, West Publishing Company, St. Paul, Minnesota, 1968 (p. 1308): "The act of appropriating the literary composition of another, or parts or passages of his writings, or the ideas or language of the same, and passing them off as the product of one's own mind."

Moreover, "To be liable for 'plagiarism' it is not necessarily to exactly duplicate another's literary work it being sufficient if unfair use of such work is made by lifting of substantial portion thereof, but even an exact counterpart of another's work does not constitute 'plagiarism' if such counterpart was arrived at independently" (*O'Rourke vs. RKO Radio Pictures*, D. C., Mass., 44F. Supp. 480, 482, 483).

5.7.1 Administration of Discipline Procedures

Questions concerning the administration of discipline for academic misconduct will be decided according to the following procedures.

Charges of academic misconduct may be brought by members of the faculty, staff, or student body.

Cases in which an individual has reasonable cause to believe a student has been guilty of misconduct will be reported by the individual to the dean of the school or college in which the alleged misconduct occurred. The dean or a designee will investigate reports of suspected misconduct and will obtain from the reporting individual all information pertinent to the investigation. After having made this investigation, the dean or designee will arrange a conference with the student against whom the allegations of misconduct have been made. At this conference the student will be informed in writing of the allegations and by whom they were made. The student will also be advised that he/she is not required to make any statement at all regarding the alleged misconduct.

Based on the investigation of the reported misconduct, and a thorough review of all facts presented, the dean or designee has discretion to decide whether to call for a formal hearing.

The student will not be subjected to any form of pressure to coerce admission of guilt or information about his/her conduct or that of others. In the event that the student makes, and the dean or designee accepts, a wholly uncoerced written confession of guilt, the dean or designee may, after gathering all the facts of the case, suggest a penalty to the student without calling for a formal disciplinary hearing. In such cases the penalty prescribed should be anything up to, but not including, suspension or expulsion from the institution. In the event the student elects to waive the hearing and accept the suggested punishment the dean or his designee shall prepare a waiver of hearing.

5.7.2 Formal Hearing Procedures

If a the formal hearing is to be held under the procedures of this policy, the student will be informed in writing of the time and place of the hearing, and the reasons therefore. The student also will be advised of the structure and procedure for the hearing, the range of possible punishment, and his/her right to be represented by counsel. Such notice should be given at least seven days in advance of the time at which the hearing is scheduled.

When a formal disciplinary hearing is to be held, the dean or designee will designate three faculty members and three students, from a standing college or school committee on academic misconduct to hear the charges. The standing committee shall consist of a minimum of eight members (four faculty members and four students).

All principals shall be entitled to be present throughout the hearing, until the hearing committee goes into executive session.

At the hearing, it shall be the responsibility of the dean or his/her agent to be present and to coordinate the presentation of evidence that has been gathered relative to the alleged misconduct. The individual bringing the charges shall be present and shall offer testimony in support of the charges. Neither the individual bringing the charges, nor the dean or his/her agent shall be members of the hearing committee.

The student will be presumed innocent until the contrary is proven. He/she may be accompanied and represented by a person of his/her choice, and shall be given an opportunity to testify and present evidence and witnesses relevant to the charges and penalties involved and to cross-examine any witnesses. In no case will the committee consider statements against the student unless he/she has been advised of their contents and the names of those who made them and given opportunity to rebut any unfavorable inferences which might be drawn from them. If the student elects not to testify, this failure to testify shall not be a factor in the decision. University disciplinary hearings are not strict adversary proceedings. The committee is not bound by strict rules of evidence. Determinations as to the admissibility of evidence in the hearings rest solely in the discretion of the committee.

The disciplinary hearing shall be private and a record of it shall be made. After all evidence has been presented, members of the committee will meet in executive session to decide the truth or falsity of the charges and to recommend such penalty as deemed appropriate if they find the charges to be true. The committee's recommendation should be based on a majority vote of the six committee members, all of whom must be present at the hearing. If the committee recommends expulsion or suspension and the dean concurs, the approval of the vice president for academic affairs must be obtained. The dean then advises the student of the dean's decision and of the student's right to appeal to the president.

5.7.3 Appeals

Appeal from a finding of guilt of academic misconduct and the imposition of a sanction for the offense may be taken to the president of the University. A written notice of appeal must be submitted by the student to the University president within five days after being notified of the dean's decision on the case. The appeal must consist of a signed statement elaborating the respects in which a student considers the decision wrong.

Note: For further information regarding student discipline, see East Tennessee State University Student Disciplinary Rules printed in *Spectrum*.

10/01/79; *Spectrum* 1990

5.8 Policy on Retention of Papers, Tests, and Records

Unless the papers are returned to the students, East Tennessee State University faculty members will retain papers (including but not limited to tests, examinations, and research papers) on which grades are based at least until the period for grade challenge has expired (one calendar year from the time the grade was issued). Any student who challenges a grade must provide returned papers if they are to be used as evidence for the challenge.

For certain types of objectively scored tests, examinations, and assignments for which reasonable opportunities are provided for students to determine the accuracy of scoring, a record of the results will adequately substitute for the papers themselves.

Faculty members leaving East Tennessee State University will provide their departmental chairperson with the papers and grade records or copies thereof for the year preceding their departure from campus they would be required to keep if they remained at East Tennessee State University.

Academic divisions of East Tennessee State University may develop paper and record retention policies that require or provide for retention of all or certain papers and records for time periods greater than those required by these policies.

08/15/83

5.9 Posting Student Grades

In order to be in compliance with provisions of the "Family Educational Rights and Privacy Act of 1974" (Buckley Amendment), the posting of student grades at East Tennessee State University is prohibited. Interpretations of the Buckley Amendment have also prohibited the use of any codes such as Social Security numbers and other devices that might make identification of a student and his/her grade still possible.

12/03/87

5.10 Student Records And Privacy

5.10.1 The Family Educational Rights and Privacy Act

(United States Code Annotated Title 20 Education ch.31 Administration of Programs 20 12326)

The purpose of the Family Education Rights and Privacy Act (FERPA) is to give students certain rights concerning their educational records. These rights include the right to review and inspect their educational records, the right to seek to have their educational records amended, and the right to have some control over the disclosure of information from their educational records.

FERPA prohibits the release of educational records or personally identifiable information except directory information (see annual notice) without the written consent of the student. School officials (which includes faculty) have access to educational records if performing a task or function which constitutes a legitimate educational interest. However, this information may not be released to third parties without the written consent of the student. All third party requests for educational information should be referred to the Office of the Registrar.

5.10.2 Family Educational Rights and Privacy Act of 1974 – Notice to Students

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. They are:

- a. The right to inspect and review the student's education records within 45 days of the day the University receives a request for access. Students should submit to the registrar, dean, head of the academic department, or other appropriate official, written requests that identify the record(s) they wish to inspect. The University official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the University official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
- b. The right to request the amendment of the student's education records that the student believes are inaccurate or misleading. Students may ask the University to amend a record that they believe is inaccurate or misleading. They should write the University official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the University decides not to amend the record as requested by the student, the University will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
- c. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an

administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the University has contracted (such as an attorney, auditor, or collection agent); or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her task. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the University discloses education records without consent to officials of another school, upon request, in which a student seeks or intends to enroll. Personally identifiable information may also be released without the prior written consent of the student under one or more of the conditions listed below:

1. In addition to other disciplinary action, the university reserves the right to notify a parent or legal guardian of a student under the age of 21 who is found guilty of violating federal, state, or local law or any rule or policy of the university governing the use or possession of alcohol or a controlled substance when it is believed that such behavior poses a serious threat, either by the severity or the repetitive nature of the behavior, to the welfare of that student or others in the community. The implementation of parental notification will be at the discretion of the Dean of Students. However, should the parent ask for such information, it will be released to the parent.
2. Upon request the university will disclose the final results of any disciplinary proceeding conducted by the university against a student who is an alleged perpetrator of any crime of violence (as that term is defined in section 16 of Title 18, United States Code) or a non-forcible sex offense, if the university determines as a result of disciplinary proceeding that the student committed a violation of the institution's rules or policies with respect to such crime or offense. The information shall include only the name of the student, the violation committed, and any sanction imposed by the university on the student. The university may include the name of any other student such as a victim or witness, only with the written consent of that other student. The university will notify victims of sexual assault of the outcome of any disciplinary proceeding against the alleged perpetrator.
3. The right to file a complaint with the U.S. Department of Education concerning alleged failures by East Tennessee State University to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office, U.S. Department of Education 600, Independence SW, Washington, DC 20202-4605.

5.10.3 Directory Information

ETSU contracts the publication of a directory that shows student names, addresses (e-mail, mailing, and campus box), major, and phone number. In addition, ETSU may release other "directory information." Other "directory information" is defined

as: dates of attendance, classification, previous institution(s) attended, awards, honors (includes Dean's list), degrees conferred (including dates), and sports participation information.

If students prefer not to have these items released, they may fill out a form to prevent disclosure of this data. This form is available at the Office of the Registrar and must be submitted no later than the last day to add a course for the Fall term. A new form for nondisclosure must be completed each academic year. A form submitted the last term a student enrolls will remain in effect until the student re-enrolls.

Note: Applicants for admission do not have FERPA rights since they are not "students" under the ACT's definition.

08/88;02/01

5.11 Pre-Finals Week Policy

The following policy will apply only to undergraduate courses taught during the fall and spring semesters.

Activities pursued within the classroom during Pre-finals Week shall be at the instructor's discretion within the guidelines set forth in this policy.

5.11.1 TBR Regulations

As dictated by TBR regulations, classes will continue to meet at their regularly scheduled time periods during the last week of formal classes.

5.11.2 Final Examinations

Under no circumstances will this week be used for final examinations. Exceptions shall be made for laboratories.

5.11.3 Review Period

It is recommended that at least some portion of the last week of classes be used as a review period, when appropriate. The scope and duration of such review will be determined by the instructor.

5.11.4 Faculty/Student Communication

Because communication between instructor and student is of utmost importance, faculty ***will*** strive to keep the student informed of his/her progress throughout the semester. This process ***will*** continue through the last week of classes as much as is possible for the instructor.

5.11.5 Unscheduled Tests

Faculty will avoid unscheduled tests, quizzes, or other unscheduled work during this final week of class. Exceptions to this, of course, are make-up tests and make-up assignments.

5.11.6 Publication of Procedures

These procedures shall be published in the student handbook (*Spectrum*) and the ETSU Faculty Handbook.

03/95

5.12 Policy - Procedure for Students with Disabilities

East Tennessee State University is an equal opportunity institution that admits students without regard to disabling condition(s). The University is committed to providing opportunities and challenges for all academically qualified students. The Division of Student Affairs has established the Office for Students with Disabilities to assist students with disabilities in a number of supplemental support services.

Procedures have been developed to assist faculty when students with disabilities request academic accommodations. Faculty are to refer students with self-identified disabilities to the Director, Office for Students with Disabilities (OSD). In accordance with the Americans with Disabilities Act of 1973 (Section 504), students with disabilities who request academic accommodations, must self-identify and present professional documentation of a disability to the OSD. Professional documentation may include medical records, diagnostic information, psycho-educational evaluations, and other disability specific professional verification.

If it is determined the student has a disability, the director will evaluate academic options based on the diagnostic information, as well as reasonableness as defined in the ADA and Section 504. In certain and appropriate circumstances, the director and faculty member may discuss academic accommodations.

If a student has self-identified and provided the director with appropriate documentation, a Faculty Accommodations Form will be sent to the faculty member stating the types of accommodations to be used in the class and academic assignments. Faculty should not provide accommodations based on disabilities without the Faculty Accommodations Form. On occasion the director may have initial discussions with a faculty member, or administrator, to arrange accommodations for a student prior to the receipt of written medical records and/or Faculty Accommodations Form. All correspondence and information related to disabilities is confidential and requires a release signed by the student before forms and information are provided to appropriate faculty members, administrators, or student assistants.

05/95