

Academic Affairs Policy #12 Disruption of Class

Date of Current Version: June 2020

Responsible Office: Provost and Senior Vice President for Academic Affairs

1. PURPOSE

This policy is intended to provide students with an environment that will facilitate learning at the JMU community, to eliminate conduct that disrupts the process of teaching and learning, and to provide guidelines for a faculty member to deal with a disruptive student in a class.

2. AUTHORITY

The Board of Visitors is given the authority to establish policies for the university. This power is delegated to the President in areas in which the Board has not established policy. The establishment of policies and procedures concerning the Division of Academic Affairs has been delegated by the president to the Provost and Senior Vice President for Academic Affairs (Provost).

3. DEFINITIONS

Class

For the purposes of this policy, class includes any formal period and method of instruction, whether in person or online; for credit or not for credit. It includes laboratories, field trips, chat rooms, clinics, internship placements, and all other academic activities where instruction takes place.

Disruptive Behavior

Disruptive behavior is defined as inappropriate student behavior that a reasonable faculty member would view as interfering with the ability of instructors to teach and students to learn. It may constitute a violation of law, a violation of the student conduct code or a violation of an instructor's established rules of conduct for a particular class. Examples include, but are not limited to:

- Verbal or physical threats or harassment
- Physical violence
- Refusal to comply with reasonable faculty member instructions
- Interrupting other speakers, speaking out without being recognized or engaging in personal insults
- Refusal to comply with JMU guidelines related to COVID-19
- Refusal to comply with directives related to health and safety issued by state and federal authorities

Civil expression, disagreement or debate as permitted within the class as permitted by a faculty member is not, in itself, disruptive behavior and is not prohibited.

Academic Unit Head (AUH)

An academic unit head or its functional equivalent.

Behavioral Assessment Team (BAT)

The mission of the Behavioral Assessment Team is to identify individuals with a significant potential for dangerous behavior and to take actions that will protect both them and the campus community. The BAT is comprised of representatives from campus departments who are trained to assess and address distressed, disruptive and dangerous behavior. The BAT includes representatives from the Counseling Center, the Office of Student Accountability and Restorative Practices, the University Health Center, Public Safety, Residence Life, Disability Services, Academic Student Services, and Madison Union. The Legal Services Office provides advice and serves on the BAT on an ex-officio basis.

Counseling Center

The Counseling Center offers individual, group and substance abuse counseling to JMU students.

Dean

An academic dean or a dean of a university-wide program.

Faculty Member

Includes administrative, professional and instructional faculty members.

Instructor

The instructor of record in a class.

Department of Public Safety (DPS)

The JMU Department of Public Safety includes a fully licensed and commissioned police force serving the university community.

Office of Student Accountability & Restorative Practices (OSARP)

The Office of Student Accountability & Restorative Practices approaches student conduct from an educational, developmental and restorative perspective. Inherent in the University's accountability process is the commitment to serve, equally, all involved parties in an unbiased and fair manner.

4. APPLICABILITY

This policy applies to all classes taught under the auspices of the university, credit and noncredit, on or off campus, and it includes distance learning and online courses. It applies to all students registered for any university class and to all faculty members serving as instructor of record for a class.

5. POLICY

Students are required to abide by the rules of conduct established by the university and by individual instructors in classes. Students shall not engage in disruptive behavior or negatively impact the learning environment in classes.

Instructors have broad discretion to establish rules of conduct for their classes. However, faculty members are also responsible for protecting their students in the exercise of their academic freedom and for teaching them the responsibilities that go with such freedom.

The instructor has the authority to maintain order in the classroom, the lab or any other learning environment where instruction takes place so that all students may participate in the learning process. This includes the authority to impose sanctions on students who engage in behavior disruptive of the learning process. This authority must be exercised responsibly and with consideration not only of the student sanctioned, but also of the other students in the class.

6. PROCEDURES

6.1. An instructor should:

- Serve as a model by demonstrating appropriate, respectful, and responsible behavior in all interactions with students.
- Use the class syllabus to inform students in writing of standards and expectations for classroom conduct and of possible consequences for disruptive behavior.
- Devote time at the beginning of the class to review this information in the syllabus.
- Protect the exercise of academic freedom in the class.

6.2. Some best practices for dealing with disruptive student behavior are as follows:

- A general word of caution directed to the class rather than at an identified student may effectively deter the disruptive behavior.

- The instructor should deal with the disruptive behavior immediately.
- The instructor should provide the student with specific examples of their disruptive behavior.
- If the student's behavior is only mildly disruptive and is the first occurrence, the instructor should consider talking with the student privately after class. The instructor may request that the meeting occur with the academic unit head.
- If it is necessary to deal with a student's behavior during class, the instructor should calmly but firmly inform the student that the behavior is disruptive and ask that it be stopped.
- If the disruptive behavior continues during either the present or some future class, the instructor should warn the student (preferably in private) that such behavior may result in student disciplinary action.
- If the student continues the disruptive behavior despite a warning, the instructor should ask the student to leave the classroom. Following the class, the instructor should contact the Office of Student Accountability and Restorative Practices and provide pertinent information about the student's behavior. OSARP will determine if a charge will be placed against the student. For more information, see the Student Handbook at <https://www.jmu.edu/osarp/handbook/OSARP/standards-policies.shtml> and <https://www.jmu.edu/osarp/handbook/files/all-policies/J8-100.shtml>.
- If the student refuses to leave the classroom after being instructed to do so, the instructor should inform the student that this refusal is a separate instance of disruptive behavior subject to additional penalties.
- If the student continues to refuse to leave the classroom, the instructor may choose to adjourn class for the day or may summon the university police if the situation seems likely to escalate.
- The instructor should keep a log of the date, time and nature of all incidents of disruptive behavior and any meetings the instructor has with the student. The instructor should document incidents and meetings immediately, while specifics and details are still fresh in the instructor's memory.
- The instructor should keep the academic unit head apprised of all disruptive behavior and update the academic unit head if the situation develops.
- If all other reasonable steps taken by the instructor do not have an effect on the student's behavior and the disruptive behavior continues, the instructor may request that the academic unit head dismiss the student from the class for a single class meeting, multiple class meetings or the remainder of the semester. The academic unit head has the responsibility to communicate their decision on dismissal to the student and the faculty member, and the decision must be communicated in writing. The student has the right to appeal this decision to the dean within five class days of the receipt of the written notice of dismissal.
- If the decision is appealed, the dean must respond to the student and academic unit head in writing within five class days of receiving the appeal. If the dean reverses the dismissal, the student may be placed back in the class, and the instructor will be required to take no further action against the student other than that approved by the academic unit head and dean. Alternatively, the academic unit head may place the student in another section of the class under a different instructor, with the new instructor's agreement and the dean's approval.
- If the dean upholds the dismissal, the student may file a written appeal with the Provost within five days of the receipt of the written notice of the denied appeal.
- If the dean's decision is appealed, the decision of the Provost is final and may not be appealed further. The decision of the Provost must be communicated in writing to the dean, academic unit head and student within five class days of the receipt of the written notice of appeal.

6.3 If the instructor feels that a disruptive situation is escalating and that a student may pose a physical threat to the instructor or other students, best practices are as follows:

- The instructor should maintain a safe distance and should not turn their back to the student.

- Unless the instructor is under physical attack, the instructor should not touch the student or the student's belongings. Initiating physical touch may be interpreted by an agitated student as an assault.
 - The instructor should use a calm, non-confrontational approach to defuse the situation.
 - If a threat of harm is present, the instructor should not mention disciplinary action or police intervention.
- 6.4 If at any time a student threatens to harm the instructor, other students or themselves:
- The instructor should immediately dismiss the class and inform Campus Police (x86911). The police will investigate the threats, warn the intended victims if necessary and determine whether the student may have committed a crime.
 - The instructor may also ask the police to contact the Counseling Center about the incident or to make contact him/herself (x86552).
 - After the danger has passed, the instructor should consult with the Office of Student Accountability and Restorative Practices regarding the judicial process and what sanctions may be imposed.

7. RESPONSIBILITIES

Instructor

The instructor is responsible for maintaining order in the classroom, the lab or any other learning environment where instruction takes place, so that all students may participate in the learning process. The instructor is responsible for informing the students in a class of the rules of conduct for the class. If a student's conduct warrants dismissal, the faculty member is responsible for recommending dismissal to the academic unit head.

Academic Unit Head

The academic unit head is responsible for deciding whether or not to dismiss a student from a class for disruptive behavior.

Dean

The dean is responsible for hearing the appeal of the decision of the academic unit head regarding dismissal of a student from a class for disruptive behavior.

Provost

The provost is responsible for hearing the appeal of the decision of the dean regarding dismissal of a student from a class for disruptive behavior.

8. SANCTIONS

Faculty members who fail to follow this policy are subject to appropriate disciplinary action.

Students who engage in disruptive behavior are subject to discipline under the student code of conduct and to being dismissed from a class for disruptive behavior.

9. EXCLUSIONS

This policy does not apply to student judicial code procedures, except as an additional method for the university to address disruptive behavior of a student in a class.

10. Interpretation

The authority to interpret this policy rests with the Provost and Senior Vice President for Academic Affairs.

Approved:

Dr. Heather J. Coltman
Provost and Senior Vice President for Academic Affairs

Date