



University Policy Statement

UPS 300.000

STUDENT RIGHTS AND RESPONSIBILITIES

INTRODUCTION

Our colleges and universities bear a special obligation to serve as exemplars of respect for individuals. Such respect underlies the trust relationship that is the foundation of our free institutions. Such respect must also underlie the university-student relationships if both are to progress. Such a relationship cannot thrive when insufficient attention is given to the issue of students' rights and responsibilities.

The Student Rights and Responsibilities rely heavily upon the concept that the student-faculty relationship is a partnership that is one of co-learning toward common objectives. The University believes that our community of learning has an equal responsibility to all of its members; indeed it cannot exist without the contribution of each.

The following rights and responsibilities will mean nothing unless a relationship of trust exists among the students, administration, and faculty of California State University, Fullerton.

Academic institutions exist for the transmission of knowledge, the pursuit of truth, the intellectual growth of their members, and the general well-being of society. Free inquiry and free expression are indispensable to the attainment of these goals. As members of the academic community, students should be encouraged to develop critical judgment and to engage in a sustained and independent search for truth. Since freedom of inquiry and expression are meaningless if freedom of expression does not include freedom to act, the academic community must not only permit but should also encourage all forms of action which do not interfere with the rights of other individuals or groups or with the essential functions of the academic community.

An academic community which fosters freedom may find itself in conflict with other segments of society, for freedom stimulates the passion for creation, experiment, and change. Only by choosing the course that vigorously defines rights and freedom while maintaining responsibilities can a university truly keep its pledge to the scholars of the past and to those of the future.

The relationship between California State University, Fullerton and its students must be viewed in the light of the function of the university to transmit to its students the civilization of the past, to enable them to take part in the civilization of the present, and to contribute to the civilization of the future.

In this great pursuit, the student must be viewed as an individual who is most likely to attain maturity as a critical thinker, if left free to make personal decisions and to exercise the rights, as well as shoulder the responsibilities, of citizenship on and off the campus.

It is the policy of California State University, Fullerton to create and maintain an environment that values diversity, respects human dignity, is hospitable, equitable, and tolerant, and in which all persons are free from all forms of invidious discrimination or discriminatory harassment.

California State University, Fullerton challenges and summons its students, faculty, staff, and administration to promote a hospitable and equitable learning environment for all persons; asserts that tolerance for diversity shall be the norm for behavior on the part of all who are present on the campus; discourages the use of derogatory or disparaging language and other forms of expression; and, particularly, condemns those who insult persons on the basis of race, ethnicity, national origin, ancestry, citizenship, religion, creed, sex, sexual orientation, marital status, age, disability, or veteran status.

This document provides a statement of general policy concerning the rights and responsibilities of students. The rights enumerated in this document are not to be interpreted as excluding other rights commonly accepted in the academic community. The responsibilities outlined in this document are not to be interpreted as the sole responsibilities of a CSUF student. Other official university documents such as the *University Catalog*, course schedule, and student handbook also outline student responsibilities and rights.

RIGHTS

1. Right of Freedom of Expression

- a. Every aspect of the educational process should promote the free expression of ideas. Students are free to pass resolutions, distribute leaflets, picket, circulate petitions, discuss, and take other lawful action respecting any matter, which directly or indirectly concerns or affects them, subject only to reasonable time, place and manner considerations.
- b. Students have the right of freedom of speech and assembly. They may publicly assemble to demonstrate support for or opposition to causes or candidates. University control of campus facilities shall not be used to prevent the free exchange of ideas. The prescribed areas of public assembly shall not be isolated from the natural gathering points of the University.
- c. Students are free to invite and hear speakers of their choice.
- d. Students are free to express reasoned verbal exception to the data or views offered in courses of study and to reserve personal judgment as to the truth or falsity of what is presented.

2. Right of Fair and Equal Evaluation

- a. Students have the right to a just measurement of their performance by the professor. Instructors shall take no action to penalize students because of their opinions or because of their conduct outside the classroom. This right holds also for such matters as confidential evaluations, consideration of advancement to degree candidacy, and continuance in a major.

- b. Students shall have protection through orderly procedures against prejudiced, capricious or arbitrary academic evaluation. The method of grading by professors shall be made known to students. Students can expect that faculty will be willing to explain and discuss any grade, and students have the right to appeal any grade.

3. Right of Input into University Governance and Instructional Programs

The functioning of the educational community requires an awareness of mutual responsibility, understanding, trust, and respect in order that all its members may actively contribute to the development of policies and programs. This purpose shall be achieved through continuous cooperation within the educational community.

- a. Students shall be free individually and collectively to express their views on issues of institutional policy and on matters of interest to the student body. Students are guaranteed the right of participation in those aspects of university governance which relate to the interests of the student body.
- b. Students shall have an active voice in (1) the making of University policy and procedure affecting their co-curricular activities or academic affairs, and (2) the formulation and implementation of standards of student conduct.

4. Right of Free Association

Students are free to organize and join associations to promote common interests. Affiliation with an extra-mural organization will not disqualify a student organization from University recognition.

- a. Student organization leaders have the right to determine the role of the faculty or staff advisor and to describe this role in appropriate governing documents. Student organizations that wish to access a certain level of privileges may be required to have a faculty or staff advisor. However, it should be noted that advisors will not be held responsible for organizational activities over which they do not have authority or control.
- b. Institutional recognition will be granted to all student organizations provided stated goals and proposed activities are legal and consistent with University rules and regulations.
- c. Student organizations shall not be required to submit a list of membership. A list of formal representatives of the organization is required for informational purposes only.
- d. Student organizations shall be open to all students without respect to race, religion, gender, age, national origin, disability, or sexual orientation, except for religious qualifications, which may be required by organizations whose aims are primarily sectarian. Greek-letter social organizations are exempt from the gender discrimination provision as per federal law.
- e. Student organizations may be held accountable for the individual actions of their members if such acts are directly related to the student organization or if other student organization members were aware of the acts and did not take appropriate action to stop or prevent them.

5. Protection Against Improper Disclosure

- a. Information about student views, beliefs, and political associations which University employees acquire privately in the course of their work as instructors advisors, and counselors shall be considered confidential. Since improper disclosure of this information could have a damaging effect to the environment of free inquiry and expression necessary to quality higher education, protection against improper disclosure of confidential information regarding students is a professional obligation of faculty members and administrative staff.
- b. Student records will be released only under legal compulsion or the written request of the student involved. If records are subpoenaed, the student shall receive the same information and the name of the subpoenaing agency.
- c. Information from student educational records will be considered confidential in accordance with the Family Educational Rights and Privacy Act.
- d. When a student has been found responsible for a violation of University standards through Student Conduct, a disciplinary record (separate from the student's academic record) will be maintained in a confidential file in the Dean of Students office, Student Conduct, for a minimum of seven years. If a student is suspended or expelled from the University, the file shall be kept permanently. Probation and suspension are noted on the student's academic record during the term of the probation or suspension. A permanent notation will be made on the student's academic record if he or she is expelled from the University. If a student is found not responsible, all files will be purged.

Disciplinary records are considered education records under the Family Educational Rights and Privacy Act and as such can only be released in accordance with those regulations.

6. Right of Use of Facilities and Resources

- a. Student organizations shall be provided access to the campus' resources and facilities in accordance with the policies and procedures specified in the Facility Use Manual and other Campus Policy.
- b. Campus facilities will be made available to all recognized student organizations on a non-discriminatory basis.

7. Right of Access to Relevant Education

- a. Students are entitled to an atmosphere conducive to learning and to equitable treatment in all aspects of the teacher-student relationship. Faculty must be mindful of the potential intimidating effect in the unequal power relationship between teacher and student. Faculty members shall not refuse to enroll or teach students on the grounds of their beliefs or the possible uses to which they may put the knowledge gained in a course. The student shall not be forced by the authority inherent in the instructional role to make particular personal choices as to political action or his/her own part in society.
- b. Students have the right to expect appropriate instruction under the guidance of the instructor at the times scheduled except in mitigating circumstances. Repeated non-performance or repeated lack of preparation by the instructor violates this right.

Teaching plays a primary role in the advancement of learning. Students have a vested interest in the nature and quality of instruction; therefore, their evaluation of teaching shall be a criterion considered in faculty promotion and tenure. Freedom to teach and to learn implies that faculty members have the right to determine the specific content of their courses within the established course definitions, and have responsibility not to depart significantly from their areas of competence or to divert significant time to material extraneous to the subject matter of their courses.

8. Right to Freedom of the Press

- a. It is the right and duty of the communications media on this campus to present news, opinion, and editorial comment and to provide a forum for the free exchange of ideas. At the same time, individuals operating and individuals contributing to these media are bound to recognize that these rights are to be practiced within the limits of prevailing law, University policies, and the canons of journalism.
- b. Students using media, such as broadcasting, film, and print, including pamphlets, handbills and circulars are guaranteed freedom from censorship.

Those originating communications should be left free to exercise their own best judgment in the selection of materials. Neither a faculty member nor an administrator should exercise veto power over what may be disseminated.

9. Right of Due Process

- a. The student shall have the right of due process.
- b. Disciplinary actions against students are governed by the *Executive Order No. 1098 Student Conduct Procedures* (<http://calstate.edu/eo>).
- c. The student shall be considered innocent until proven responsible for a violation of University Standards. The status of a student in most cases will not be altered and disciplinary sanctions will not be initiated until completion of the disciplinary process. However, interim action may be initiated by the President, where there is reasonable cause to believe that it is required to protect safety or property and to ensure the maintenance of order.
- d. Activities of students may result in violations of the law, and students who violate the law may incur penalties prescribed by civil authorities. However, the University reserves the right to review such incidents independent of action by civil authorities, recognizing that the University's authority and its disciplinary process serve its educational mission and interest, a function separate from action by civil authorities.

RESPONSIBILITIES

A. The University

It is the responsibility of the University faculty and administration to act in a manner which benefits the students at California State University, Fullerton. It is also their responsibility to uphold the rights of students and to obey the letter and the spirit of such rights.

If any student has evidence a member of the faculty or administration acts in a way which violates students' rights as addressed in this document, the student is urged to consult first with the faculty/staff member, if appropriate. If necessary, the student should then consult with the appropriate supervisors or administrators at higher levels of responsibility. If the student is not satisfied with the results of this consultation process, he/she may request a hearing before the Student Academic Life Committee. This Committee will make its recommendations on the merits of the case and on subsequent actions to the appropriate Vice President(s).

It shall be the responsibility of the Office of the Vice President for Student Affairs and the Dean of Students Office to disseminate this policy. It shall be understood that these offices will develop more specific guidelines and procedures to administer and monitor the intent of this policy.

B. Students

Just as students have rights in the academic community, they also have responsibilities. Students' rights exist primarily to meet their educational responsibilities.

All students are expected to be responsible for their own learning. They therefore must be aware of university requirements and policies concerning academic procedures including prerequisites for courses, deadlines for withdrawing from class, etc. They should also consult appropriate faculty and staff to assist in accomplishing their academic goals.

In order to be current with policies and procedures, students have a duty to keep their personal data with the University up to date.

Since the University exists within the framework of a larger community which expects its members to conform to civil and criminal laws without special privilege, students whose actions are reviewed by outside authorities may be held accountable under both the University's jurisdiction and such other legal process.

1. Responsibilities: Right of Freedom of Expression

- a. Students' are expected to exercise free expression in a context of common sense and good judgment.
- b. Students' actions should not interfere with the rights of others or the function of the University.
- c. Students are expected to respect the intellectual views of faculty and the reasoned process of academic debate.

2. Responsibilities: Right of Fair and Equal Evaluation

- a. Students are expected to evaluate faculty and student team members fairly and responsibly. Anonymous evaluations must solely focus on academic criteria and not on the basis of opinions and conduct in matters unrelated to academic performance.

3. Responsibilities: Right of Substantial Input into the Determination of University Governance and Instructional Programs

- a. Students have the responsibility to participate fully in University governance, including serving on Campus Committees and voting in ASI elections. In undertaking such

responsibilities, students must conduct themselves appropriately and abide by established procedures.

- b. Students who serve on university committees are expected to be informed fully about their duties and relevant issues.

4. Responsibilities: Right of Free Association

- a. Student organizations' goals and activities must be consistent with University standards, policies, and legal requirements.
- b. It is the responsibility of student organizations to make clear in their public expressions that they speak only for themselves.
- c. Student organizations may be held accountable for the acts of their members if such acts are directly related to the student organization or if members were aware of the acts and did not take appropriate action to stop or prevent them.

5. Responsibilities: Protection Against Improper Disclosure

- a. Students have a responsibility to protect any student information which they may receive in the course of any position at the University.
- b. Students have a responsibility to keep confidential any information that they may obtain that is protected under relevant privacy law and policies.

6. Responsibilities: Right of Use of Facilities and Resources

- a. Student organizations and individual students must utilize university facilities and resources in a responsible manner that forwards the educational mission of the University.
- b. Student organizations and individual students may be held financially responsible for any damage incurred by the use of University facilities.

7. Responsibilities: Right of Access to Relevant Education

- a. Students have the responsibility to seek academic advisement throughout their enrollment at the University.
- b. Students are expected to learn the material in each enrolled class, and master the skills required to meet their educational goals
- c. Students are expected to be adequately prepared for class.
- d. It is the responsibility of the student to meet appropriate standards of academic performance and classroom conduct as stated by the instructor.
- e. Students are expected to demonstrate competency in analytical and critical thinking, as well as effective oral and written communication.
- f. Students share responsibility for monitoring standards of academic performance and classroom conduct conducive to the learning process.
- g. It is the shared responsibility of students to uphold the academic integrity of the university.
- h. Students may not interfere with or disrupt the learning and teaching environment.

8. Responsibilities: Right to Freedom of the Press

- a. Students operating and contributing to campus media must recognize that their rights must be practiced within the limits of the law and the canons of journalism.

9. Responsibilities: Right of Due Process

- a. Students are expected to know and abide by the University's standards of behavior as articulated in the Student Handbook and in related policy statements.
- b. In the University, as elsewhere, ignorance is not an acceptable justification for violating University standards.
- c. Students are responsible for understanding their rights in disciplinary matters and consulting with appropriate staff members.

In addition to the specific responsibilities arising in connection with these rights, students bear a general responsibility to support this institution's effort to maintain a spirit of free inquiry and respect for the rights of others. This responsibility arises from the fact that students are the present beneficiaries of that traditional spirit and are best positioned to preserve, improve, and transmit it to future generations. This responsibility imposes a duty on students not only to refrain from conduct which obstructs such effort of the institution but also to support those aspects of institutional discipline designed to deter or prevent such conduct.

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Supersedes: UPS 300.000 dated 6-30-10
and ASD 15-79

Source: Student Academic Life Committee

Note: Legal definitions of student responsibilities are set forth in California Code of Regulations, Title V, Section 41301, 41302, Penal Code Section 416.4, and Chancellor's Executive Order 1098.