Code of Academic Integrity, Resolution 2:

Whereas the term “Academic Misconduct” is used inconsistently in University Policy 1.2 (http://www.dfa.cornell.edu/treasurer/policyoffice/policies/volumes/academic/misconduct.cfm) and the Code of Academic Integrity (http://cuinfo.cornell.edu/Academic/AIC.html), the former relating to acts that violate the integrity of scholarly and scientific research and communication and the latter relating to acts of classroom and examination misbehavior, and

Whereas guidance by the Dean of Faculty requires clarification concerning jurisdiction of student misconduct.

Therefore be it resolved that the following changes to the Cornell Code of Academic Integrity be made:

- Change the title of Section C.3 in the Code of Academic Integrity, “Academic Misconduct,” to “Classroom Misconduct and Other Behavior Disruptive to the Educational Process” and edit text to consistently reflect the change.
- Add Section C.3.c which preserves faculty rights to remove disruptive students from the classroom.
- Add article C.4. (which refers to University Policy 1.2).

• Current text in the Code of Academic Integrity:

C3. Academic Misconduct. A faculty member may impose a grade penalty for any misconduct in the classroom or examination room. Examples of academic misconduct include, but are not limited to, talking during an exam, bringing unauthorized materials into the exam room, and disruptive behavior in the classroom.

  a. The faculty member must promptly notify the student of the reason for the imposition of a penalty for academic misconduct and the degree to which his or her grade will be affected.

  b. Academic misconduct is not a violation of academic integrity. The student may, however, seek review by the Academic Integrity Hearing Board on the basis either that the finding of guilt is arbitrary and capricious or that the penalty for academic misconduct is excessive or inappropriate to the circumstances involved. ("Arbitrary and capricious" describes actions which have no sound basis in law, fact, or reason or are grounded solely in bad faith or personal desires. A determination is arbitrary and capricious only if it is one no reasonable mind could reach.)

• Proposed text:

C3. Classroom Misconduct and Other Behavior Disruptive to the Educational Process. A faculty member may impose a grade penalty for any misconduct. Students are not authorized to replicate, reproduce, copy, or transmit lectures and course materials presented, or "derivative" materials including class notes, for sale or general distribution to others without the written consent of the faculty or academic staff member or class participant who is the original source of such materials. Other examples of classroom misconduct include, but are not limited
to, talking during an examination, bringing unauthorized materials into the examination room, using unauthorized electronic technology during an examination, and disruptive behavior in the classroom.

a. The faculty member must promptly notify the student of the reason for the imposition of a penalty for classroom misconduct and the degree to which his or her grade will be affected.

b. Classroom misconduct is not a violation of academic integrity. The student may, however, seek review by the Academic Integrity Hearing Board on the basis either that the finding of guilt is arbitrary and capricious or that the penalty for misconduct is excessive or inappropriate to the circumstances involved. ("Arbitrary and capricious" describes actions which have no sound basis in law, fact, or reason or are grounded solely in bad faith or personal desires. A determination is arbitrary and capricious only if it is one no reasonable mind could reach.)

c. This section does not limit a faculty member’s prerogative to remove a disruptive student from a classroom under appropriate circumstances.

C.4. Academic Misconduct. Academic misconduct related to integrity in the conduct of scholarly and scientific research and communication is addressed in Cornell University Policy 1.2 (http://www.dfa.cornell.edu/dfa/treasurer/policyoffice/policies/volumes/academic/misconduct.cfm). Policy 1.2 applies to faculty, staff, and students.