



University Policy Statement

UPS 300.000

STUDENT RIGHTS AND RESPONSIBILITIES

SECTION I: PURPOSE AND LIMITATION

The purpose of this statement is to set forth, in a clear and concise manner, the rights and responsibilities of students at California State University Fullerton.

Student rights and responsibilities are governed by a variety of statutes and policies including state and federal law, California State University Executive Orders, Standards for Student Conduct, University Policy Statements, and Presidential Directives.

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, student handbook, and Standards for Student Conduct outline student responsibilities and rights.

It is the policy of California State University, Fullerton, as indicated and stated in UPS 100.007 to create and maintain an environment that values diversity, respects human dignity, is socially just, equitable, and inclusive, and in which all persons are free from all forms of invidious discrimination, discriminatory harassment, abuse, retribution, or violence. California State University, Fullerton challenges and summons its students, faculty, staff, and administration to promote a socially just and equitable learning environment for all persons; asserts that inclusivity and 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, particularly, condemns those who insult, discriminate, or harass persons on the basis of age, disability (physical and mental), gender (or sex), gender identity (including transgender), gender expression, genetic information, marital status, medical condition, nationality, race or ethnicity (including color or ancestry), religion (or religious creed), sexual orientation, and veteran or military status as outlined in Executive Order 1096 and Executive Order 1097.

SECTION II: RIGHTS AND RESPONSIBILITIES

1. Freedom of Expression

Students' Rights:

- a. Every aspect of the educational process shall promote the free expression of ideas. Students have the right to freedom of speech and assembly. They may publicly assemble to demonstrate support for or opposition to causes or candidates. They may take other

- lawful action respecting any matter, which directly or indirectly concerns or affects them, subject only to reasonable time, place and manner considerations outlined in by the University in President's Directive 5 and in accordance with event polices. 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.
- b. Students are free to invite and hear speakers of their choice.
 - c. 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.

Students' Responsibility:

- a. Students' actions shall not interfere with the rights of others or the function of the University.
- b. Students shall respect the intellectual views of faculty, staff, and other students and the reasoned process of academic debate.

2. Fair and Equal Evaluation

Students' Rights:

- a. Students have the right to a fair measurement of their performance by the professor (UPS 300.020). Instructors shall take no action to penalize students because of their opinions and 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 (UPS 300.030).

Students' Responsibility:

- a. Students shall evaluate faculty and student team members fairly and responsibly. Anonymous evaluations shall solely focus on academic criteria and not on the basis of opinions and conduct in matters unrelated to academic performance.
- b. Students have the responsibility to familiarize themselves with grading standards and expectations as set forth by faculty for their courses.

3. Input into University Governance and Instructional Programs

In order for its members to actively contribute to the development of policies and programs, an educational community shall foster members' sense of mutual responsibility, understanding, trust, and respect. This purpose shall be achieved through continuous cooperation within the educational community.

Students' Rights:

- 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.

Students' Responsibility:

- a. Students shall have the opportunity to participate fully in University governance, including serving on Campus Committees and voting in Associated Students, Inc. (ASI) elections. Participation is defined as direct involvement or through supporting representational forms of participation such as ASI. In undertaking such responsibilities, students shall conduct themselves appropriately and abide by established procedures which include state and federal law, California State University Executive Orders, Standards for Student Conduct, University Policy Statements, and Presidential Directives.
- b. Students who serve on university committees shall remain fully informed about their duties and relevant issues.

4. Free Association**Students' Rights:**

- a. Students may organize and join associations to promote common interests, and have these associations be officially recognized by the University.
- b. 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.
- c. Institutional recognition shall be granted to all student organizations, provided stated goals and proposed activities are legal and consistent with University policies, rules, and regulations (Executive Order 1068).
- d. Student organizations shall not be required to submit a public list of membership. However, a list of formal representatives and membership of the organization may be required for internal informational purposes only.
- e. Student organizations shall be open to all students without respect to age, disability (physical and mental), gender (or sex), gender identity (including transgender), gender expression, genetic information, marital status, medical condition, nationality, race or ethnicity (including color or ancestry), religion (or religious creed), sexual orientation, and veteran or military status, 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.

Students' Responsibility:

- a. Student organizations' goals and activities shall be consistent with state and federal law, California State University Executive Orders, Standards for Student Conduct, University Policy Statements, and Presidential Directives.
- b. Student organizations are official representatives of the university; however, unlike university departments, student organizations shall make clear in their public expressions that they speak only for themselves.
- c. 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 as indicated in the Standards for Student Conduct and Executive Order 1098.

5. Protection Against Improper Disclosure

Students' Rights:

- 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 highly sensitive. Since improper disclosure of this information could have a damaging effect on 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 (President's Directive 20).
- c. Information from student educational records shall be considered confidential and only be released in accordance with the Family Educational Rights and Privacy Act (President's Directive 17).
- 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) shall be maintained in a confidential file in the Office of 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 the student is suspended for one academic year or more, withdraws in lieu of suspension, withdraws with pending misconduct investigation or disciplinary proceedings, or is expelled from the University, as outlined in Executive Order 1098. 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 (FERPA) and as such can only be released in accordance with those regulations.

Students' Responsibility:

- a. Students shall protect any student information which they may receive in the course of any position they hold at the University.

- b. Students shall keep confidential any information that they may obtain that is protected under relevant privacy law and policies.
- c. Students shall be aware of legal policies that concern private information.

6. Access to the Use of Facilities and Resources

Students' Rights:

- 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.

Students' Responsibility:

- a. Student organizations and individual students shall 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.
- c. Student organizations shall utilize University facilities and resources in non-discriminatory manners and in accordance with university policy. If an organization takes part in discriminatory actions or violation of university policy, they may face losing access to University facilities and resources and/or face disciplinary action.

7. Access to Relevant Education

Students' Rights:

- a. 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.
- b. Students are entitled to an atmosphere conducive to learning and to equitable treatment in all aspects of the teacher-student relationship. Faculty shall 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.
- c. 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.

Students' Responsibility:

- a. Students shall seek academic advisement throughout their enrollment at the University.
- b. Students shall learn the material and master the skills required in each enrolled class.
- c. Students shall be adequately prepared for class.
- d. Students shall meet appropriate standards of academic performance and classroom conduct as stated by the instructor.
- e. Students shall 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. Students shall uphold the academic integrity of the university (UPS 300.021).
- h. Students shall not interfere with or disrupt the learning and teaching environment (Standards for Student Conduct).

8. Freedom of the Press**Students' Rights:**

- 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 social media, 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.

Students' Responsibility:

- a. Students operating and contributing to campus media shall recognize that their rights shall be practiced within the limits of the law and the canons of journalism.
- b. Students, student clubs, and organizations using campus media should maintain an atmosphere that promotes respect for learning and human dignity.
- c. Students shall recognize that student actions reflect upon the individuals involved as well as upon the entire university community.

9. Due Process

Students' Rights:

- a. The student shall have the right of due process.
- b. Disciplinary actions against students are governed by the Executive Order No. 1098.
- c. The student shall be considered innocent until proven responsible for a violation of University Standards/Policy. 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 (or designee), where there is reasonable cause to believe that separation of a Student is necessary to protect the personal safety of persons within the University community or University 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.

Students' Responsibility:

- a. Students shall 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.

10. Participation in CSUF Programs and Activities Free of Discrimination, Harassment and Retaliation

Students' Rights:

- a. All students have the right to participate fully in CSUF programs and activities free from discrimination, harassment, and retaliation. CSUF prohibits harassment of any kind, including sexual harassment, as well as sexual misconduct, dating violence, interpersonal partner violence, domestic violence, and stalking. Discrimination, including harassment, because of any protected status: i.e., age, disability (physical and mental), gender (or sex), gender identity (including transgender), gender expression, genetic information, marital status, medical condition, nationality, race or ethnicity (including color or ancestry), religion (or religious creed), sexual orientation, sex stereotype, and veteran or military status.

Students' Responsibility:

- a. Students shall abide by CSU Executive Order 1096 and Executive Order 1097, the *Systemwide Policy Prohibiting Discrimination, Harassment and Retaliation, Sexual Misconduct, Dating and Domestic Violence, and Stalking against Students and*

Systemwide Procedure for Addressing Such Complaints by Students and was revised on August 14, 2020.

Prohibited Conduct. The CSU prohibits:

1. discrimination, including harassment, because of any protected status: i.e., age, disability (physical and mental), gender (or sex), gender identity (including transgender), gender expression, genetic information, marital status, medical condition, nationality, race or ethnicity (including color or ancestry), religion (or religious creed), sexual orientation, sex stereotype, and veteran or military status;
2. retaliation for exercising rights under this policy, for opposing discrimination or harassment because of a protected status, or for participating in any manner in any related investigation or proceeding;
3. dating violence, interpersonal partner violence, domestic violence, and stalking;
4. sexual misconduct of any kind, which includes sexual activity engaged in without affirmative consent, and;
5. employees from entering into a consensual relationship with any student over whom they exercise direct or otherwise significant academic, administrative, supervisory, evaluative, counseling, or extracurricular authority. See Article I. F.

CONCERNS REGARDING A VIOLATION OF THESE RIGHTS AND 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

Students' rights and responsibilities exist to meet their educational needs. All students are responsible for their own learning. Students shall 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 are responsible for keeping their personal data with the University up to date.

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 responsible and accountable under both the University's jurisdiction and such other legal process.

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.

Source: Student Academic Life Committee

EFFECTIVE DATE: June 3, 2021

Supersedes: UPS 300.000 dated 6-16-15
and ASD 15-79

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.