



**Middle Tennessee State University
Board of Trustees**

Quarterly Board Meeting

Tuesday, March 19, 2024
1:00 p.m.

AGENDA

Call to Order

Pledge of Allegiance

Introduction of Student-Veteran

Welcome and Opening Remarks

Roll Call

Minutes.....Tab 1
December 6, 2023, Winter Board Meeting

Request to Address the Board

Rulemaking HearingTab 2
1. Rule 0240-07-04 – Academic Misconduct - Amendment

**Academic Affairs, Student Life, and Athletics Committee Report
and Recommendations**Tab 3
1. Policy 312 Academic Misconduct (Policy and Rule)

Audit and Compliance Committee Meeting Report

Executive and Governance Committee Meeting Report and Recommendations.....Tab 4
1. Mission Profile

Institutional Mission StatementTab 5

Discussion of Board ObjectivesTab 6

Finance and Personnel Committee Meeting Report

President's Report

Closing Remarks

Adjournment



**Middle Tennessee State University
Board of Trustees**

MEETING: Spring Quarterly Board Meeting

SUBJECT: **Minutes of December 6, 2023
Winter Quarterly Board Meeting**

PRESENTER: Chairman Steve Smith

Background Information

Approval of minutes of December 6, 2023 Winter Quarterly Board Meeting

MIDDLE TENNESSEE STATE UNIVERSITY
BOARD OF TRUSTEES
MINUTES

The Middle Tennessee State University Board of Trustees met on December 6, 2023, in the Miller Education Center Meeting Room at Middle Tennessee State University.

Call to Order and Pledge of Allegiance

Board Chair Steve Smith called the meeting to order at 1:00 p.m. Lt. Gen. (Ret.) Keith Huber led the Pledge of Allegiance.

Introduction of Student Veteran

Gen. Huber introduced Army veteran Jerry Stewart. As background, Stewart joined the United States Army at age twenty-seven (27) and served for thirteen (13) years assigned to a PATRIOT missile battery organization. During that time, he was deployed in Qatar, Kuwait, and twice in South Korea. He then transitioned to the Tennessee Army National Guard. While driving a concrete truck, he learned about the MTSU Concrete Industry Management program. He is now a Junior in the program and is expected to graduate in 2025. Stewart serves as the President of MTSU chapter of Student Veterans of America.

Mr. Stewart initially thanked Dr. McPhee for reading a proclamation for the Purple Heart recognition on Veterans Day. As the President of Bravo, he shared that the chapter has grown from a small group to more than one hundred twenty (120) members. He shared that just yesterday, they took one hundred twenty-two (122) toys to Nissan Stadium for the Angel Tree and beat Austin Peay. He closed by thanking the Board for its time and advising that nine (9) members plan to attend the national convention scheduled for January in Nashville.

Introduction of Head Football Coach Derek Mason

Chairman Smith introduced Derek Mason, the University's new football coach. Coach Mason first thanked the Board and then expressed his excitement for this opportunity. While the football environment is changing due to NIL (name, image, and likeness) and other factors, he relayed that it is important to recognize the journey of our young people and make sure that we value education. Coach Mason said that his job is to win games, educate at a high level, and make sure we give a better product back to parents than the one they drop off. While his coaching background includes time at elite private institutions, he stressed that he is a product of public schools and knows that a key to success is surrounding yourself with good people.

Coach Mason also discussed his initial conversation with the team where he outlined that trust would be a key to their success. The football student-athletes need to trust him as their coach and someone that's responsible for their well-being. Similarly, he needs to trust them Monday through Friday so that he can trust them on Saturday. He has stressed that everything they do matters and everyday is like a job interview. If you work hard to invest not only in what you want, but also invest in your teammates, their journey will be successful. Coach Mason then thanked everyone for their support and time. Chairman Smith emphasized that the administration and Board will provide the resources to give every student-athlete the opportunity to graduate.

Roll Call

Board Secretary James Floyd called the roll. The following trustees were in attendance: J.B. Baker, Tom Boyd, Pete DeLay, Bill Jones, Mary Martin, Molly Mihm, Steve Smith, Chris Karbowski, Vanek, and Michael Wade. A quorum was declared. Trustee Pam Wright was absent.

President Sidney A. McPhee; Joe Bales, Vice President for University Advancement; Yvette Clark, Vice President for Information Technology and Chief Information Officer; Sarah Sudak, Interim Vice President for Student Affairs and Dean of Students; Alan Thomas, Vice President for Business and Finance; Andrew Oppmann, Vice President for Marketing and Communications;

Leah Ladley, Chief Audit Executive; James Floyd, University Counsel and Board Secretary; and Kim Edgar, Executive Assistant to the President and Chief of Staff, were also in attendance.

Approval of September 12, 2023, Meeting Minutes – Action

The first agenda item was approval of the minutes from the September 12, 2023 meeting. Trustee Baker made the motion to approve the minutes from the September 12, 2023, meeting, and Trustee Vanek seconded the motion. A voice vote was taken, and the motion was approved unanimously.

Election of Board of Trustees Chair and Vice Chair – Action

Article 5 of the Board of Trustees Bylaws provides for the election of a Chair and a Vice Chair. The officers must be elected from among the voting membership of the Board. Each officer serves a two-year term. Officers may serve consecutive terms. The successful nominees will be elected by a majority vote of those present and voting. The new officers will begin serving their two-year terms immediately following the vote.

The floor was opened for nominations for Chair. Trustee Boyd thanked Chairman Smith for his past service and nominated him for the office of Chair of the Board. The nomination was seconded by Trustee Baker. A motion was made by Trustee Jones and seconded by Trustee Boyd to close nominations. With no additional nominations, Trustee Smith was re-elected as Chair by unanimous consent.

The floor was opened for nominations for Vice Chair. Trustee DeLay nominated Trustee Vanek for the office of Vice Chair of the Board. The nomination was seconded by Trustee Wade. A motion was made by Trustee DeLay and seconded by Trustee Boyd to close nominations. With no additional nominations, Trustee Vanek was re-elected as Vice Chair by unanimous consent.

Rulemaking Hearing – Action

Rulemaking Hearing was called to order by Chairman Smith at 1:15 p.m. on December 15, 2023, to consider one rule. The hearing was conducted in manner set by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. The meeting was video recorded as record for the hearing. The purpose of the hearing is to afford all interested persons an opportunity to present facts, views, or arguments relative to the rule. Notice of the hearing on the prescribed form was submitted for publication to the Tennessee Secretary of State's office; emailed to all MTSU students, faculty, and staff; posted on the Board of Trustees webpage; and provided to the Associated Press, Murfreesboro and Nashville area newspapers, radio, television stations and digital publication, newspapers in adjacent counties, and MTSU student media. Anyone interested in making comments on the rule was instructed to sign-in on the provided forms. Copies of the rule were made available.

Chairman Smith noted there were no interested parties present to speak on the rule being presented. Board Secretary Floyd reported that there were no written comments received for the rule being presented.

Rule 0240-07-02 Residency Classification – James Floyd, University Counsel and Board Secretary, provided a rule summary. Motion was made by Vice Chair Vanek to approve Rule 0240-07-02 Residency Classification as presented and seconded by Trustee DeLay. A roll call vote was taken, and the motion carried unanimously. The hearing on Rule 0240-07-02 Residency Classification concluded.

Rulemaking Hearing adjourned at 1:20 p.m.

Committee Report: Academic Affairs, Student Life, and Athletics Committee

Trustee Jones reported that the Academic Affairs, Student Life, and Athletics Committee met on November 14, 2023. The Committee approved the minutes from the August 15, 2023, meeting. The Committee report contained two action items, which were unanimously approved by the

Committee for the Board's consideration. Several information items were also presented. Materials outlining these actions were made available for review prior to the Board meeting and were contained in the Board notebooks.

Revision to Policy 501 Residency Classification – Action

Revisions approved by the Committee.

Expedited Tenure – Action

Provost Byrnes presented Dr. Sal Barbosa, who had returned to MTSU after working in the private sector for a year, for expedited tenure review. Because he was tenured before leaving MTSU, the provost and president recommended him for expedited tenure. The Committee unanimously approved the recommended expedited tenure.

Rule promulgation, as addressed during the Rulemaking Hearing, was also approved.

Motion

Trustee Jones made the motion to approve the action items recommended by the Committee and Trustee DeLay seconded the motion. A voice vote was taken and the motion to approve the amendment action item carried unanimously.

Committee Report: Audit and Compliance Committee

Committee Chair Tom Boyd reported that the Audit and Compliance Committee met on November 14, 2023. The Committee approved the minutes from its August 14, 2023, meeting. The Committee report contained no action items. Several information items were presented including the results of an external review and a quarterly report on internal audit reports. Materials outlining this information was made available for review prior to the Board meeting and were contained in the Board notebooks.

Committee Report: Executive and Governance Committee

Vice Chair Vanek reported that the Executive and Governance Committee met on November 14, 2023. The Committee approved the minutes from its August 15, 2023, meeting. The Committee report contained no action items. There was one information item.

2023 Self-Evaluation Results, Action for Improvement - Information

Under Section 11.4 of the Board's Policy on Committees, it is the responsibility of the Executive and Governance Committee to present and lead a discussion of the completed self-evaluations, including identifying board strengths, needs, and actions for improvement. This also meets the Board's SACSCOC responsibility to define and regularly evaluate its responsibilities and expectations. As background, Trustees received access to an online, anonymous evaluation survey in October. The online survey instrument consisted of 24 questions designed to provide Board members the opportunity to evaluate Board functions and operations, and six questions soliciting comments.

At the November 14 Committee meeting, the survey results were presented for discussion and consideration of any potential action steps for improvement. For each category of questions, a brief summary of the results was followed by a bar graph of the responses for each survey question. The bar graphs show the number of individual responses to each of the four-point Likert Scale options (strongly agree, agree, disagree, strongly disagree). Almost all responses were either strongly agree or agree. Overall, the comments indicated that members have a positive assessment of Board functions.

Committee Report: Finance and Personal Committee

Committee Chair DeLay reported that the Finance and Personal Committee met on November 14, 2023. The committee approved the minutes from the August 15, 2023, meeting. The Committee report contained three action items, unanimously approved by the Committee, and informational items to be considered by the Board. Materials outlining these actions were made available for review prior to the Board meeting and were contained in the Board notebooks.

Compensation - Action

Trustee DeLay stated that the Committee considered a recommendation to implement market salary increases for faculty and staff. The proposed market adjustments are based on 2020-21 CUPA data and will be effective January 1, 2024, for employees on the payroll as of December 31, 2023. With the allocated resources, employees whose current salary is below the market predicted salary will receive 46.7% of the recommended adjustment in accordance with the University's approved compensation plan.

The committee unanimously approved the compensation proposal as presented.

2023-2024 October Revised Budget - Action

Trustee DeLay stated that Vice President Alan Thomas presented changes since the July (Original) Budget which included increased state appropriations of \$2.0 million for the Medical Education Program; \$2.6 million in funding for increased employee benefits and risk management premiums; adjustments to tuition and fee revenue based on fall enrollment and HEERF related funding; adjustments to expenditure budgets to reflect year end account balances that were not known for the July Budget; and adjustments to auxiliary and restricted budgets based on fall enrollment information.

The committee unanimously approved the revised budget as presented.

Research Foundation Agreement - Action Postponed

The purpose of the Agreement is to establish the responsibilities, authority, and relationship between the University and the Research Foundation. The committee moved to postpone the vote on approval of the Research Foundation Agreement until the December Board of Trustees meeting to allow for additional background information to be presented.

THEC 2024-25 Operating Recommendations - Information

THEC 2024-25 Capital Outlay/Maintenance Recommendations - Information

Motion

Trustee DeLay made the motion to approve the action items recommended by the Committee and Trustee Wade seconded the motion. A voice vote was taken and the motion to approve the action items was carried unanimously.

Research Foundation Agreement - Action

Dr. David Butler, Vice Provost for Research & Dean of the College of Graduate Studies, advised that the Bylaws of the Research Foundation were included in the materials that were made available for review prior to the Board meeting and were contained in the Board notebooks. Dr. Butler explained how the directors and officers selection process works as well as how the original board members were determined when the Research Foundation was formed in 2019. Chairman Smith asked that the Research Foundation consider selecting a trustee as one of its board members. Separately, Chairman Smith noted Trustee Baker no longer serves on the MTSU Foundation board and requested that Trustee Boyd be appointed to replace him.

Motion

Trustee DeLay made the motion to approve this action item and Trustee Jones seconded the motion. A voice vote was taken and the motion to approve the action item was carried unanimously.

Report from The President

Dr. McPhee thanked the Board for the opportunity to give updates on activities since the last meeting.

Recruitment and Enrollment Activity

Dr. McPhee advised that the True Blue Tour, the University's signature recruitment effort, covered three (3) months and fourteen (14) cities in Tennessee, Kentucky, Alabama, and Georgia. The Tour attracted more than one thousand (1000) students and notably five hundred forty-one (541) high schools counselors, an increase of 63% compared to the previous year. Of the counselors who attended, ninety-nine (99) represent high schools for which MTSU has no

currently enrolled students. This represents a great opportunity to grow our enrollment from new schools and communities. Relatedly, the December 1 undergraduate application and admit numbers for the Fall 2024 semester reveal increases in applications for both freshmen, up 4.1%, and transfer students, up 3.3%. In addition, admissions have increased for both freshmen, up 10.3%, and transfers, up 14.8%. The Spring and Summer 2024 semesters look promising as well. For Spring 2024, freshmen admits are up 40% and transfer admits are up 9.2%. For Summer 2024, freshmen admits are up 37.5% and transfer admits are 22.2%. Dr. McPhee thanked our admission and recruitment staff, faculty, and administrators who are responsible for our recruiting success. Dr. McPhee described our recruitment as being very successful in bringing students to the front door. The next step is the yield, making sure that we open that door and welcome them to the Blue Raider family.

Commencement

Dr. McPhee shared that two (2) commencement ceremonies will be held on Saturday, December 16, the first at 9am and the second at 2pm. He observed that we are producing a lot of students and graduating them, which means that the pressure is on to replace those students. We will confer around one thousand seven hundred (1,700) graduate and undergraduate degrees in total. The State should recognize these results and provide the necessary support for the University to continue to produce the workforce for the State. Dr. McPhee advised that the speaker for both ceremonies will be Ralph Schultz, President and CEO of the Nashville Area Chamber of Commerce. He also noted that the Chamber has recognized MTSU as producing the majority of the workforce for the Nashville, Middle Tennessee area. Dr. McPhee also shared that at the 9am ceremony, we will also confer an honorary doctorate upon Mr. John Floyd, founder and owner of Ole South properties and an incredible supporter of the University.

Holiday Community Open House

Dr. McPhee reminded everyone that the Holiday Community Open House is scheduled for next Thursday, December 14 from 5:00 to 8:00 pm, and invited the Trustees to attend.

Adjournment

Chairman Smith adjourned the meeting at 1:47 p.m.

Respectfully submitted,

James C. Floyd, Board Secretary

DRAFT



**Middle Tennessee State University
Board of Trustees**

Action Item

MEETING: Spring Quarterly Board Meeting

DATE: March 19, 2024

SUBJECT: **Rule 0240-07-04 – Academic Misconduct - Amendment**

BACKGROUND INFORMATION:

Rule 0240-07-04 Academic Misconduct was revised to incorporate provisions related to artificial intelligence and to streamline the review process for allegations of academic misconduct, particularly as it relates to integrating the review processes for both graduate and undergraduate students. The Rule Amendment reflects the update.

**Department of State
Division of Publications**

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Sequence Number: 12-14-23
Notice ID(s): 3772
File Date: 12/15/2023

Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Commission:	Middle Tennessee State University
Division:	
Contact Person:	James Floyd, University Counsel
Address:	1301E. Main Street, CAB 209, Murfreesboro, TN 37132
Phone:	615-898-2025
Email:	James.floyd@mtsu.edu

Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

ADA Contact:	Lance Alexis, Director of ADA Compliance
Address:	1301 E. Main Street, CAB 116, Murfreesboro, TN 37132
Phone:	615-898-2185
Email:	Lance.alexis@mtsu.edu

Hearing Location(s) (for additional locations, copy and paste table)

Address 1:	Miller Education Center, MEC Meeting Room	
Address 2:	503 E. Bell Street	
City:	Murfreesboro	
Zip:	37130	
Hearing Date:	03/19/2024	
Hearing Time:	1:00 p.m. Central	

Additional Hearing Information:

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Revision Type (check all that apply):

- Amendment
- New
- Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
0240-07-04	Academic Misconduct
Rule Number	Rule Title
0240-07-04-.03	Definitions
0240-07-04-.04	Process
0240-07-04-.05	University Sanctions for Academic Misconduct
0240-07-04-.07	UAPA Hearing

Rules of
Middle Tennessee State University

Chapter 0240-07-04
Academic Misconduct

Amendment

0240-07-04-.03 Definitions is amended by revising Paragraphs (2)(a)&(b) and (4) and adding Paragraph (6) so that, as amended, the amended rule in its entirety shall read:

0240-07-04-.03 Definitions

- (1) Academic Exercise. Academic Exercise may consist of all forms of work submitted by a student for academic credit or hours.
- (2) Academic Misconduct. Academic Misconduct may consist of acts of plagiarism, cheating, or fabrication.
 - (a) Plagiarism. Plagiarism includes, but is not limited to, the adoption or reproduction of ideas, words, statements, images, or works from another source as one's own without proper attribution. This includes self-plagiarism, which occurs when an author submits material or research from a previous academic exercise to satisfy the requirements of another academic exercise and uses it without proper citation of its reuse. Plagiarism also includes the unauthorized use of paraphrasing tools or "text spinners" and artificial intelligence software.
 - (b) Cheating. Cheating includes, but is not limited to, using or attempting to use unauthorized materials, information, or aids in any academic exercise or test/examination. Cheating also includes unapproved collaboration, which occurs when a student works with others on an individual academic exercise without the express permission of the faculty member. Unapproved collaboration can also include, but is not limited to, sharing of any physical or electronic papers, exams/quizzes, assignments, and/or posting of same to unauthorized websites.
 - (c) Fabrication. Fabrication includes, but is not limited to, unauthorized falsification or invention of any information or citation in an academic exercise.
- (3) Academic Misconduct Committee (Committee) refers to the Committee established under University policy.
- (4) Faculty Member. For the purposes of this rule, a faculty member is the University employee teaching a course or serving in a supervisory, advisory, or evaluative capacity in relation to the student(s) accused of academic misconduct, including graduate teaching assistants who are instructors of record. Graduate teaching assistants or others who are not instructors of record should present documentation of suspected misconduct to the supervising faculty member.
- (5) Director of Academic Integrity (Director). A designee of the Vice Provost for Faculty Affairs whose responsibilities are to manage and ensure fairness in the investigation and timely resolution of alleged academic misconduct. The Director does not vote in academic misconduct hearings.
- (6) Student. Any person who is admitted and/or registered for study at MTSU for any academic period, either full-time or part-time, undergraduate, graduate, or professional studies.
- (7) Notice. For the purposes of this rule, a notice is a written communication sent to the student's official MTSU email account, or to the student's local address as indicated in the student information system, or both as specified in this rule. Students have the responsibility to check their University-issued email accounts regularly and to ensure that the local mailing address on file with MTSU is current. The requirement to provide notice will be satisfied and any period for response will begin on the date the notice is sent.

Authority: T.C.A. § 49-8-203(a)(1)(D).

0240-07-04-.04 Process is amended by revising current Paragraphs (1), (2), (5) (amended Paragraph (4)), (7) (amended Paragraph (6)) and (8) (amended Paragraph (7)) and deleting Paragraph (3) so that, as amended, the amended rule in its entirety shall read:

0240-07-04-.04 Process

- (1) Academic misconduct is prohibited. Whenever a faculty member believes that academic misconduct has occurred, he/she must provide notice to the student and submit an Academic Integrity Incident Report Form (Incident Report) to the Director within seven (7) business days from the time the faculty member suspects that the alleged academic misconduct occurred. If the semester has ended, the faculty member has ten (10) business days from the date the semester ended to submit the Academic Integrity Incident Report Form.

The Incident Report will provide:

- (a) the name of the student;
 - (b) the course in which the academic misconduct is alleged to have occurred;
 - (c) a description of the academic misconduct; and,
 - (d) supporting documentary evidence (if available).
- (2) A student who has been referred by a faculty member pursuant to this rule is prohibited from dropping a course in which academic misconduct is alleged, pending final resolution of the case. Students should continue attending class, absent a disciplinary sanction to the contrary, while this procedure is ongoing. If found responsible for committing academic misconduct, a student will not be allowed to drop the course, though continued class attendance is neither prohibited nor required. (Students receiving federal financial aid who stop attending a course may incur significant financial penalties. Students are encouraged to consult the MT One Stop.) Failure to comply with this directive will result in referral to the Office of Student Conduct for violation of general rules and regulations and violation of imposed disciplinary sanctions under University policy and rule.
 - (3) The Director will review the case within five (5) business days of receipt of the Incident Report. If, in the Director's opinion, the Incident Report lacks substance or is otherwise deficient, the Director may consult with the referring faculty member and indicate either that additional information is needed or encourage that the Incident Report be withdrawn. Such a consultation may take place before and/or after the Director has met with the student.
 - (4) For any Incident Report not withdrawn by mutual consent between the Director and the referring faculty member, the Director will send notice to the student and schedule an in-person or virtual meeting to discuss the alleged academic misconduct violation. During this meeting the student can accept responsibility or not accept responsibility for the alleged academic misconduct. If the student accepts responsibility, the Director will decide on University sanctions (see Rule 0240-07-04-.05) appropriate to the case, and the matter will be resolved at that point. The Director will note the resolution on the Incident Report and provide copies to the student, the faculty member, and the Vice Provost for Faculty and Strategic Initiatives. This notice will be sent to the student's official MTSU email account and/or a hard copy letter will be sent via first class United States Postal Service (USPS) mail to the student's local address as indicated in the student information system. For graduate students found responsible of academic misconduct, the decision will also be provided to the student's graduate program director.
 - (5) If a referred student fails to attend a scheduled meeting with the Director without a reasonable excuse, the Director may find the student responsible in absentia and determine appropriate sanctions. Cases heard in absentia may not be appealed.
 - (6) If the student does not accept responsibility, the case will be heard by the Committee. The Director will:
 - (a) Determine whether the matter warrants consideration of suspension or expulsion of the student should the Committee find academic misconduct. If so, the student must be given the option of a

hearing held pursuant to the Uniform Administrative Procedures Act (UAPA) as set forth in Rule 0240-07-04-.07, below. A waiver of this option must also be in writing.

- (b) As the designee of the Vice Provost for Faculty Affairs, form the Committee from the pool of members for the purpose of the hearing.

(7) Institutional Hearing

- (a) If the sanction of suspension or expulsion will not be considered or if the student has waived a hearing under the UAPA, the Committee will set an institutional hearing for the matter in a manner that allows reasonable time for faculty and student preparation, ideally no fewer than three (3) and no more than fifteen (15) business days from the student's request for a committee hearing. Both the faculty member and the student will be notified of the hearing.
- (b) Outside of regular Fall and Spring semesters, hearings will be scheduled under only two (2) circumstances:
 - 1. If lack of resolution affects the student's ability to graduate in the Spring or Summer; or
 - 2. If the Vice Provost for Faculty Affairs determines that there are extenuating circumstances to warrant a special hearing.
- (c) The Director will advise the student, in writing, of the following:
 - 1. The type of alleged academic misconduct and the circumstances alleged by the faculty member to constitute academic misconduct;
 - 2. The date, time, and place of the hearing;
 - 3. That the student may appeal a grade given by the faculty member in response to academic misconduct;
 - 4. The right to receive a list of the witnesses the University expects to present at the proceeding and those the University may present if the need arises;
 - 5. The right to request a copy of the University's investigative file, redacted in accordance with the Family Educational Rights and Privacy Act of 1974, (20 U.S.C. § 1232g), and the federal regulations implementing that statute, as amended; and, the portion of the state Public Records Act making certain student information confidential (T.C.A. § 10-7-504(a)(4)).
 - 6. The right to request copies of all documents, copies of all electronically stored information, and access to tangible evidence the University has in its possession, custody, or control and may use to support claims or defenses, unless the use would be solely for impeachment; and
 - 7. The rights the student will be afforded at the hearing as specified in Rule 0240-07-04-.04(7)(e).
- (d) The hearing will take place at the scheduled time, regardless of whether the student and/or the referring faculty member choose to attend. Failure to appear at a scheduled hearing abrogates the rights listed under Rule 0240-07-04-.04(7)(e) or (f), as applicable. A hearing may be rescheduled, under extraordinary circumstances, at the discretion of the Director.
- (e) The rights applicable to the referred student at the hearing include:
 - 1. The right to present evidence pertinent to the case and to hear and respond to all testimony;
 - 2. The right to be accompanied by an advisor. An advisor may not actively or directly participate in the hearing, but may only consult with the student;
 - 3. The right to call witnesses; and
 - 4. The right to confront witnesses in support of the academic misconduct allegation.

- (f) The rights applicable to the referring faculty member at the hearing include:
 1. The right to present evidence pertinent to the case and to hear and respond to all testimony;
 2. The right to be accompanied by an advisor. An advisor may not actively or directly participate in the hearing, but may only consult with the faculty member;
 3. The right to call witnesses; and
 4. The right to confront witnesses against the academic misconduct allegation.
- (g) The hearing will not be open to the public.
- (h) The Committee may exclude evidence it deems immaterial, irrelevant, or unduly repetitious.
- (i) Decisions shall be by majority vote of the Committee members present and voting. The Director is a non-voting ex-officio member of the Committee. The Committee may ask the referred student, referring faculty member, and any advisors present to leave the hearing while they deliberate and vote. Votes of individual Committee members will not be reported. In the event of a tie vote, the charge of misconduct is dismissed.
- (j) The standard of proof required for a finding of academic misconduct shall be by a preponderance of the evidence.
- (k) The Director will, on behalf of the Committee, issue a written decision indicating its finding concerning the charge of academic misconduct. The decision must specify the factual basis for the determination, and, if academic misconduct is found, state whether disciplinary sanctions will be imposed. The decision will be provided to the student, the faculty member, and the Vice Provost for Faculty Affairs. For graduate students found responsible of academic misconduct, the decision will also be provided to the student's graduate program director.
- (l) The student and the faculty member must be notified of the right to appeal the Committee's decision to the Provost.
- (m) Once it has been determined whether academic misconduct has occurred or not, the faculty member shall determine a grade for the academic exercise or examination and/or course.

Authority: T.C.A. §§ 49-8-203(a)(1)(D) and 10-7-504(a)(4).

0240-07-04-.05 University Sanctions for Academic Misconduct is amended by revising Paragraphs (1), (2), and (5)(e)-(g) so that, as amended, the amended rule in its entirety shall read:

0240-07-04-.05 University Sanctions for Academic Misconduct

- (1) Appropriate sanctions will be determined by majority vote of the Committee and reported to the Vice Provost for Faculty Affairs for recording in the academic integrity software of record. Students will be provided notice of all sanctions. Graduate programs may impose separate, additional sanctions (up to and including removal from the program) for graduate student academic misconduct. This requires a majority vote of the student's faculty advisor, program director, and department chair (or academic dean, for interdisciplinary programs). In these instances, program directors are responsible for calling this vote within seven (7) business days of the final disposition of the student's academic integrity case, promptly notifying the student of additional sanctions, and reporting sanctions to the Vice Provost for Faculty and Strategic Initiatives.
- (2) Any finding against the student or admission of responsibility by the student will result in a record that will be maintained and referred to by the Director in the event that a subsequent misconduct case arises against the student, regardless of the severity of sanctions imposed in those instances.
- (3) Subsequent determinations of academic misconduct may result in more severe University sanctions. If a student has been found responsible for academic misconduct more than once, the Director will inform the

sitting members of the Committee of the nature of prior offenses so that appropriate sanctions may be determined. These facts will not be revealed prior to the Committee's determination of responsibility in the present case in order to avoid prejudice.

- (4) Sanctions may include suspension or expulsion from the University but only if the student was provided the option of a UAPA hearing. (See Rule 0240-07-04-.07 for conducting the hearing required in such a case.)
- (5) Sanctions include, but are not limited to:
 - (a) Reprimand. A written reprimand will be given to a student whose conduct violates any part of these rules, and warns a student that any further violation(s) may result in more serious consequences;
 - (b) Specified Educational Program. Requirement to participate in specified educational program(s) or project(s) relevant to the offense and overseen by the Director;
 - (c) Restriction. A restriction upon a student's privileges for a period of time may be imposed. This restriction may include, but not be limited to denial of the ability to represent MTSU at any event, ability to participate in University travel, or use of facilities (including, but not limited to, labs, etc.).
 - (d) Probation. Any student placed on probation will be notified of the terms and length of the probation. Any conduct in further violation of this rule while on probationary status or the failure to comply with the terms of the probationary period may result in the imposition of more severe disciplinary sanctions, up to and including suspension or expulsion following the hearing process described in these rules for any subsequent academic misconduct violation.
 - (e) Suspension. Separation from the University for a specified period of time. This includes all instructional delivery methods (including, but not limited to, on ground, online, hybrid, etc.). Suspension may be accompanied by special conditions for readmission. Any student receiving a sanction of suspension shall be restricted from the campus of MTSU during the period of separation unless on official business with the University verified in writing by the Dean of Students or, if a graduate student, by the Dean of the College of Graduate studies. A suspended student must submit a written request to be on campus to the Dean of Students or, if a graduate student, to the Dean of the College of Graduate Studies, a minimum of forty-eight (48) hours in advance of the scheduled time of his/her business on campus. The request must specify the specific reason to be on campus and the location that the student wishes to visit. The Dean of Students or the Dean of the College of Graduate Studies will issue a written decision regarding the request to be on campus, and the student must carry that written decision with him/her during the time of the visit.
 - (f) Expulsion. Permanent separation from the University. The imposition of this sanction is a permanent bar to the student's admission to MTSU. Any student receiving a sanction of expulsion shall be restricted from the campus of MTSU unless on official business with the University verified in writing by the Dean of Students or, if a graduate student, the Dean of the College of Graduate Studies. An expelled student must submit a written request to be on campus to the Dean of Students or, if a graduate student, the Dean of the College of Graduate Studies, a minimum of forty-eight (48) hours in advance of the scheduled time of his/her business on campus. The request must specify the specific reason to be on campus and the location that the student wishes to visit. The Dean of Students or the Dean of the College of Graduate Studies will issue a written decision regarding the request to be on campus, and the student must carry that written decision with him/her during the time of their visit.
 - (g) Revocation of Admission, Degree, or Credential. Under circumstances deemed appropriate, an offer of admission, a degree, or a credential awarded may be revoked or rescinded upon the recommendation of the Committee and with approval from the relevant department chair/school director and dean, the College of Graduate Studies dean (for graduate cases), the University Provost, and the President. Any final revocation of admission, degree, or credential shall be reported to the University Registrar by the Director.
 - (h) Other Sanctions. Additional or alternate sanctions may be created and designed as deemed appropriate to the offense and the student's individual need for education, growth, and reform.

Authority: T.C.A. § 49-8-203(a)(1)(D).

0240-07-04-.07 UAPA Hearing is amended so that, as amended, the amended rule in its entirety shall read:


0240-07-04-.07 UAPA Hearing

Any matter that may result in suspension or expulsion of a student from the University is subject to be heard pursuant to the contested case provisions of the Uniform Administrative Procedures Act, T.C.A. § 4-5-301, et. seq., and shall be processed in accordance with Chapter 0240-07-08, unless the student waives the right to such a hearing in writing.

Authority: T.C.A. §§ 49-8-203(a)(1)(D) and 4-5-301, et. seq.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: December 15, 2023

Signature: 

Name of Officer: James Floyd

Title of Officer: University Counsel

Department of State Use Only

Filed with the Department of State on: 12/15/2023



Tre Hargett
Secretary of State

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Secretary of State
Division of Publications



**Middle Tennessee State University
Board of Trustees**

MEETING: Spring Quarterly Board Meeting

SUBJECT: **Academic Affairs, Student Life, and Athletics Committee**

DATE: March 19, 2024

PRESENTER: Pam Wright
Committee Chair

-
- Policy 312 - Academic Misconduct (Policy and Rule)



**Middle Tennessee State University
Board of Trustees**

Action Item

MEETING: Spring Quarterly Board Meeting

DATE: March 19, 2024

SUBJECT: **Rule Promulgation and Related Policy Revisions
312 Academic Misconduct**

BACKGROUND INFORMATION:

Revisions to Policy 312 Academic Misconduct was revised to incorporate provisions related to artificial intelligence and to streamline the review process for allegations of academic misconduct, particularly as it relates to integrating the review processes for both graduate and undergraduate students.

A parallel rule, Rule 0240-07-04 Academic Misconduct, is also presented for amendment and will capture the revised version of Policy 312.



312 Academic Misconduct

Approved by Board of Trustees

Effective Date: ~~August 15, 2019~~ _____, 2023

Responsible Division: Academic Affairs

Responsible Office: University Provost

Responsible Officer: Vice Provost for Faculty ~~Affairs~~ Affairs and Strategic Initiatives

I. Purpose

This policy sets out the procedure to be followed when a Middle Tennessee State University (MTSU or University) faculty member believes a student has engaged in academic misconduct.

II. Scope

This policy applies only to situations where a faculty member alleges that a student has engaged in academic misconduct. Any allegations of misconduct related to research may also be evaluated under [Policy 211 Misconduct in Scholarly Activities and Research](#). Students wishing to appeal final course grades must do so through the process set out in [Policy 313 Student Grade Appeals](#).

III. Definitions

- A. Academic Exercise. All forms of work submitted by a student for academic credit or hours.
- B. Academic Misconduct. Acts of plagiarism, cheating, or fabrication.
 1. Plagiarism. Plagiarism includes, but is not limited to, the adoption or reproduction of ideas, words, statements, images, or works ~~effrom~~ another ~~person~~ source as one's own without proper attribution. This includes self-plagiarism, which occurs when an author submits material or research from a previous academic exercise to satisfy the requirements of another academic exercise and uses it without proper citation of its reuse. Plagiarism also includes the unauthorized use of paraphrasing tools or "text spinners" and artificial intelligence software.
 2. Cheating. Cheating includes, but is not limited to, using or attempting to use unauthorized materials, information, or aids in any academic exercise or

- test/examination. Cheating also includes unapproved collaboration, which occurs when a student works with others on an individual academic exercise without the express permission of the faculty member. Unapproved collaboration can also include, but is not limited to, sharing of any physical or electronic papers, exams/quizzes, assignments, and/or posting of same to unauthorized websites.
3. Fabrication. Fabrication includes, but is not limited to, unauthorized falsification or invention of any information or citation in an academic exercise.
- C. Academic Misconduct Committee (Committee) refers to the Committee established under [Policy 32 University Committees](#).
- D. Faculty ~~member~~Member. For the purposes of this policy, a faculty member is the University employee teaching a course or serving in a supervisory, advisory, or evaluative capacity in relation to the student(s) accused of academic misconduct, including graduate teaching assistants who are instructors of record. Graduate teaching assistants or others who are not instructors of record should present documentation of suspected misconduct to the supervising faculty member.
- E. Director of Academic Integrity (Director). A designee of the Vice Provost for Faculty ~~Affairs~~and Strategic Initiatives whose responsibilities are to manage and ensure fairness in the investigation and timely resolution of alleged academic misconduct. The Director does not vote in academic misconduct hearings.
- ~~F~~
- F. Student. Any person who is admitted and/or registered for study at MTSU for any academic period, either full-time or part-time, undergraduate, graduate, or professional studies.
- G. Notice. For the purposes of this policy, a notice is a written communication sent to the student's official MTSU email account, or to the student's local address as indicated in the student information system, or both as specified in this policy. Students have the responsibility to check their University-issued email accounts regularly and to ensure that the local mailing address on file with MTSU is current. The requirement to provide notice will be satisfied and any period for response will begin on the date the notice is sent.

IV. Process

- A. Academic misconduct is prohibited. Whenever a faculty member believes that academic misconduct has occurred, he/she must provide notice to the student and submit ~~an~~ Student Academic Integrity Incident Report Form (Incident Report) to the Director within seven (7) business days from the time the faculty member ~~concludes~~ suspects

that the alleged academic misconduct occurred. If the semester has ended, the faculty member has ten (10) business days from the date the semester ended to submit the Academic Integrity Report Form. Work submitted prior to the alleged case should not be reviewed for a violation because the student has not been given the opportunity to change their behavior .

The Incident Report will provide:

1. the name of the student;
 2. the course in which the academic misconduct is alleged to have occurred;
 3. a description of the academic misconduct; and,
 4. supporting documentary evidence (if available).
- B. A referred student is prohibited from dropping a course in which misconduct is alleged, pending final resolution of the case. Students should continue attending class, absent a disciplinary sanction to the contrary, while this procedure is ongoing. If found responsible for committing academic misconduct, a student will not be allowed to drop the course, though continued class attendance is neither prohibited nor required. (Students receiving federal financial aid who stop attending a course may incur significant financial penalties. Students are encouraged to consult the MT One Stop.) Failure to comply with this directive will result in referral to the Office of Student Conduct for violation of general rules and regulations and violation of imposed disciplinary sanctions under [Policy 540 Student Conduct](#).
- ~~A. The referring faculty member will assign neither a grade on the referred academic exercise, nor a final grade for the course, pending the resolution of the case (if the referred exercise will affect the final grade). If a grade needs to be submitted at the end of the semester, a referred student will receive a temporary grade of "Incomplete" (I) until the case is resolved.~~
- C. The Director will review the case within five (5) business days of receipt of the Incident Report. If, in the Director's opinion, the Incident Report lacks substance or is otherwise deficient, the Director may consult with the referring faculty member and indicate either that additional information is needed or encourage that the Incident Report be withdrawn. Such a consultation may take place before and/or after the Director has met with the student.
- D. For any Incident Report not withdrawn by mutual consent between the Director and the referring faculty member, the Director will send notice to the student and schedule an in-person or virtual meeting to discuss the alleged academic misconduct violation. During this meeting the student can accept responsibility or not accept responsibility for

the alleged academic misconduct. If the student accepts responsibility, the Director will decide on University sanctions (see Section V.) appropriate to the case, and the matter will be resolved at that point. The Director will note the resolution on the Incident Report and provide copies to the student, the faculty member, and the ~~department chair~~ Vice Provost for Faculty and Strategic Initiatives. This notice will be sent to the student's official MTSU email account ~~with~~ and/or a hard copy letter will be sent via first class United States Postal Service (USPS) mail to the student's local address as indicated in the student information system. For graduate students found responsible of academic misconduct, the decision will also be provided to the student's graduate program director.

- E. If a referred student fails to attend a scheduled meeting with the Director without a reasonable excuse, the Director may find the student responsible in absentia and determine appropriate sanctions. Cases heard in absentia may not be appealed.
- F. If the student does not accept responsibility, the case will be heard by the Committee. The Director will:
 - 1. Determine whether the matter warrants consideration of suspension or expulsion of the student should the Committee find academic misconduct. If so, the student must be given the option of a hearing held pursuant to the Uniform Administrative Procedures Act (UAPA) as set forth in Section VII, below. A waiver of this option must also be in writing.
 - 2. As the designee of the Vice Provost for Faculty ~~Affairs~~ and Strategic Initiatives, form the Committee from the pool of members for the purpose of the hearing according to [Policy 32 University Committees](#).
- G. Institutional Hearing
 - 1. If the sanction of suspension or expulsion will not be considered or if the student has waived a hearing under the UAPA, the Committee will set an institutional hearing for the matter ~~as soon as is feasible~~ in a manner that allows reasonable time for faculty and student preparation, ideally ~~within~~ no fewer than three (3) and no more than fifteen (15) business days ~~off~~ from the student's request for a committee hearing; ~~allowing reasonable time for preparation~~. Both the faculty member and the student will be notified of the hearing.
 - 2. Outside of regular Fall and Spring semesters, hearings will be scheduled under only two (2) circumstances:
 - a. If lack of resolution affects the student's ability to graduate in the Spring or Summer; or

- b. If the Vice Provost for Faculty Affairs and Strategic Initiatives determines that there are extenuating circumstances to warrant a special hearing.
3. The Director will advise the student, in writing, of the following:
 - a. The type of alleged academic misconduct and the circumstances alleged by the faculty member to constitute academic misconduct;
 - b. The date, time, and place of the hearing;
 - c. That the student may appeal a grade given by the faculty member in response to academic misconduct;
 - d. The right to receive a list of the witnesses the University expects to present at the proceeding and those the University may present if the need arises;
 - e. The right to request a copy of the University's investigative file, redacted in accordance with the Family Educational Rights and Privacy Act of 1974, (20 U.S.C. § 1232(g), and the federal regulations implementing that statute, as amended; and, the portion of the state Public Records Act making certain student information confidential (T.C.A. § 10-7-504(a)(4)).
 - f. The right to request copies of all documents, copies of all electronically stored information, and access to tangible evidence the University has in its possession, custody, or control and may use to support claims or defenses, unless the use would be solely for impeachment; and
 - g. The rights the student will be afforded at the hearing as specified in Section IV.HG.5.
 4. The hearing will take place at the scheduled time, regardless of whether the student and/or the referring faculty member choose to attend. Failure to appear at a scheduled hearing abrogates the rights listed under Section IV.HG.5. or 6., as applicable. A hearing may be rescheduled, under extraordinary circumstances, at the discretion of the Director.
 5. The rights applicable to the referred student at the hearing include:
 - a. The right to present evidence pertinent to the case and to hear and respond to all testimony;
 - b. The right to be accompanied by an advisor. An advisor may not actively or directly participate in the hearing, but may only consult with the student;

- c. The right to call witnesses; and
 - d. The right to confront witnesses in support of the academic misconduct allegation.
6. The rights applicable to the referring faculty member at the hearing include:
 - a. The right to present evidence pertinent to the case and to hear and respond to all testimony;
 - b. The right to be accompanied by an advisor. An advisor may not actively or directly participate in the hearing, but may only consult with the faculty member;
 - c. The right to call witnesses; and
 - d. The right to confront witnesses against the misconduct allegation.
7. The hearing will not be open to the public.
8. The Committee may exclude evidence it deems immaterial, irrelevant, or unduly repetitious.
9. Decisions shall be by majority vote of the Committee members present and voting. The Director is a non-voting ex-officio member of the Committee. The Committee may ask the referred student, referring faculty member, and any advisors present to leave the hearing while they deliberate and vote. Votes of individual Committee members will not be reported. In the event of a tie vote, the charge of misconduct is dismissed.
10. The standard of proof required for a finding of academic misconduct shall be by a preponderance of the evidence.
11. The Director will, on behalf of the Committee, issue a written decision indicating its finding concerning the charge of academic misconduct. The decision must specify the factual basis for the determination, and, if academic misconduct is found, state whether disciplinary sanctions will be imposed. The decision will be provided to the student, the faculty member, and the Vice Provost for Faculty Affairs and Strategic Initiatives. For graduate students found responsible of academic misconduct, the decision will also be provided to the student's ~~faculty advisor,~~ graduate program director, ~~and department chair~~.
12. The student and the faculty member must be notified of the right to appeal the Committee's decision to the Provost.

13. Once it has been determined whether academic misconduct has occurred or not, the faculty member shall determine a grade for the exercise or examination and/or course.

V. University Sanctions for Academic Misconduct

- A. ~~For undergraduates, appropriate~~ Appropriate sanctions will be determined by majority vote of the Committee and reported to the Vice Provost for Faculty and Strategic Initiatives for recording in the academic integrity software of record. Students will be provided notice of all sanctions. ~~Affairs.~~ For Graduate programs may impose separate, additional sanctions (up to and including removal from the program) for graduate students, sanctions will be determined by student academic misconduct. This requires a majority vote of the student's faculty advisor, ~~graduate~~ program director, and department chair (or academic dean, ~~whichever is applicable~~) and reported for interdisciplinary programs). In these instances, program directors are responsible for calling this vote within seven (7) business days of the final disposition of the student's academic integrity case, promptly notifying the student of additional sanctions, and reporting sanctions to the Vice Provost for Faculty ~~Affairs and Strategic Initiatives.~~ Students will be provided notice of all sanctions.
- B. Any finding against the student or admission of responsibility by the student will result in a record that will be maintained and referred to by the ~~Committee~~ Director in the event that a subsequent misconduct case arises against the student, regardless of the severity of sanctions imposed in those instances.
- C. Subsequent determinations of academic misconduct may result in more severe University sanctions. If a student has been found responsible for academic misconduct more than once, the Director will inform the sitting members of the Committee of the nature of prior offenses so that appropriate sanctions may be determined. These facts will not be revealed prior to the Committee's determination of responsibility in the present case in order to avoid prejudice.
- D. Sanctions may include suspension or expulsion from the University but only if the student was provided the option of a UAPA hearing. (See Section VII. for conducting the hearing required in such a case.)
- E. Sanctions include, but are not limited to:
 1. Reprimand. A written reprimand will be given to a student whose conduct violates any part of these policies, and warns a student that any further violation(s) may result in more serious consequences;
 2. Specified Educational Program. Requirement to participate in specified educational program(s) or project(s) relevant to the offense and overseen by the Director;

3. Restriction. A restriction upon a student's privileges for a period of time may be imposed. This restriction may include, but not be limited to, for example, denial of the ability to represent MTSU at any event, ability to participate in University travel, or use of facilities (including, but not limited to, labs, etc.).
4. Probation. Any student placed on probation will be notified of the terms and length of the probation. Any conduct in further violation of these policies while on probationary status or the failure to comply with the terms of the probationary period may result in the imposition of more severe disciplinary sanctions, up to and including suspension or expulsion following the hearing process described in this policy for any subsequent academic misconduct violation.
5. Suspension. Separation from the University for a specified period of time. This includes all instructional delivery methods (including, but not limited to, on ground, online, hybrid, etc.). Suspension may be accompanied by special conditions for readmission. Any student receiving a sanction of suspension shall be restricted from the campus of MTSU during the period of separation unless on official business with the University verified in writing by the Dean of Students or, if a graduate student, by the Dean of the College of Graduate studies. A suspended student must submit a written request to be on campus to the Dean of Students or, if a graduate student, to the Dean of the College of Graduate Studies, a minimum of forty-eight (48) hours in advance of the scheduled time of his/her business on campus. The request must specify the specific reason to be on campus and the location that the student wishes to visit. The Dean of Students or the Dean of the College of Graduate Studies will issue a written decision regarding the request to be on campus, and the student ~~is expected to~~ must carry that written decision with him/her during the time of the visit.
6. Expulsion. Permanent separation from the University. The imposition of this sanction is a permanent bar to the student's admission to MTSU. Any student receiving a sanction of expulsion shall be restricted from the campus of MTSU unless on official business with the University verified in writing by the Dean of Students or, if a graduate student, the Dean of the College of Graduate Studies. An expelled student must submit a written request to be on campus to the Dean of Students or, if a graduate student, the Dean of the College of Graduate Studies, a minimum of forty-eight (48) hours in advance of the scheduled time of his/her business on campus. The request must specify the specific reason to be on campus and the location that the student wishes to visit. The Dean of Students or the Dean of College of Graduate Studies will issue a written decision regarding the request to be on campus, and the student ~~is expected to~~ must carry that written decision with him/her during the time of their visit.
7. Revocation of Admission, Degree, or Credential. Under circumstances deemed appropriate, an offer of admission, a degree, or a credential awarded may be

revoked or rescinded upon the recommendation of the Committee and with approval from the relevant department chair/school director and dean, the College of Graduate Studies dean (for graduate cases), the University Provost, and the President. Any final revocation of admission, degree, or credential shall be reported to the University Registrar by the Director.

8. Other Sanctions. Additional or alternate sanctions may be created and designed as deemed appropriate to the offense and the student's individual need for education, growth, and reform.

VI. Appeal of Decision

- A. The student or faculty member may appeal the Committee's decision to the Provost within five (5) business days of receipt of the decision.
- B. An appeal must be submitted in writing and may only be filed based on one (1) or both of the following conditions:
 1. An error in procedural due process that prejudiced the Committee to the extent that the student was denied a fundamentally fair hearing as a result of the error; and/or
 2. The emergence of new evidence that could not have been previously discovered by the exercise of due diligence and which, had it been presented at the initial hearing, would have substantially affected the decision of the Committee.
- C. The Provost may:
 1. Affirm the decision;
 2. Reverse the decision in whole or in part; or
 3. Return the matter to the Director or Committee for reconsideration of the sanction.
- D. The decision of the Provost is final.

VII. UAPA Hearing

Any matter that may result in suspension or expulsion of a student from the University is subject to be heard pursuant to the contested case provisions of the Uniform Administrative Procedures Act, T.C.A. § 4-5-301, et. seq., and shall be processed in accordance with [Policy 110 Cases Heard Pursuant to the Uniform Administrative Procedures Act](#), unless the student waives the right to such a hearing in writing.

VIII. Records Maintenance

Whenever there is a finding or admission of responsibility under this policy, these records will be maintained by the Vice Provost for Faculty ~~Affairs~~ and Strategic Initiatives permanently.

Forms:

[Student Academic Integrity Incident Report](#)

Revisions: June 5, 2017 (original); August 15, 2019; December 6, 2023.

Last Reviewed: ~~November 2020~~ December 6, 2023.

References: T.C.A. § 4-5-301, et. seq., Policies 32 University Committees; 110 Cases Heard Pursuant to the Uniform Administrative Procedures Act; 211 Misconduct in Scholarly Activities and Research; 313 Student Grade Appeals; 540 Student Conduct.



312 Academic Misconduct

Approved by Board of Trustees

Effective Date: _____, 2023

Responsible Division: Academic Affairs

Responsible Office: University Provost

Responsible Officer: Vice Provost for Faculty and Strategic Initiatives

I. Purpose

This policy sets out the procedure to be followed when a Middle Tennessee State University (MTSU or University) faculty member believes a student has engaged in academic misconduct.

II. Scope

This policy applies only to situations where a faculty member alleges that a student has engaged in academic misconduct. Any allegations of misconduct related to research may also be evaluated under [Policy 211 Misconduct in Scholarly Activities and Research](#). Students wishing to appeal final course grades must do so through the process set out in [Policy 313 Student Grade Appeals](#).

III. Definitions

- A. Academic Exercise. All forms of work submitted by a student for academic credit or hours.
- B. Academic Misconduct. Acts of plagiarism, cheating, or fabrication.
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- test/examination. Cheating also includes unapproved collaboration, which occurs when a student works with others on an individual academic exercise without the express permission of the faculty member. Unapproved collaboration can also include, but is not limited to, sharing of any physical or electronic papers, exams/quizzes, assignments, and/or posting of same to unauthorized websites.
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 - D. Faculty Member. For the purposes of this policy, a faculty member is the University employee teaching a course or serving in a supervisory, advisory, or evaluative capacity in relation to the student(s) accused of academic misconduct, including graduate teaching assistants who are instructors of record. Graduate teaching assistants or others who are not instructors of record should present documentation of suspected misconduct to the supervising faculty member.
 - E. Director of Academic Integrity (Director). A designee of the Vice Provost for Faculty and Strategic Initiatives whose responsibilities are to manage and ensure fairness in the investigation and timely resolution of alleged academic misconduct. The Director does not vote in academic misconduct hearings.
 - F. Student. Any person who is admitted and/or registered for study at MTSU for any academic period, either full-time or part-time, undergraduate, graduate, or professional studies.
 - G. Notice. For the purposes of this policy, a notice is a written communication sent to the student's official MTSU email account, or to the student's local address as indicated in the student information system, or both as specified in this policy. Students have the responsibility to check their University-issued email accounts regularly and to ensure that the local mailing address on file with MTSU is current. The requirement to provide notice will be satisfied and any period for response will begin on the date the notice is sent.

IV. Process

- A. Academic misconduct is prohibited. Whenever a faculty member believes that academic misconduct has occurred, he/she must provide notice to the student and submit an [Academic Integrity Incident Report Form](#) (Incident Report) to the Director within seven (7) business days from the time the faculty member suspects that the alleged academic misconduct occurred. If the semester has ended, the faculty member has ten (10)

business days from the date the semester ended to submit the Academic Integrity Report Form. Work submitted prior to the alleged case should not be reviewed for a violation because the student has not been given the opportunity to change their behavior .

The Incident Report will provide:

1. the name of the student;
 2. the course in which the academic misconduct is alleged to have occurred;
 3. a description of the academic misconduct; and,
 4. supporting documentary evidence (if available).
- B. A referred student is prohibited from dropping a course in which misconduct is alleged, pending final resolution of the case. Students should continue attending class, absent a disciplinary sanction to the contrary, while this procedure is ongoing. If found responsible for committing academic misconduct, a student will not be allowed to drop the course, though continued class attendance is neither prohibited nor required. (Students receiving federal financial aid who stop attending a course may incur significant financial penalties. Students are encouraged to consult the MT One Stop.) Failure to comply with this directive will result in referral to the Office of Student Conduct for violation of general rules and regulations and violation of imposed disciplinary sanctions under [Policy 540 Student Conduct](#).
- C. The Director will review the case within five (5) business days of receipt of the Incident Report. If, in the Director's opinion, the Incident Report lacks substance or is otherwise deficient, the Director may consult with the referring faculty member and indicate either that additional information is needed or encourage that the Incident Report be withdrawn. Such a consultation may take place before and/or after the Director has met with the student.
- D. For any Incident Report not withdrawn by mutual consent between the Director and the referring faculty member, the Director will send notice to the student and schedule an in-person or virtual meeting to discuss the alleged academic misconduct violation. During this meeting the student can accept responsibility or not accept responsibility for the alleged academic misconduct. If the student accepts responsibility, the Director will decide on University sanctions (see Section V.) appropriate to the case, and the matter will be resolved at that point. The Director will note the resolution on the Incident Report and provide copies to the student, the faculty member, and the Vice Provost for Faculty and Strategic Initiatives. This notice will be sent to the student's official MTSU email account and/or a hard copy letter will be sent via first class United States Postal Service (USPS) mail to the student's local address as indicated in the student

information system. For graduate students found responsible of academic misconduct, the decision will also be provided to the student's graduate program director.

- E. If a referred student fails to attend a scheduled meeting with the Director without a reasonable excuse, the Director may find the student responsible in absentia and determine appropriate sanctions. Cases heard in absentia may not be appealed.
- F. If the student does not accept responsibility, the case will be heard by the Committee. The Director will:
 - 1. Determine whether the matter warrants consideration of suspension or expulsion of the student should the Committee find academic misconduct. If so, the student must be given the option of a hearing held pursuant to the Uniform Administrative Procedures Act (UAPA) as set forth in Section VII, below. A waiver of this option must also be in writing.
 - 2. As the designee of the Vice Provost for Faculty and Strategic Initiatives, form the Committee from the pool of members for the purpose of the hearing according to [Policy 32 University Committees](#).
- G. Institutional Hearing
 - 1. If the sanction of suspension or expulsion will not be considered or if the student has waived a hearing under the UAPA, the Committee will set an institutional hearing for the matter in a manner that allows reasonable time for faculty and student preparation, ideally no fewer than three (3) and no more than fifteen (15) business days from the student's request for a committee hearing. Both the faculty member and the student will be notified of the hearing.
 - 2. Outside of regular Fall and Spring semesters, hearings will be scheduled under only two (2) circumstances:
 - a. If lack of resolution affects the student's ability to graduate in the Spring or Summer; or
 - b. If the Vice Provost for Faculty and Strategic Initiatives determines that there are extenuating circumstances to warrant a special hearing.
 - 3. The Director will advise the student, in writing, of the following:
 - a. The type of alleged academic misconduct and the circumstances alleged by the faculty member to constitute academic misconduct;

- b. The date, time, and place of the hearing;
 - c. That the student may appeal a grade given by the faculty member in response to academic misconduct;
 - d. The right to receive a list of the witnesses the University expects to present at the proceeding and those the University may present if the need arises;
 - e. The right to request a copy of the University's investigative file, redacted in accordance with the Family Educational Rights and Privacy Act of 1974, (20 U.S.C. § 1232(g), and the federal regulations implementing that statute, as amended; and, the portion of the state Public Records Act making certain student information confidential (T.C.A. § 10-7-504(a)(4)).
 - f. The right to request copies of all documents, copies of all electronically stored information, and access to tangible evidence the University has in its possession, custody, or control and may use to support claims or defenses, unless the use would be solely for impeachment; and
 - g. The rights the student will be afforded at the hearing as specified in Section IV.G.5.
4. The hearing will take place at the scheduled time, regardless of whether the student and/or the referring faculty member choose to attend. Failure to appear at a scheduled hearing abrogates the rights listed under Section IV.G.5. or 6., as applicable. A hearing may be rescheduled, under extraordinary circumstances, at the discretion of the Director.
5. The rights applicable to the referred student at the hearing include:
- a. The right to present evidence pertinent to the case and to hear and respond to all testimony;
 - b. The right to be accompanied by an advisor. An advisor may not actively or directly participate in the hearing, but may only consult with the student;
 - c. The right to call witnesses; and
 - d. The right to confront witnesses in support of the academic misconduct allegation.
6. The rights applicable to the referring faculty member at the hearing include:
- a. The right to present evidence pertinent to the case and to hear and respond to all testimony;

- b. The right to be accompanied by an advisor. An advisor may not actively or directly participate in the hearing, but may only consult with the faculty member;
 - c. The right to call witnesses; and
 - d. The right to confront witnesses against the misconduct allegation.
7. The hearing will not be open to the public.
 8. The Committee may exclude evidence it deems immaterial, irrelevant, or unduly repetitious.
 9. Decisions shall be by majority vote of the Committee members present and voting. The Director is a non-voting ex-officio member of the Committee. The Committee may ask the referred student, referring faculty member, and any advisors present to leave the hearing while they deliberate and vote. Votes of individual Committee members will not be reported. In the event of a tie vote, the charge of misconduct is dismissed.
 10. The standard of proof required for a finding of academic misconduct shall be by a preponderance of the evidence.
 11. The Director will, on behalf of the Committee, issue a written decision indicating its finding concerning the charge of academic misconduct. The decision must specify the factual basis for the determination, and, if academic misconduct is found, state whether disciplinary sanctions will be imposed. The decision will be provided to the student, the faculty member, and the Vice Provost for Faculty and Strategic Initiatives. For graduate students found responsible of academic misconduct, the decision will also be provided to the student's graduate program director.
 12. The student and the faculty member must be notified of the right to appeal the Committee's decision to the Provost.
 13. Once it has been determined whether academic misconduct has occurred or not, the faculty member shall determine a grade for the exercise or examination and/or course.

V. University Sanctions for Academic Misconduct

- A. Appropriate sanctions will be determined by majority vote of the Committee and reported to the Vice Provost for Faculty and Strategic Initiatives for recording in the academic integrity software of record. Students will be provided notice of all sanctions.

Graduate programs may impose separate, additional sanctions (up to and including removal from the program) for graduate student academic misconduct. This requires a majority vote of the student's faculty advisor, program director, and department chair (or academic dean, for interdisciplinary programs). In these instances, program directors are responsible for calling this vote within seven (7) business days of the final disposition of the student's academic integrity case, promptly notifying the student of additional sanctions, and reporting sanctions to the Vice Provost for Faculty and Strategic Initiatives.

- B. Any finding against the student or admission of responsibility by the student will result in a record that will be maintained and referred to by the Director in the event that a subsequent misconduct case arises against the student, regardless of the severity of sanctions imposed in those instances.
- C. Subsequent determinations of academic misconduct may result in more severe University sanctions. If a student has been found responsible for academic misconduct more than once, the Director will inform the sitting members of the Committee of the nature of prior offenses so that appropriate sanctions may be determined. These facts will not be revealed prior to the Committee's determination of responsibility in the present case in order to avoid prejudice.
- D. Sanctions may include suspension or expulsion from the University but only if the student was provided the option of a UAPA hearing. (See Section VII. for conducting the hearing required in such a case.)
- E. Sanctions include, but are not limited to:
 1. Reprimand. A written reprimand will be given to a student whose conduct violates any part of these policies, and warns a student that any further violation(s) may result in more serious consequences;
 2. Specified Educational Program. Requirement to participate in specified educational program(s) or project(s) relevant to the offense and overseen by the Director;
 3. Restriction. A restriction upon a student's privileges for a period of time may be imposed. This restriction may include, but not be limited to, for example, denial of the ability to represent MTSU at any event, ability to participate in University travel, or use of facilities (including, but not limited to, labs, etc.).
 4. Probation. Any student placed on probation will be notified of the terms and length of the probation. Any conduct in further violation of these policies while on probationary status or the failure to comply with the terms of the probationary period may result in the imposition of more severe disciplinary sanctions, up to and

- including suspension or expulsion following the hearing process described in this policy for any subsequent academic misconduct violation.
5. **Suspension.** Separation from the University for a specified period of time. This includes all instructional delivery methods (including, but not limited to, on ground, online, hybrid, etc.). Suspension may be accompanied by special conditions for readmission. Any student receiving a sanction of suspension shall be restricted from the campus of MTSU during the period of separation unless on official business with the University verified in writing by the Dean of Students or, if a graduate student, by the Dean of the College of Graduate studies. A suspended student must submit a written request to be on campus to the Dean of Students or, if a graduate student, to the Dean of the College of Graduate Studies, a minimum of forty-eight (48) hours in advance of the scheduled time of his/her business on campus. The request must specify the specific reason to be on campus and the location that the student wishes to visit. The Dean of Students or the Dean of the College of Graduate Studies will issue a written decision regarding the request to be on campus, and the student must carry that written decision with him/her during the time of the visit.
 6. **Expulsion.** Permanent separation from the University. The imposition of this sanction is a permanent bar to the student's admission to MTSU. Any student receiving a sanction of expulsion shall be restricted from the campus of MTSU unless on official business with the University verified in writing by the Dean of Students or, if a graduate student, the Dean of the College of Graduate Studies. An expelled student must submit a written request to be on campus to the Dean of Students or, if a graduate student, the Dean of the College of Graduate Studies, a minimum of forty-eight (48) hours in advance of the scheduled time of his/her business on campus. The request must specify the specific reason to be on campus and the location that the student wishes to visit. The Dean of Students or the Dean of College of Graduate Studies will issue a written decision regarding the request to be on campus, and the student must carry that written decision with him/her during the time of their visit.
 7. **Revocation of Admission, Degree, or Credential.** Under circumstances deemed appropriate, an offer of admission, a degree, or a credential awarded may be revoked or rescinded upon the recommendation of the Committee and with approval from the relevant department chair/school director and dean, the College of Graduate Studies dean (for graduate cases), the University Provost, and the President. Any final revocation of admission, degree, or credential shall be reported to the University Registrar by the Director.
 8. **Other Sanctions.** Additional or alternate sanctions may be created and designed as deemed appropriate to the offense and the student's individual need for education, growth, and reform.

VI. Appeal of Decision

- A. The student or faculty member may appeal the Committee's decision to the Provost within five (5) business days of receipt of the decision.
- B. An appeal must be submitted in writing and may only be filed based on one (1) or both of the following conditions:
 - 1. An error in procedural due process that prejudiced the Committee to the extent that the student was denied a fundamentally fair hearing as a result of the error; and/or
 - 2. The emergence of new evidence that could not have been previously discovered by the exercise of due diligence and which, had it been presented at the initial hearing, would have substantially affected the decision of the Committee.
- C. The Provost may:
 - 1. Affirm the decision;
 - 2. Reverse the decision in whole or in part; or
 - 3. Return the matter to the Director or Committee for reconsideration of the sanction.
- D. The decision of the Provost is final.

VII. UAPA Hearing

Any matter that may result in suspension or expulsion of a student from the University is subject to be heard pursuant to the contested case provisions of the Uniform Administrative Procedures Act, T.C.A. § 4-5-301, et. seq., and shall be processed in accordance with [Policy 110 Cases Heard Pursuant to the Uniform Administrative Procedures Act](#), unless the student waives the right to such a hearing in writing.

VIII. Records Maintenance

Whenever there is a finding or admission of responsibility under this policy, these records will be maintained by the Vice Provost for Faculty and Strategic Initiatives permanently.

Forms:

[Student Academic Integrity Incident Report](#)

Revisions: June 5, 2017 (original); August 15, 2019; December 6, 2023.

Last Reviewed: December 6, 2023.

References: T.C.A. § 4-5-301, et. seq., Policies 32 University Committees; 110 Cases Heard Pursuant to the Uniform Administrative Procedures Act; 211 Misconduct in Scholarly Activities and Research; 313 Student Grade Appeals; 540 Student Conduct.

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Sequence Number: 12-14-23
Notice ID(s): 3772
File Date: 12/15/2023

Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Commission:	Middle Tennessee State University
Division:	
Contact Person:	James Floyd, University Counsel
Address:	1301E. Main Street, CAB 209, Murfreesboro, TN 37132
Phone:	615-898-2025
Email:	James.floyd@mtsu.edu

Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

ADA Contact:	Lance Alexis, Director of ADA Compliance
Address:	1301 E. Main Street, CAB 116, Murfreesboro, TN 37132
Phone:	615-898-2185
Email:	Lance.alexis@mtsu.edu

Hearing Location(s) (for additional locations, copy and paste table)

Address 1:	Miller Education Center, MEC Meeting Room	
Address 2:	503 E. Bell Street	
City:	Murfreesboro	
Zip:	37130	
Hearing Date:	03/19/2024	
Hearing Time:	1:00 p.m. Central	

Additional Hearing Information:

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Revision Type (check all that apply):

- Amendment
- New
- Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
0240-07-04	Academic Misconduct
Rule Number	Rule Title
0240-07-04-.03	Definitions
0240-07-04-.04	Process
0240-07-04-.05	University Sanctions for Academic Misconduct
0240-07-04-.07	UAPA Hearing

Rules of
Middle Tennessee State University

Chapter 0240-07-04
Academic Misconduct

Amendment

0240-07-04-.03 Definitions is amended by revising Paragraphs (2)(a)&(b) and (4) and adding Paragraph (6) so that, as amended, the amended rule in its entirety shall read:

0240-07-04-.03 Definitions

- (1) Academic Exercise. Academic Exercise may consist of all forms of work submitted by a student for academic credit or hours.
- (2) Academic Misconduct. Academic Misconduct may consist of acts of plagiarism, cheating, or fabrication.
 - (a) Plagiarism. Plagiarism includes, but is not limited to, the adoption or reproduction of ideas, words, statements, images, or works from another source as one's own without proper attribution. This includes self-plagiarism, which occurs when an author submits material or research from a previous academic exercise to satisfy the requirements of another academic exercise and uses it without proper citation of its reuse. Plagiarism also includes the unauthorized use of paraphrasing tools or "text spinners" and artificial intelligence software.
 - (b) Cheating. Cheating includes, but is not limited to, using or attempting to use unauthorized materials, information, or aids in any academic exercise or test/examination. Cheating also includes unapproved collaboration, which occurs when a student works with others on an individual academic exercise without the express permission of the faculty member. Unapproved collaboration can also include, but is not limited to, sharing of any physical or electronic papers, exams/quizzes, assignments, and/or posting of same to unauthorized websites.
 - (c) Fabrication. Fabrication includes, but is not limited to, unauthorized falsification or invention of any information or citation in an academic exercise.
- (3) Academic Misconduct Committee (Committee) refers to the Committee established under University policy.
- (4) Faculty Member. For the purposes of this rule, a faculty member is the University employee teaching a course or serving in a supervisory, advisory, or evaluative capacity in relation to the student(s) accused of academic misconduct, including graduate teaching assistants who are instructors of record. Graduate teaching assistants or others who are not instructors of record should present documentation of suspected misconduct to the supervising faculty member.
- (5) Director of Academic Integrity (Director). A designee of the Vice Provost for Faculty Affairs whose responsibilities are to manage and ensure fairness in the investigation and timely resolution of alleged academic misconduct. The Director does not vote in academic misconduct hearings.
- (6) Student. Any person who is admitted and/or registered for study at MTSU for any academic period, either full-time or part-time, undergraduate, graduate, or professional studies.
- (7) Notice. For the purposes of this rule, a notice is a written communication sent to the student's official MTSU email account, or to the student's local address as indicated in the student information system, or both as specified in this rule. Students have the responsibility to check their University-issued email accounts regularly and to ensure that the local mailing address on file with MTSU is current. The requirement to provide notice will be satisfied and any period for response will begin on the date the notice is sent.

Authority: T.C.A. § 49-8-203(a)(1)(D).

0240-07-04-.04 Process is amended by revising current Paragraphs (1), (2), (5) (amended Paragraph (4)), (7) (amended Paragraph (6)) and (8) (amended Paragraph (7)) and deleting Paragraph (3) so that, as amended, the amended rule in its entirety shall read:

0240-07-04-.04 Process

- (1) Academic misconduct is prohibited. Whenever a faculty member believes that academic misconduct has occurred, he/she must provide notice to the student and submit an Academic Integrity Incident Report Form (Incident Report) to the Director within seven (7) business days from the time the faculty member suspects that the alleged academic misconduct occurred. If the semester has ended, the faculty member has ten (10) business days from the date the semester ended to submit the Academic Integrity Incident Report Form.

The Incident Report will provide:

- (a) the name of the student;
 - (b) the course in which the academic misconduct is alleged to have occurred;
 - (c) a description of the academic misconduct; and,
 - (d) supporting documentary evidence (if available).
- (2) A student who has been referred by a faculty member pursuant to this rule is prohibited from dropping a course in which academic misconduct is alleged, pending final resolution of the case. Students should continue attending class, absent a disciplinary sanction to the contrary, while this procedure is ongoing. If found responsible for committing academic misconduct, a student will not be allowed to drop the course, though continued class attendance is neither prohibited nor required. (Students receiving federal financial aid who stop attending a course may incur significant financial penalties. Students are encouraged to consult the MT One Stop.) Failure to comply with this directive will result in referral to the Office of Student Conduct for violation of general rules and regulations and violation of imposed disciplinary sanctions under University policy and rule.
 - (3) The Director will review the case within five (5) business days of receipt of the Incident Report. If, in the Director's opinion, the Incident Report lacks substance or is otherwise deficient, the Director may consult with the referring faculty member and indicate either that additional information is needed or encourage that the Incident Report be withdrawn. Such a consultation may take place before and/or after the Director has met with the student.
 - (4) For any Incident Report not withdrawn by mutual consent between the Director and the referring faculty member, the Director will send notice to the student and schedule an in-person or virtual meeting to discuss the alleged academic misconduct violation. During this meeting the student can accept responsibility or not accept responsibility for the alleged academic misconduct. If the student accepts responsibility, the Director will decide on University sanctions (see Rule 0240-07-04-.05) appropriate to the case, and the matter will be resolved at that point. The Director will note the resolution on the Incident Report and provide copies to the student, the faculty member, and the Vice Provost for Faculty and Strategic Initiatives. This notice will be sent to the student's official MTSU email account and/or a hard copy letter will be sent via first class United States Postal Service (USPS) mail to the student's local address as indicated in the student information system. For graduate students found responsible of academic misconduct, the decision will also be provided to the student's graduate program director.
 - (5) If a referred student fails to attend a scheduled meeting with the Director without a reasonable excuse, the Director may find the student responsible in absentia and determine appropriate sanctions. Cases heard in absentia may not be appealed.
 - (6) If the student does not accept responsibility, the case will be heard by the Committee. The Director will:
 - (a) Determine whether the matter warrants consideration of suspension or expulsion of the student should the Committee find academic misconduct. If so, the student must be given the option of a

hearing held pursuant to the Uniform Administrative Procedures Act (UAPA) as set forth in Rule 0240-07-04-.07, below. A waiver of this option must also be in writing.

- (b) As the designee of the Vice Provost for Faculty Affairs, form the Committee from the pool of members for the purpose of the hearing.

(7) Institutional Hearing

- (a) If the sanction of suspension or expulsion will not be considered or if the student has waived a hearing under the UAPA, the Committee will set an institutional hearing for the matter in a manner that allows reasonable time for faculty and student preparation, ideally no fewer than three (3) and no more than fifteen (15) business days from the student's request for a committee hearing. Both the faculty member and the student will be notified of the hearing.
- (b) Outside of regular Fall and Spring semesters, hearings will be scheduled under only two (2) circumstances:
 - 1. If lack of resolution affects the student's ability to graduate in the Spring or Summer; or
 - 2. If the Vice Provost for Faculty Affairs determines that there are extenuating circumstances to warrant a special hearing.
- (c) The Director will advise the student, in writing, of the following:
 - 1. The type of alleged academic misconduct and the circumstances alleged by the faculty member to constitute academic misconduct;
 - 2. The date, time, and place of the hearing;
 - 3. That the student may appeal a grade given by the faculty member in response to academic misconduct;
 - 4. The right to receive a list of the witnesses the University expects to present at the proceeding and those the University may present if the need arises;
 - 5. The right to request a copy of the University's investigative file, redacted in accordance with the Family Educational Rights and Privacy Act of 1974, (20 U.S.C. § 1232g), and the federal regulations implementing that statute, as amended; and, the portion of the state Public Records Act making certain student information confidential (T.C.A. § 10-7-504(a)(4)).
 - 6. The right to request copies of all documents, copies of all electronically stored information, and access to tangible evidence the University has in its possession, custody, or control and may use to support claims or defenses, unless the use would be solely for impeachment; and
 - 7. The rights the student will be afforded at the hearing as specified in Rule 0240-07-04-.04(7)(e).
- (d) The hearing will take place at the scheduled time, regardless of whether the student and/or the referring faculty member choose to attend. Failure to appear at a scheduled hearing abrogates the rights listed under Rule 0240-07-04-.04(7)(e) or (f), as applicable. A hearing may be rescheduled, under extraordinary circumstances, at the discretion of the Director.
- (e) The rights applicable to the referred student at the hearing include:
 - 1. The right to present evidence pertinent to the case and to hear and respond to all testimony;
 - 2. The right to be accompanied by an advisor. An advisor may not actively or directly participate in the hearing, but may only consult with the student;
 - 3. The right to call witnesses; and
 - 4. The right to confront witnesses in support of the academic misconduct allegation.

- (f) The rights applicable to the referring faculty member at the hearing include:
 1. The right to present evidence pertinent to the case and to hear and respond to all testimony;
 2. The right to be accompanied by an advisor. An advisor may not actively or directly participate in the hearing, but may only consult with the faculty member;
 3. The right to call witnesses; and
 4. The right to confront witnesses against the academic misconduct allegation.
- (g) The hearing will not be open to the public.
- (h) The Committee may exclude evidence it deems immaterial, irrelevant, or unduly repetitious.
- (i) Decisions shall be by majority vote of the Committee members present and voting. The Director is a non-voting ex-officio member of the Committee. The Committee may ask the referred student, referring faculty member, and any advisors present to leave the hearing while they deliberate and vote. Votes of individual Committee members will not be reported. In the event of a tie vote, the charge of misconduct is dismissed.
- (j) The standard of proof required for a finding of academic misconduct shall be by a preponderance of the evidence.
- (k) The Director will, on behalf of the Committee, issue a written decision indicating its finding concerning the charge of academic misconduct. The decision must specify the factual basis for the determination, and, if academic misconduct is found, state whether disciplinary sanctions will be imposed. The decision will be provided to the student, the faculty member, and the Vice Provost for Faculty Affairs. For graduate students found responsible of academic misconduct, the decision will also be provided to the student's graduate program director.
- (l) The student and the faculty member must be notified of the right to appeal the Committee's decision to the Provost.
- (m) Once it has been determined whether academic misconduct has occurred or not, the faculty member shall determine a grade for the academic exercise or examination and/or course.

Authority: T.C.A. §§ 49-8-203(a)(1)(D) and 10-7-504(a)(4).

0240-07-04-.05 University Sanctions for Academic Misconduct is amended by revising Paragraphs (1), (2), and (5)(e)-(g) so that, as amended, the amended rule in its entirety shall read:

0240-07-04-.05 University Sanctions for Academic Misconduct

- (1) Appropriate sanctions will be determined by majority vote of the Committee and reported to the Vice Provost for Faculty Affairs for recording in the academic integrity software of record. Students will be provided notice of all sanctions. Graduate programs may impose separate, additional sanctions (up to and including removal from the program) for graduate student academic misconduct. This requires a majority vote of the student's faculty advisor, program director, and department chair (or academic dean, for interdisciplinary programs). In these instances, program directors are responsible for calling this vote within seven (7) business days of the final disposition of the student's academic integrity case, promptly notifying the student of additional sanctions, and reporting sanctions to the Vice Provost for Faculty and Strategic Initiatives.
- (2) Any finding against the student or admission of responsibility by the student will result in a record that will be maintained and referred to by the Director in the event that a subsequent misconduct case arises against the student, regardless of the severity of sanctions imposed in those instances.
- (3) Subsequent determinations of academic misconduct may result in more severe University sanctions. If a student has been found responsible for academic misconduct more than once, the Director will inform the

sitting members of the Committee of the nature of prior offenses so that appropriate sanctions may be determined. These facts will not be revealed prior to the Committee's determination of responsibility in the present case in order to avoid prejudice.

- (4) Sanctions may include suspension or expulsion from the University but only if the student was provided the option of a UAPA hearing. (See Rule 0240-07-04-.07 for conducting the hearing required in such a case.)
- (5) Sanctions include, but are not limited to:
 - (a) Reprimand. A written reprimand will be given to a student whose conduct violates any part of these rules, and warns a student that any further violation(s) may result in more serious consequences;
 - (b) Specified Educational Program. Requirement to participate in specified educational program(s) or project(s) relevant to the offense and overseen by the Director;
 - (c) Restriction. A restriction upon a student's privileges for a period of time may be imposed. This restriction may include, but not be limited to denial of the ability to represent MTSU at any event, ability to participate in University travel, or use of facilities (including, but not limited to, labs, etc.).
 - (d) Probation. Any student placed on probation will be notified of the terms and length of the probation. Any conduct in further violation of this rule while on probationary status or the failure to comply with the terms of the probationary period may result in the imposition of more severe disciplinary sanctions, up to and including suspension or expulsion following the hearing process described in these rules for any subsequent academic misconduct violation.
 - (e) Suspension. Separation from the University for a specified period of time. This includes all instructional delivery methods (including, but not limited to, on ground, online, hybrid, etc.). Suspension may be accompanied by special conditions for readmission. Any student receiving a sanction of suspension shall be restricted from the campus of MTSU during the period of separation unless on official business with the University verified in writing by the Dean of Students or, if a graduate student, by the Dean of the College of Graduate studies. A suspended student must submit a written request to be on campus to the Dean of Students or, if a graduate student, to the Dean of the College of Graduate Studies, a minimum of forty-eight (48) hours in advance of the scheduled time of his/her business on campus. The request must specify the specific reason to be on campus and the location that the student wishes to visit. The Dean of Students or the Dean of the College of Graduate Studies will issue a written decision regarding the request to be on campus, and the student must carry that written decision with him/her during the time of the visit.
 - (f) Expulsion. Permanent separation from the University. The imposition of this sanction is a permanent bar to the student's admission to MTSU. Any student receiving a sanction of expulsion shall be restricted from the campus of MTSU unless on official business with the University verified in writing by the Dean of Students or, if a graduate student, the Dean of the College of Graduate Studies. An expelled student must submit a written request to be on campus to the Dean of Students or, if a graduate student, the Dean of the College of Graduate Studies, a minimum of forty-eight (48) hours in advance of the scheduled time of his/her business on campus. The request must specify the specific reason to be on campus and the location that the student wishes to visit. The Dean of Students or the Dean of the College of Graduate Studies will issue a written decision regarding the request to be on campus, and the student must carry that written decision with him/her during the time of their visit.
 - (g) Revocation of Admission, Degree, or Credential. Under circumstances deemed appropriate, an offer of admission, a degree, or a credential awarded may be revoked or rescinded upon the recommendation of the Committee and with approval from the relevant department chair/school director and dean, the College of Graduate Studies dean (for graduate cases), the University Provost, and the President. Any final revocation of admission, degree, or credential shall be reported to the University Registrar by the Director.
 - (h) Other Sanctions. Additional or alternate sanctions may be created and designed as deemed appropriate to the offense and the student's individual need for education, growth, and reform.

Authority: T.C.A. § 49-8-203(a)(1)(D).

0240-07-04-.07 UAPA Hearing is amended so that, as amended, the amended rule in its entirety shall read:

0240-07-04-.07 UAPA Hearing

Any matter that may result in suspension or expulsion of a student from the University is subject to be heard pursuant to the contested case provisions of the Uniform Administrative Procedures Act, T.C.A. § 4-5-301, et. seq., and shall be processed in accordance with Chapter 0240-07-08, unless the student waives the right to such a hearing in writing.

Authority: T.C.A. §§ 49-8-203(a)(1)(D) and 4-5-301, et. seq.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: December 15, 2023

Signature: 

Name of Officer: James Floyd

Title of Officer: University Counsel

Department of State Use Only

Filed with the Department of State on: 12/15/2023



Tre Hargett
Secretary of State

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**Middle Tennessee State University
Board of Trustees**

MEETING: Spring Quarterly Board Meeting

SUBJECT: **Executive and Governance Committee**

DATE: March 19, 2024

PRESENTER: Steve Smith
Committee Chair

-
- Mission Profile

Middle Tennessee State University
Institutional Mission Profile

Middle Tennessee State University is a selective, comprehensive institution located in the geographic center of the State. The University embraces its role as a destination of choice for Tennessee undergraduates and the top choice for Tennessee transfer students. Its distinctive undergraduate and graduate programs draw students from across the nation and around the world. Innovative degree programs and research and public service centers attract, welcome, and support a diverse, largely full-time student population with significant numbers of Pell-eligible, first-generation, **veteran**, non-traditional, and historically underrepresented students. The University uses advanced research-based practices to help students recognize their academic promise and achieve success, conferring approximately 5,000 degrees annually. Dedicated faculty and staff prepare students for lifelong learning with global perspectives through an understanding of culture and history, scholarship, and creative undertakings to adapt to and shape a rapidly changing world. MTSU's signature experiential and integrative learning, international, cross-disciplinary, cocurricular programs, and Tennessee's first public Honors College deliver a value-added education rich in research, service learning, and civic engagement. Academic offerings foster the pursuit of scholarly research, creative endeavors, and professional advancement through programs spanning the arts and humanities, education, business, STEM, the social, behavioral, and health sciences, and media and entertainment. MTSU houses centers of excellence in historic preservation and popular music and notable chairs of excellence. MTSU has earned the Carnegie Doctoral University: High Research Activity and elective Community Engagement classifications.

Approved 2024 by MTSU Board of Trustees

Middle Tennessee State University
Institutional Mission Profile

Middle Tennessee State University is a selective, comprehensive institution located in the geographic center of the State. The University embraces its role as a destination of choice for Tennessee undergraduates and the top choice for Tennessee transfer students. Its distinctive undergraduate and graduate programs draw students from across the nation and around the world. Innovative degree programs and research and public service centers attract, welcome, and support a diverse, largely full-time student population with significant numbers of Pell-eligible, first-generation, veteran, non-traditional, and historically underrepresented students. The University uses advanced research-based practices to help students recognize their academic promise and achieve success, conferring approximately 5,000 degrees annually. Dedicated faculty and staff prepare students for lifelong learning with global perspectives through an understanding of culture and history, scholarship, and creative undertakings to adapt to and shape a rapidly changing world. MTSU's signature experiential and integrative learning, international, cross-disciplinary, cocurricular programs, and Tennessee's first public Honors College deliver a value-added education rich in research, service learning, and civic engagement. Academic offerings foster the pursuit of scholarly research, creative endeavors, and professional advancement through programs spanning the arts and humanities, education, business, STEM, the social, behavioral, and health sciences, and media and entertainment. MTSU houses centers of excellence in historic preservation and popular music and notable chairs of excellence. MTSU has earned the Carnegie Doctoral University: High Research Activity and elective Community Engagement classifications.

Approved

2024 by MTSU Board of Trustees



**Middle Tennessee State University
Board of Trustees**

Action Item

MEETING: Spring Quarterly Board Meeting

DATE: March 19, 2024

SUBJECT: **Institutional Mission Statement**

PRESENTER: Mary Hoffschwelle
Associate Provost

BACKGROUND INFORMATION:

The T.C.A. §49-8-101(d) requires the institution to annually submit its institutional mission profile to the Tennessee Higher Education Commission for review. On February 16, 2024, the University Planning Committee considered revisions to the University’s mission profile. As part of this review, the University also evaluates its mission statement.

At the February 27, 2024, Executive and Governance Committee Meeting, additional edits to the mission statement were discussed. Subsequently, the University Planning Committee reviewed the proposed edits. A revised mission statement is presented for the Board’s consideration.

Statement of Mission

Middle Tennessee State University offers exceptional academic programs at the undergraduate and graduate levels that prepare students to thrive in their chosen profession and prioritize student success. takes pride in its role as a comprehensive, diverse, and innovative institution whose distinctive bachelor's, master's, specialist, and doctoral programs prepare graduates to thrive in their chosen professions and a changing global society. Students, faculty, and staff generate, preserve, and disseminate knowledge and collaboratively promote excellence through As one of Tennessee's largest comprehensive universities, MTSU places high value on outstanding teaching and learning, research, creative activity, and public engagementservice that support the emerging needs and challenges of our state, nation, and world.

Approved April 4, 2023 _____ by the MTSU Board of Trustees

Purpose

To fulfill its mission as a comprehensive, public institution of higher education, Middle Tennessee State Universitythe University's diverse community of students, faculty, and staff

- educates and challenges students through a broad array of high-quality, affordable bachelor's, master's, specialist, and doctoral programs grounded in a common core of arts and sciences;
- collaboratively promotes excellence through innovative teaching and learning, research, creative activity, service, and engagement;
- fosters a student-centered environment conducive to lifelong learning, personal development, and success for all students, including first-generation, Pell-eligible, transfer, veteran, non-traditional, and international students;
- enhances access through unique programs, distance learning, and advising to meet the needs of a diverse student population;
- supports student learning through effective teaching and advising, experiential and integrative learning, emerging technologies, research, and co-curricular and extra-curricular activities;
- attracts and retains exceptional faculty and staff and develops resources to support excellence in instruction, research, creative activity, and public and professional service;
- develops and sustains academic partnerships, entrepreneurial activities, and public service to support instruction, research, and communities throughout the region;
- promotes ongoing engagement with its alumni, partners, and friends; and
- serves as an emerging center for international study, understanding, and exchange.

Middle Tennessee State University educates students to

- think logically, critically, and creatively;
- make sound judgments informed by ethical, moral, and aesthetic values;
- acquire ~~a-working~~ knowledge of a discipline or a group of related disciplines;
- examine, analyze, and shape the rapidly changing world through scientific knowledge, creative undertakings, and an understanding of culture and history;
- communicate clearly and precisely and understand the proper role of free expression and civic engagement in our society; and
- demonstrate the effective and adaptive use of current and evolving technologies.

Vision

~~Faculty, staff, and students of Middle Tennessee State University will work together as a community of scholars to create and share knowledge. Our efforts will result in the highest quality education and student experience in the state, preparing citizens who thrive as professionals and engage with and contribute to their communities. To provide the highest quality education and student experience, enabling members of our community to excel in professional, scholarly, and public life.~~

Community Standards and Values

MTSU is committed to developing and nurturing a community devoted to learning, growth, and service. Each person who joins or affiliates with the community does so freely and accepts and practices the following core values and expectations:

Honesty and Integrity. The notions of personal and academic honesty and integrity are central to the existence of the MTSU community. All members of the community will strive to achieve and maintain the highest standards of academic achievement in the classroom and personal and social responsibility on and off campus.

Respect for Diversity. The MTSU community is composed of individuals of different races, ethnicities, sexual orientations, gender identities, religions, cultures, and ways of thinking. We respect individual differences and unique perspectives as we acknowledge our commonalities.

Engagement in the Community. All members of the community are encouraged to participate in educationally purposeful activities that support and enhance the MTSU experience. Active involvement and personal investment in academic and student life are hallmarks of an engaged citizen.

Commitment to **Nonviolence.** MTSU is committed to the principles of non-violence and peaceful conflict resolution. Community members will freely express their ideas and resolve differences using reason and persuasion.

*Values in **bold** appear in the True Blue Pledge.

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Approved _____ by the MTSU Board of Trustees

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**Middle Tennessee State University
Board of Trustees**

Action Item

MEETING: Spring Quarterly Board Meeting

DATE: March 19, 2024

SUBJECT: **Discussion of Board Objectives Identified in the
2023 Self-Evaluation Results, Action for Improvement**

PRESENTER: James Floyd
Board Secretary

BACKGROUND INFORMATION:

The MTSU accreditation body, SACSCOC, requires a governing board to define and regularly evaluate its responsibilities and expectations. Standard 4.2.g. As evidence of compliance with that standard, SACSCOC recommends a regular board self-evaluation. After completion of the 2023 self-evaluation survey, the trustees completed an additional survey to identify the top four (4) objectives for the Board. Those results are presented for discussion and consideration of any potential action steps for improvement.