

STUDENTS BILL OF RIGHTS AND RESPONSIBILITIES

Preamble

As the recognized student body government organization, Associated Students of California State University, Fresno, provides a means for responsible and effective participation in the governance of the campus; provides an official voice through which students' opinion may be expressed; and assists in the protection of student rights. We, the student body of California State University, Fresno, therefore, create this document in order to ensure the rights of all students are protected and responsibilities of all students are met.

Article I: Freedom of expression and association

Section 1. Students shall be free to examine and discuss all questions of interest to them and to express opinions publicly and privately. They shall always be free to advocate and support views and causes by orderly means (such as assembly and petition), which do not disrupt the regular and essential operation of the institution.¹ Actions such as disrupting class, damaging/defacing property, or racial/sexual harassment or attacks will not be tolerated.²

Section 2. Students shall have the right to assemble and reasonable access to use the facilities of the University. In their public expressions or demonstrations students speak only for themselves, and do not represent the views of the institution, the rest of the student body, or of Associated Students.

Section 3. Student-run organizations may invite and hear any person of their own choosing to campus. Those routine procedures required by the University, as detailed in the Academic Policy Manual, policy 625, shall be designed only to insure that there is orderly scheduling of facilities and adequate preparation and security of the event. Sponsorship of guest speakers does not imply approval or endorsement of the views expressed by the visitors, either by the sponsoring group, the institution, the rest of the student body, or by Associated Students.

Section 4. Institutional control of campus facilities shall not be used as a device of censorship. The University and/or Associated Students shall not deny funds to, or otherwise punish, any governing body, association, organization, or publication because of ideas expressed by them, or by their individual members.³

¹ California Code of Regulations (Title 5) Sections 41301- 41304, The California Education Code Section 66017, and CSU Executive order 628.

² Title VI of the Civil Rights Act of 1964. Sexual Harassment is a violation of Section 703 of Title VII.

³ See Campus Climate: Toward Appreciating Diversity. A report prepared for the California State University by the Panel of Experts on Campus Climate, 1990. See also President's Statement on Campus Climate and Diversity, Fall 2003.

Article II: Freedom of communication

Section 1. Student publications and means of communication that are accessible to students, shall be subject to existing laws governing public communication and electronic media.

Section 2. All student communications shall explicitly state that the opinions expressed are not necessarily those of the University, the rest of the student body, or of Associated Students.

Section 3. Students may distribute written material on campus without prior approval providing such distribution is done responsibly and does not interfere with the rights of orders or disrupt the regular and essential operation of the institution.⁴

Section 4. The content of student communication and the reaction or possible reaction of persons to such communication shall not be a basis or reason to restrict, prohibit, or terminate the student communication.

Article III: Freedom from discrimination

Section 1. It is agreed upon that all people are equal by right of their existence. To protect this equality no individual, group of individuals, or institution shall in any way discriminate against any person or groups of persons for any cause or reason. This includes, but is not exclusive to age, gender, race, national origin, economic status, sexual orientation, political affiliations, physical ability, marital/family status, and religion.⁵

Section 2. Membership in all institution-related organizations shall be open to any member of the institution community who is willing to subscribe to the stated goals and meet the stated obligations of the organization.

Article IV: Student participation in campus governance

Section 1. The Associated Students reserves the right to the running of our own government that shall be the representative body for student interest in the enforcement of the Student Bill of Rights. This government shall serve the entire student body and shall work in tandem with the administration and faculty in order to promote the best interests of the California State University, Fresno community as a whole. The structure of this government shall be specified within the Associated Students Bylaws and may be subject to change by the will of the student body or representatives thereof. No individual or institution shall in any

⁴ The statement the *rights of others* is in reference to the United States Bill of Rights and the Student Bill of Rights of the California State University Fresno Campus.

⁵ Title IX of the Education amendments of 1972, Title VI-VIII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Act of 1990, Equal Education and Employment Opportunity Program and CSU, Fresno's Policy Statement.

way control, alter, or dissolve this government unless otherwise granted to by Associated Students.

Section 2. To insure fair representation, one seat on each university and special committee shall be reserved for a student representative with full voting privileges except in cases where this would violate legal standards. One seat on each Academic Senate committee shall be reserved for a student representative with full voting privileges except in cases where this would violate Academic Senate policies. Appointments to these seats shall be made through the Student Senate of Associated Students.

Section 3. Students recognize that in order to uphold the principles of shared governance, students have the responsibility to show respect for all members of the University community. Furthermore, students should uphold the mission of the University and abide by the policies and procedures that govern the operations of the institution.

Article V: Notice of rules

Section 1. No sanction may be imposed for violations of rules and regulations for which there is not actual or constructive notice. Those rules and regulations, including the range of punishment that may be imposed, must be published and made available in the Student Handbook.

Article VI: Freedom from disciplinary action without due process

Section 1. When misconduct may result in serious penalties, the student is entitled to a formal hearing before the established University judicial system. In all situations, procedural fair play requires that the student be informed of the nature of the charges and procedural fair play requires that the student be informed of the nature of the charges and be given a fair opportunity to refute them, that the University not be arbitrary in its actions, and that there be provision for appeal of a decision. The rules and procedures of the established University policies must be available in the Student Handbook.

Article VII: Privacy

Section 1. Information such as but not limited to student views, religious beliefs, sexual orientation, and political associations that employees of the University privately acquire in the course of their work is strictly confidential.

Section 2. To minimize the risk of improper disclosure, academic and disciplinary records shall be separate, and the conditions of access to each shall be set forth in an explicit policy statement. Transcripts of academic records shall contain only information about academic performance and current status of enrollment. Information from educational records for all students, and disciplinary files for

students until their 18th birthday, shall not be available to unauthorized persons without the express written consent of the student involved except under legal compulsion or in cases of a health or safety emergency. Administrative staff and faculty members shall respect confidential information about students that they acquire in the course of their work.

Section 3. The University, as a higher education institution, and a pillar of progressive thought should use caution in responding to any calls for the disclosure of student records even under legal compulsion or cases of a health or safety emergency. A student's privacy must always remain paramount above social, political, and economic pressures.⁶

Article VIII: Right to a Quality Education

Section 1. The instructor in the classroom and in conference should encourage free discussion, inquiry, and expression. Student performance should be evaluated solely on an academic and professional basis. Students are protected through orderly procedures against prejudiced or capricious academic evaluation.

Section 2. Students are free to express differences of opinion or to disagree with data or views offered in any course of study. However, they are responsible for maintaining standards of academic performance established for each course in which they are enrolled.

Section 3. Departments shall designate which faculty members will serve as advisors and students have the right to consult with any one of these designated advisors at least once each semester. All advisors should be well informed on past and current requirements in order to effectively advise students. Advisors within majors should be well informed of all the requirements pertaining to graduation and admissions to graduate or professional school. Students shall have access to accurate and easily understood information in order to clearly understand graduation requirements.

Section 4. All professors must distribute a syllabus before the date to drop a class without a serious or compelling reason. A printed copy of the syllabus with a time-date stamp must remain available in the department office throughout the semester.⁷ Classes or activities scheduled outside of normally scheduled class hours must be listed on this syllabus if attendance at such events affects the grading policy. Professors must hold regular office hours, as listed in the syllabus.

Section 5. Students must be given access to their own grading records in the case of a grade appeal. The grievance policy must be strictly adhered to in such cases.⁸

⁶ Family Educational Rights and privacy Act of 1974, 1-4.

⁷ Academic Policy Manual 241-1 Record keeping (b).

⁸ Family Educational Rights and Privacy Act of 1974, 1.

Section 6. In order to insure that all students have access to a quality education, individual students must abide by classroom standards that are set by individual professors and the University. In accordance with this principle, students should perform at the highest level of academic integrity and honesty, attend all classes in which they are enrolled, arrive prepared for all classes, and actively seek and fully engage in all opportunities to learn.⁹

Article IX: Protest

Section 1. the right to protest peacefully within the University community is granted. However, the university retains the right to ensure the safety of individuals and the protection of property. This right goes beyond the right to communicate. Protest allows students to take peaceful direct action on issues they feel are important.

Article X: Ratification

Section 1. this document shall be adopted upon approval by the Associated Students, endorsement by the Academic Senate, and approval by the University President.

*Unanimously approved by the Associated Students' Senate on February 26, 2004
Unanimously endorsed by the Academic Senate on April 12, 2004; with the caveat that the Academic Senate be informed of any changes made to this document.
Unanimously approved as amended by the Associated Students' Senate on April 29, 2004*

⁹ Academic Policy Manual; Policy on Cheating and Plagiarism and Disruptive Classroom Behavior.