

**Disruptive Student Behavior in a College Classroom:
The Case of the Sole Mutineer**

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Everyone's eyes were on Jason Ward and Dr. Perez as the students wondered when Jason would stop, if ever, or if his verbal lambasting of his professor might turn into a physical altercation. Jason had been berating Dr. Perez about how poorly the course was conducted and telling him that a third of the students in the class agreed with him about that. The entire ordeal seemed surreal to Perez who had repeatedly tried to calmly persuade Jason to stop talking, telling Jason that his behavior was unacceptable and disruptive. Jason remained seated and kept the volume of his voice at a moderate level: he was not loud. Nonetheless, Perez was concerned that Jason might become agitated and act out physically in some way. At one point Perez told Jason that if he did not stop talking he would have to leave the room. Jason was not fazed and continued his tirade, repeatedly criticizing Perez for the way he taught the course. Perez then told him that he would need to leave the classroom and if he did not he would receive an F on the exam but this too accomplished nothing; Jason did not budge. Next he told Jason that he was going to phone the campus police but Perez realized that would probably drag this matter out longer so he announced that he would not do that because it would only further delay the test.

Perez had hoped that once he had passed out all of the exams that that might cause Jason to stop talking and to begin to complete his exam. But Jason just kept going. Finally, out of nowhere and to everyone's surprise, apparently due to his disgust and frustration about what had been transpiring, Jon, one of the students in the class, shouted across the room at Jason. At first, Jon's requests to Jason were relatively straightforward. "Jason, would you please be quiet?" Jason did not respond and continued to criticize his professor as he had been doing for approximately the past five minutes. Almost immediately Jon escalated the intensity of his request and this time shouted at Jason more with more force and emotion. "Jason, would you please stop it and let us take our exam in quiet!" Again, Jason showed no signs of acknowledging or at least responding to Jon's request and persisted with his verbal assaults. Again, Jon upped his game and yelled at Jason, this time even more loudly and with greater intensity, "Jason, would you please shut the hell up! I swear Jason, I have never seen anyone be so disrespectful to a professor and this is not what we need on an exam day! What the hell is wrong with you!" Everyone in the room was on edge and wondered how Jason would react. "What now?" Perez thought. Probably to the amazement of everyone in the classroom, Jason stopped his tirade. Dr. Perez was especially surprised because he was beginning to believe that nothing would stop Jason, certainly his repeated efforts prior to Jon's chiming in had absolutely no impact on Jason. He had never experienced anything like this before and he felt embarrassed that he had let his students down.

He simply had lost control of the class to Jason but fortunately the situation did not escalate to the next stage and become physical, and fortunately no one was injured, at least, not physically injured. To everyone's relief, Jason put his head down and worked on his exam without saying another word.

Subsequent to the incident, Perez was asked by a number of his colleagues about how he kept his cool and remained so calm throughout the ordeal. Perez responded that his number one goal was to get the exam administered because it was the last class before Thanksgiving break. If the exam was not completed that day it would have been very difficult for him to effectively cover what needed to be covered in the remaining weeks. Under any other circumstances, Perez said that he would have called campus police even if it meant accomplishing little if anything that day.

Background

Dr. Marcus Perez had been a Health Care Management (HCM) professor at Southwest Mountain State University (SMSU) for 20 years. He was tenured and had taught a variety of HCM courses. He had a reputation for being one of the more stringent graders in the department but he believed he was fair and that his students needed to learn and meet a course's requirements to receive good grades. Many years earlier, he was told by a student that one professor stated that "if you attend a class regularly, the lowest grade you should get is a C." Perez could not disagree with that enough. Perez's mantra was that "if you put in the time, you should do fine." "You need to come prepared to class, read/study the materials throughout the semester, put in the time needed for the exams, and do an effective job with your written case analysis." "My courses are not inherently difficult as are statistics, calculus, and accounting are for many students. They are verbal and relatively easy to understand."

The graded components for the Health Care Human Resource Management (HCHRM) course (the course that Jason and Jon were in) included three non-comprehensive exams, quizzes/readings/participation/attendance, and one written case analysis. Each of the three exams and the other two components were weighted approximately 20 percent.

Marcus Perez was 57 years old and generally a friendly person but has been told that sometimes he could be a bit too direct and forthright at times. He was not one to let anyone walk-over him and he spoke his mind. Most of his students liked him and he generally received above average ratings for his teaching. He would be quick to point out that his teaching evaluations would be higher if he was not one of the more rigorous graders in the college which was comprised of approximately 45 faculty. He enjoyed his students and teaching but his number one goal was to help and challenge his students to perform at higher levels.

Back to the Beginning of the Semester and Onward

At the end of the first day of class, Jason, a tall 28-year-old Outdoor and Sports Education (OSE) major, spoke to Dr. Perez. Many students with Jason's major were required to complete a few courses in (Health Care Management) HCM as part of their program. Unfortunately, many of the OSE majors struggled when taking HCM courses. Perez and a couple of his colleagues

had concluded that it was not because those students were any less bright than the HCM students but their departmental culture was different. For one, the OSE courses tended to be more discussion oriented and activity oriented with less emphasis on learning the material and demonstrating one's knowledge via examinations. The HCM faculty were convinced that their courses were more demanding than the OSE courses. Further exacerbating the problem was that Outdoor and Sports Education held their students to a higher standard for HCM courses than HCM did for their own students. HCM required a minimum grade of C- or better where OSE required a C or better. It seemed to Perez and some others in his department that their courses were being used to weed out some of the weaker OSE majors rather than that department doing it themselves.

Jason indicated that he had failed to earn a C or better in the prerequisite course, Health Care Management during the previous semester and that he was very concerned about the possibility of not doing well in this course. Jason had successfully petitioned his department to have his C- grade from the prerequisite accepted as an exception to the C or better rule. Jason made it clear that his department would not accept anything lower than a C for his remaining courses. Jason told Perez that he was to graduate at the end of the current semester which Perez later discovered was not the case.

Dr. Perez was a little puzzled by why Jason seemed to demonstrate so little self-confidence or self-efficacy pertaining to his potential success in the course. It seemed as if Jason did not believe he could earn a C or better and that he was trying to prime Dr. Perez early on to the notion that he would need to give Jason a "mercy C."

Dr. Perez let Jason know in no uncertain terms that he would need to earn his grade and he gave Jason some advice regarding how he might perform to the level necessary to receive a C or better. In addition he added "Jason, I will be rooting for you but it is up to you to do what you need to." Jason responded that he would follow Perez's advice.

Perez assessed that Jason was a very high strung individual. He spoke very quickly, intensely, but disjointedly by jumping from one thought to another. His demeanor made Perez uncomfortable and wary. When Perez got back to his office, he sent an email to the professor of the prerequisite class that Jason had spoken about. His response was that "Jason was basically a pain in the ass. He acted interested at first but didn't prepare for class and missed a lot of classes." Perez felt he had an idea for what to watch for but that he would not let what he learned affect his evaluation of Jason and he would be fair and unbiased in his assessments.

After the second class meeting, Jason again spoke to Perez and informed him that he was having difficulty following the lecture in conjunction with the Powerpoint slides because Perez "was going off on tangents and not talking only about what was on the slides." Jason stated that during class and immediately afterwards that he had talked to a "number of other students" and they were also unsure where Perez was going with the subject. Perez thought, "Oh yes, all those invisible other students. Jason did not have the time to poll other students. Yes, one or two may have grudgingly nodded their heads or agreed with him to get rid of him." Jason was definitely on Perez's radar. Perez informed Jason that he would typically not follow the slides word-for-

word or even bullet-by-bullet but that he would instead “talk around the slides.” In addition, occasionally he would “get off the immediate topic” as other “teaching opportunities presented themselves.” “Jason, if I merely read the PowerPoints to the class, you and all of your fellow students would be bored to death.”

Perez tried to treat all of his students with respect and he treated Jason no differently. He called on Jason when he had his hand up, answered his questions as best as he could and even let Jason go off on an occasional tangent. Jason had been attending class and was participating in class but he came across as too intense, forceful, and even “off the wall.” Perez believed that many of the students were uncomfortable around Jason and as time went on this suspicion would be substantiated. As it turned out, many of the Perez’s students had had one or more other classes with Jason and that Jason had been a “problem” in other classes. Perez could clearly see the potential of that in this class.

Jason did not stop to talk with Perez again nor did he ever meet with Perez in his office. However, Jason would often say things such as “good job Dr. Perez” or “thanks Dr. Perez” as he walked by Perez as he exited the classroom.

The first exam was administered during the sixth week of the semester. Jason received a 70 and after hearing that the class average was a 76, indicated to Perez that he was satisfied with his score. “It is a C isn’t it?” he asked. Perez responded, “Well actually, it is a C- but your final grade will be based on the weighted average of the course components.” Jason seemed to be okay with that and left the classroom.

A few weeks later, Jason earned a 76 on a written case analysis. He did not comment on his score but Perez assumed that Jason was satisfied with it.

Other than the two conversations Perez had had with Jason during the first week of class and after the first exam, Jason never came by the office to ask for help or to express any concerns about his performance or how the course was conducted.

On a Thursday afternoon before Thanksgiving week, at the end of the 12th week of the semester and approximately two hours before the second exam was to be administered, Jason sent Perez an email. Perez did not read the email until 75 minutes later which was approximately 45 minutes before the exam. In the email, Jason requested that Perez provide him with an estimate of where he stood in the course. Perez thought that this was an unusual time to request one’s standing given that after the exam was graded, Jason or any other student would have a lot more complete information. It was not as if Jason could do much to change things at the last moment.

In Perez’s response, he stated that he could give Jason a much better indication of his current grade the next afternoon after the exam was scored. Perez had noticed that Jason had recently missed a few classes and he knew that Jason, who needed a C or better in the course, could not afford any point losses. In his response to Jason, Perez informed Jason that he had been missing classes and this would negatively impact his final course grade. As soon as he sent the email, Perez wondered if he had made a mistake by sharing that “bad” news with Jason when he

suspected that he was anxious about doing well on the exam. Perez was convinced that Jason was not prepared for this exam and was “stressing out” because of that.

Within ten minutes, Jason replied by email stating that “the attendance policy is something that needs to be looked into. I participate way more than my peers when I am there.” Perez sensed that his email set Jason off and he was concerned that Jason was unraveling. His instincts told him to wait until just before the test was to begin to show up to class. Accordingly, he did not arrive to the classroom until two minutes before class time and it did not take long for him to discover that his instincts were correct.

Perez stood at the podium and began to organize the test materials for distribution. He had a brief conversation with a student who sat close by. Perez purposely did not look off to the far left of the front of the classroom which was where Jason sat. He had a premonition. Perez began passing out the blank computer answer sheets to students. When he went over near Jason, Jason blurted out “I want to talk to you.” “Jason, right now is not the time because we need to get going on the exam and some students need the full 75 minutes.” In a clearly confrontational way Jason retorted, “you mean I can’t ask a question? Why can’t I ask a question?” “Jason, this is not the time!” Jason then asserted that a third of the class had “concerns about how the class was run” and that he “was speaking for the class.” Perez, briefly looked around to see if it appeared that Jason was not acting alone but no one else appeared to want to have anything to do with him. The other students seemed as flustered and dumbfounded as Perez was. Perez once again told Jason that this was not the time and that he had to get the test going. It was obvious to Perez that the last thing Jason wanted to do was to take the test and Perez believed Jason was far from prepared for it. All this time, Jason continued his verbal attacks against Perez. Jason completely disregarded all of Perez’s request to desist and to be quiet and he continued to criticize Perez by stating that the course was horrible, that all Perez did was read the Powerpoints, and that he got better examples from his 3rd grade teacher. “Third grade teacher?” Hearing that Perez thought, “Jason, you are embarrassing yourself.”

It appeared to Perez that Jason wanted to incite an in-class rebellion but no one else chimed in or appeared to support him. Perez also found it odd that Jason wanted to make this a class discussion when he, nor any other student in the class, had expressed any concerns to him about how his class was taught.

Throughout this ordeal, Perez repeatedly asked Jason to stop talking but to no avail; Jason would not stop. Finally, Perez told Jason that if he did not stop talking he would have to leave the room and that he would receive a zero on the exam. Jason was not fazed and he continued to lambast Perez with criticism. Perez once again directed Jason to leave the room but he did not budge and continued rambling on. Because nothing else was working, Perez told Jason that he was going to call the campus police, but as he said it Perez realized this would take up more class time waiting for them to arrive and to deal with the situation. He immediately retracted that threat and told Jason and the class that he would not do that because it would only escalate things and prevent students from completing their exams.

It was at this point that Jon confronted Jason as described at the beginning of this case. As noted, he finally stopped talking. It was like all the air in a balloon had dissipated. Jason actually put his head down and began working on his exam.

At the time that Jon challenged Jason, Dr. Perez was very worried that Jason might respond physically. Fortunately, that did not happen. Perez found the incident incredulous and wondered how much longer Jason would have continued had Jon not intervened. Perez wondered if Jason had even listened to a single word he had said. Perez felt that Jason effectively had taken the class hostage during this time and he no doubt seriously contaminated the testing conditions for the other students.

Throughout the ordeal and during the exam, Perez was concerned about the possibility that Jason might become physically violent. He was convinced that many of his students must have felt the same way. At one point during the exam, a student sitting in front of Jason accidentally knocked a large water bottle off his desk and it made a fairly loud sound when it hit the floor. A couple of students actually slightly jumped up off of their chairs while many looked around wondering what had happened or was about to happen.

Approximately ten minutes after Jason finally stopped his tirade, Perez walked down the hall to the college office and informed one of the administrative assistants about what had transpired and asked them to phone Campus Police if they heard any commotion outside of his classroom (which was only one classroom away). Perez also asked for the phone number of Campus Police. He was concerned that Jason might become confrontational with him, Jon, or any of the other students after the exam.

Approximately 45 minutes into the exam Jason walked up and handed Perez his exam. Perez felt very uncomfortable at this time and given the arrangement of the room, Jason had to walk directly behind Perez. Perez braced himself for a slug in the back or some other physical attack but Jason walked to the door and exited the classroom.

After Jason left the room, many students looked around and made comments about what had transpired. When returning their completed exams, a few students made supportive statements to Perez and indicated their disgust about the events they had had to unwillingly be part of.

Towards the end of the scheduled completion time for the exam, one student informed Perez that he could not concentrate during the first 15 minutes of the exam. Also, there were four other students who had not finished the exam. Perez realized that with all of the distractions and the late starting time that they deserved extra time and told them they could have as much time as they needed to complete the exam. Perez also realized that his students had completed their exams under conditions which were far less than ideal and he was sure that he was going to have to give the test scores a significant upward adjustment. Fortunately, he had used most of the questions on this exam on the previous semester's class exam. This would provide him a meaningful frame-of-reference for how large the adjustment should be.

After the exam, a student who was also a OSE major, informed Perez that “Jason does these sorts of things in all of his classes.” Perez could not fathom the idea that Jason had done anything as disruptive as this, and if he had how could he have gotten away with that behavior, but he suspected Jason had a habit of pushing himself on others and that in Jason’s view, “others were the problem.”

After all of his students completed the exam, Perez walked to the Dean’s Office and briefly shared with him what had happened and inquired about the disciplinary process for students. Perez was adamant that Jason’s behavior was inexcusable, that he had completely disrupted the class and exam, he had disrespected Perez and his fellow students, that he had basically taken the class hostage, and that he was a time bomb waiting to explode. Perez was resolute that Jason not be allowed to return to the class. The Dean indicated he understood how Perez felt and that he would contact the appropriate university personnel.

Perez also spoke to the Associate Dean of the College. She informed him, that immediately after the exam, Jason had stormed into the College’s reception area and insisted that he be able to meet with the Associate Dean or Dean. The Associate Dean agreed to speak with him. He shared with her much of what he had to say in Perez’s class and he asserted that Perez should be fired. She informed Jason that he could file a grievance at the Office of Student Affairs and he left saying that he would do so.

Perez asked the Associate Dean if he should email his students and request that if any of them were willing, to please send an email to the dean detailing what had occurred and their perceptions/feelings regarding the classroom events. She thought it was a good idea.

In the email, the students were directed NOT to copy Perez on the emails (so they would be more comfortable sharing what they observed). Fifteen of the thirty-five students in the class contacted the dean. Copies of the emails were later forwarded to the Kathy Boes, Assistant Vice-President of Student Affairs.

That afternoon and evening, two of Perez’s students emailed him and shared their perceptions and feelings about what had occurred in class. These emails are provided in Appendices A and B.

That night Perez documented what had occurred in class and his previous interactions with and perceptions of Jason. Figure 1 below contains only a portion of the written documentation that Perez would share with the Dr. Boes, the V.P. of Student Affairs.

Figure 1: Excerpts from the written documentation of Dr. Perez

To: Dr. Kathy Boes
From: Dr. Marcus Perez
Regarding: Jason Ward

I am in my twentieth year as a faculty member at SMSU and I have never experienced anything even close to the intensity, duration, and disruptiveness of Jason Ward's behavior. In my opinion, Jason held the class hostage by refusing to stop his tirade. He kept the class from beginning the exam when it should have begun and many students were clearly upset.

I am fearful that if he were to attend class again he would be disruptive and I fear that he could become violent. I do not want him to attend class again and I know most if not all of my students feel the same way. I will take any administrative actions necessary to prevent him from continuing in my class.

I am also concerned about the possibility of his "losing it" later when the full consequences of his actions become known to him. Although I am not a psychiatrist, I believe he has serious emotional problems and I am concerned for my students' safety as well as my own and that of my family.

I would hope that someone from Campus Police or the Office of Student Affairs will contact some of the faculty from Outdoor and Sports Education to learn of his behavior in their classes.

I had expected that my students' scores on the exam would be lower than normal because of what they had to go through. This proved to be the case and I had to give them a substantial number of extra points to make up for the far from less than ideal test environment.

I should mention that I received two unsolicited emails from students in the class who were very critical of Jason's behavior and supportive of me. In addition, that evening, based on consultation with my associate dean, I emailed all of the students in my class (with the exception of Jason) asking those who were willing to email the Dean (and not to copy me) regarding their observations of the events that took place. I have not seen those emails but I was told there were many and they were very critical of Jason's behavior. In addition, I emailed the student who confronted Jason to thank him. In his reply he stated, "Dr. Perez, I was appalled by what happened in class I was furious and shaking throughout the entire test. Honestly I wanted him out of the class as well. I wish there was something we could have done. In my opinion his behavior was inexcusable. If Jason was expelled, that would still be too lenient of a solution! Maybe I am still a little upset about it. . . . it was still, preschool maturity at best."

I will consult my dean and associate dean to determine what further action I and the College of Health Care Administration will take regarding this situation.

Thank you for your attention.

Marcus Perez, Ph.D.
Professor of Health Care Management

The next day, the Dean contacted the Vice President of Student Affairs and subsequently directed Perez to contact the Assistant Vice-President, Dr. Boes, to discuss the matter. Perez followed up and met with her later that afternoon.

Meeting with the Assistant Vice-President of Student Affairs

As noted, Dr. Perez had documented his perceptions of what had occurred in his class and a little background information based on his interactions with Jason throughout the semester. He brought a written copy of that documentation with him to his meeting with Kathy Boes, Assistant V.P. of Student Affairs.

During their meeting, Dr. Boes asked Dr. Perez to describe what had happened. He gave her a copy of his materials. She looked them over and asked him a number of questions to clarify what he had written. When she reached the part about Perez's initial thought to call the Campus Police, she stated that she wished he had and that they would have commenced a separate investigation. She encouraged Perez to file a complaint with the Campus Police which he did shortly after his meeting with her.

She had already met with Jason that morning and she told Perez that for the most part Jason's and his versions matched up. She told Perez that she had asked Jason if he had handled the situation appropriately and he had indicated he had not and that he was embarrassed. She asked Jason to apologize to Perez but that never occurred.

She told Perez that when the matter was first brought to her attention and she heard that Jason was involved, she was especially concerned. Two days earlier, a student had filed a complaint about Jason because of his aggressive behavior toward the student because the student was smoking on campus. She had also met with Jason about that complaint and based on her two meetings with him, she considered him to be "a student of concern." She mentioned that he had a lot of personal issues, had seen counselors, and was currently in need of additional counseling.

Although he was not a psychologist, Perez interpreted this to mean that Jason was a "loose cannon" and he could be prone to violence but he did not know that for sure. Perez was convinced that he saw the potential and he knew that many of his students felt the same way.

Although no decisions were made at this meeting, Perez again made it very clear that Jason could not return to the classroom under any circumstances. He stated "I will not allow the university to put my students or myself in harm's way and his continued presence in class during the last three weeks of the semester would be very disruptive if not dangerous." Dr. Boes said that she understood and appreciated Perez's working with her and her office.

At the conclusion of her meeting with Perez she indicated that he, she, the Vice-President of Student Affairs, the Associate Dean and Dean of the College of Health Care Administration, and the Chief of Campus Police should meet within the next couple of days to discuss what action if any to take against Jason.

Meeting with the Brass

A meeting was scheduled for early the next week. Most of the discussion involved a restatement of the events previously discussed and updating the Campus Chief of Police and the V.P. of Student Affairs.

Dr. Boes shared some additional information about Jason and his personal situation. Jason was planning on graduating at the end of the following semester. He was involved in a relationship and his “companion” was expecting his child in a couple of months. Throughout these discussions, Dr. Perez came to believe that the Assistant V.P. of Student Affairs and the V.P. of Student Affairs appeared to be lobbying for a course of action that would, in their own words “not be overly disruptive to” Jason’s life.

There were some additional discussions about the “student of concern” issue and the importance of following due process and just cause to ensure that “the student” would be treated fairly. All of the parties involved also expressed their interest in ensuring Dr. Perez’s right to conduct his class without disruption and the safety of his students.

All of this led to a discussion about what the appropriate response should be and how Dr. Perez thought it should be handled. Dr. Perez shared some of his thoughts. He again reiterated the importance of Jason not being allowed to return to the class. This could be done in one of two ways. Jason could be administratively dropped and receive a “W” for “Withdrawal” which would have no negative affect on his GPA. Alternatively, he could be barred from attending the course and given an “F” for the course. Perez also asserted that he did not want Jason to be able to enroll in any of his courses. He also suggested that Jason could be banned from taking any additional courses from the College of Health Care Administration but Perez’ Dean quickly indicated he would not be comfortable with that option because these courses were required for Jason to graduate. Other options discussed in the meeting were those detailed in the Student Code of Conduct (please see Appendix D), including suspension and expulsion from a program or the university.

Dr. Boes again addressed Dr. Perez and asked him what his preference was. Perez felt that he had a pretty good read on the direction the Student Affairs people were leaning. Based on what he and his students had endured and the ramifications of a forthcoming decision, he presented how he wanted the situation to be addressed. He believed his recommendation would influence the ultimate outcome but in no way was he so naïve to believe that his recommendation would dictate the final decision, especially if he argued for a more severe form of disciplinary action. It was time for Dr. Perez to decide what he thought Jason’s disciplinary action should be.

Appendix A: Unsolicited Student Email #1 to Dr. Perez

Class today 11/15

Tony Higgins < >
To: Marcus Perez < >

Thu, Nov 15, 2015 at 3:25 PM

Dr. Perez,

I just wanted to let you know that Jason had no idea what he was talking about. You are an excellent professor. I completely rearranged my schedule when I was registering for classes for this semester when I saw that you were teaching Health Care Human Resource Management. I appreciate all you do to provide me and my fellow students with an opportunity to better understand the world we are about to enter after graduation.

Have a great Thanksgiving break

Tony Higgins

Appendix B: Unsolicited Student Email #2 to Dr. Perez

Jason's Classroom Behavior

Robert Patton < >

Thu. November 15, 2015, 6:10 PM

To: Marcus Perez < >

One of the lessons that I have learned over the last few years is that documentation is imperative and the more you have the better off you are. After class I felt I should send you what I saw happen today. First off let me say that what I saw Jason do today I thought was very selfish. I believe that everyone is entitled to their own opinion but I do not think Jason should have addressed his concerns in such an unprofessional way.

I got to class about 10 minutes early today. Jason arrived shortly after I did. I heard him say something to someone along the lines of, "I have something to say to Perez before the test." I didn't think anything of it because my past experience is that Jason likes to hear himself talk without having a lot to say. Sometime after you arrived to class and started handing out the answer sheets I heard Jason say something; I am not exactly sure what he said. I heard you say reply to him saying, "Jason, please not today, we are going to take the test today." Jason then said, "Come on, all you do is read the slides, my third grade teacher tells better stories. I have talked to people in the class and they feel the same way." At that point you said, "Jason, don't interrupt the class again or you will have to leave and you will fail this class." Then, Jon said, "Jason, please shut the hell up, respect the professor, we are taking the test today, I am speaking on behalf of the class." Jason said something else that I couldn't hear from across the room and you asked him to leave. You said that you would get security. Then you said that you were not going to let him make it a bigger issue, but you asked him to keep quiet.

Additionally I also wanted to let you know how I feel that affected me as a student. I have been going to SMSU for several years. I have heard my fair share of students complaining about professors. (I would like to see a college where that doesn't happen.) However, I have never seen a student interrupt a class like that and address a professor like that. I don't know if the two of you could have staged a better standoff in class. I already had my premonitions about Jason

but this experience really makes me nervous about how he would act in the future. I don't want to blow this out of proportion but I didn't really feel safe with him there. I think a lot of the class feels the same way, for example, you probably remember when someone's water bottle fell off the desk and it startled the class; I thought for sure that Jason was getting ready to do something. At the end of the day, Jason's actions were inappropriate and I don't feel like it should be tolerated.

Thanks,
Robert P.

Appendix C: Marcus Perez's Email to Jon and Jon's Response

Thanks for intervening

3 messages

Marcus Perez <>

Sat, Nov 17, 2015 at 9:48 AM

To: Jon Russell <>

Jon,

I want to thank you for taking Jason on in class. Fortunately he did not confront you about it. I don't know how long he would have continued but for your input and I probably would have had to call campus police (but I did not have their number) and I have been told that I should have called them. How would I have known that, it is not as if we receive training on this sort of thing nor has anything like it happened before? As I said, in my 20 years at SMSU and other years teaching, I have never experienced anything even close to this. Thanks again.

Marcus P.

Jon Russell <>

Sun, Nov 18, 2015 at 1:16 AM

To: Marcus Perez <>

Dr. Perez,

I was appalled by what happened in class I was furious and shaking through the entire test. Honestly I wanted him out of class as well I wish there was something we could have done.

In my opinion that is inexcusable conduct. If Jason was expelled, that would still be too lenient of a solution! (Maybe I am still a little upset about it... Haha). Regardless of my feelings it was still, preschool maturity at best, it might be okay to throw temper tantrums then, but in 400 level college courses it is simply childish and pathetic.

I am very sorry most of all that it happened to you. One more notch for the belt I guess... And don't worry, for the next month or so I will be there to keep him in check. ;)

I am just glad it didn't turn violent.

Respectfully,
Jon Russell

Appendix D: Excerpts from the SMSU Student Handbook

Procedural Rights

The University guarantees due process in the adjudication of alleged student violations of the Student Code of Conduct, Rights, Responsibilities and Conduct Code System.

Student Conduct Code Preamble

The Student Conduct Code is an expression of behavioral standards that are intended to allow students and others at Southwest Mountain State University (SMSU) to live, work, study, recreate, and pursue their educational goals in a safe and secure environment. The Code is crafted to reflect expectations based on values essential to such an environment and to a flourishing academic community, such as honesty, integrity, respect, and fairness.

The standards are higher than the general law, as our expectations for SMSU students, as future alumni and citizen-leaders, are considerable. That said, we strive to recognize and honor core tenets of our society and our academic legacy, such as free speech and expression. Therefore, much expression that may be offensive or unpopular will not be actionable under this Code. Further, those who administer the Code attempt to craft both hearings and sanctions in a manner that takes into account the developmental issues and educational needs of students.

Students are not only members of the academic community, but they are also citizens of the larger society. As citizens, they retain those rights, protections and guarantees of fair treatment that are held by all citizens. In addition, students are subject to the reasonable and basic standards of the University regarding discipline and maintenance of an educational atmosphere. The enforcement of the student's duties to the larger society is, however, the responsibility of the legal and judicial authorities duly established for that purpose.

While the Office of Student Affairs is generally responsible for addressing student conduct, classroom management and behaviors not otherwise in violation of published behavioral norms are under the jurisdiction of the responsible faculty member. This section describes SMSU's expectations, student rights, and references to procedures related to student conduct in the classroom.

1. Conduct in the Classroom

Classroom conduct is under the direction of the individual faculty member. The following

information is provided in order for students to have a better understanding of appropriate classroom conduct.

a. Freedom in Classrooms: The classroom is the center for study and understanding of the subject matter for which the faculty member has professional responsibility and institutional accountability. Faculty members should encourage free discussion, inquiry and expression among their students in their quest for knowledge. The faculty members should hold the best scholarly standards for their disciplines. They should conduct themselves in keeping with the dignity of their profession and should adhere closely to their proper role as intellectual guides and counselors. They should foster honest academic conduct and evaluate their students fairly and accurately. They should respect the confidential nature of the relationship between instructor and student. They should avoid exploitation of students for private advantage and should acknowledge significant assistance from them. They should protect student rights as defined herein.

b. Control of the order and direction of a class, as well as the scope and treatment of the subject matter, must therefore rest with the individual instructors. The rules properly reflect the obligation of each student to respect the rights of others in the maintenance of classroom order and in the observance of courtesy common to every intellectual discipline.

- 1) Students have the right to be informed in reasonable detail at the beginning of each term of the nature of the course, the course expectations, the evaluative standards and the grading system that will be used.
- 2) Students have the right to take reasoned exception to the data or views offered in the classroom and to reserve judgment about matters of opinion without fear of penalty.
- 3) Students have the right of protection against improper disclosure of information concerning their professional relationships with faculty. (See the Family Education Rights and Privacy Act, a.k.a. Buckley Amendment, for further details.)
- 4) Students have protection through orderly procedures against prejudiced or capricious academic evaluation. At the same time, they are responsible for maintaining standards of academic performance established for each course in which they are enrolled.

c. Disruptive Behavior in Classrooms and Laboratories: control of the order and direction of a class or laboratory as well as the scope and treatment of the subject matter rests with the individual faculty member. Disruption of the classroom is forbidden. Each student has the obligation to respect the rights of others in the maintenance of classroom order and in the observance of courtesy. The instructor has the right to impose sanctions in cases of disruptive classroom behavior. Prior to taking such action, however, it is recommended that a faculty member follow these procedural steps.

- 1) Inform the student that the behavior in question is disrupting the class and request that the student discontinue the behavior. In the case of aggressive disruptive behavior, the instructor should ask the student to leave the classroom immediately or initiate action to

have the student removed by seeking assistance from the Campus Police. In a case of aggressive disruptive behavior, the instructor should also immediately notify the dean's office having jurisdiction over the class, who in turn may contact the Office of Student Affairs and Campus Police in order to determine the appropriate action to be taken. Such action, depending upon the nature and severity of the behavior, may warrant, but not be limited to, any sanction listed in paragraph 2) below.

- 2) If the disruptive behavior continues (whether in the same or a subsequent class period), the instructor should again direct the student to stop the behavior. If the disruptive behavior continues, the instructor's options include: a) asking the student to leave the classroom, which may be followed up with a call to Campus Police to have an officer escort the student from the room (notify the department chair that this was done); b) imposing a grade reduction; c) assigning an "F" in the course; d) withdrawing the student from the course and/or e) further sanctions, including dismissal from the program or the university. If the instructor chooses any of options b-e, it should be done in conjunction with her/his academic dean (or dean's representative) and the Office of Student Affairs. Sanctions assigned under this policy may not be avoided by withdrawing from or dropping the class. When sanctions require action by the Registrar, the Registrar shall be notified in writing by the department chair or dean involved in the case.
- 3) Any student appeal of sanctions imposed due to disruptive behavior in the classroom is made to the dean (or dean's representative) of the college having jurisdiction over the course. The decision of the dean is final for that particular class. The matter is not appealable through the scholastic appeals process.

Students and faculty members should be aware that if the college dean (or dean's representative) becomes involved, he/she will assess all relevant information and recognize the obligation of fairness to the instructor, the student, and the class.
