

# Student Rights and Responsibilities

Cornell considers and deals with its students as adults. The College delineates student rights and has expectations for responsibilities students will assume. Self-governing residence halls allow students the opportunity to administer themselves within the larger context of college life. High-performing self-governance, characterized by mutual respect and civil discourse, contributes to a harmonious campus community. When self-government ceases to function successfully or when students do not uphold College expectations, intervention through the College conduct (judicial) system may be necessary. The following documents introduce you to rights and responsibilities at Cornell and describe judicial procedures for dealing with inappropriate student conduct.

**Preamble:** Academic institutions exist for the transmission of knowledge, the pursuit of truth, the development of students, 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 the capacity for critical judgment and to engage in a sustained and independent search for truth. Academic freedom of students is essential to any community of scholars.

Freedom to teach and freedom to learn are inseparable facets of academic freedom. The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on the campus, and in the larger community. Students should exercise their freedom with responsibility.

The responsibility to secure and to respect general conditions conducive to the freedom to learn is shared by all members of the academic community. The College has a duty to develop policies and procedures which provide and safeguard this freedom. Such policies and procedures should be developed at Cornell College within the framework of general standards and with significant participation of all segments of the academic community. The purpose of this statement is to enumerate the essential provisions for student freedom to learn. It is the expectation that legislation in the future by any of the component parts of the campus community will be drafted and considered in the light of these principles.

**Article I.** Freedom of Access to Higher Education: The admissions policies of Cornell College make clear the characteristics and expectations of students which it considers relevant to success in the institution's program. Under no circumstances shall a student be barred from admission to Cornell College on the basis of race, sex, or religion. Thus, within the limits of its facilities, the College shall be open to students who are qualified according to all its admission standards. The facilities and services of the College shall be open to all of its enrolled students, and the College shall use its influence to secure equal access for all students to public facilities in the local community.

**Article II.** In the Classroom: The professor in the classroom and in conference should encourage free discussion, inquiry, and expression. Student performance shall be evaluated solely on an academic basis, not on opinions or conduct in matters unrelated to the academic standards of the discipline.

**Section A.** Protection of Freedom of Expression: Students shall be free to take reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course of study for which they are enrolled.

**Section B.** Protection Against Improper Academic Evaluation: Students shall have protection through orderly procedures against prejudiced or capricious academic evaluation. A student may appeal what he or she considers to be prejudiced or capricious evaluation. The criteria by which a student's work is to be judged shall be stated clearly at the beginning of each course. Students, in turn, are responsible for maintaining the standards of academic performance established for each course in which they are enrolled.

**Section C.** Protection Against Improper Disclosure: Information about student views, beliefs, and political associations which professors acquire in the course of their work as instructors, advisors, and counselors is to be considered confidential. Protection against improper disclosure is a serious professional obligation. Except in the most unusual circumstances, judgments of ability and character may be provided to persons outside the College faculty only with the consent of the student. None of the protections prescribed above is to be construed as prohibiting professors from discussing individual students among themselves as a part of their normal academic function.

**Article III.** Student Records: Institutions should have a carefully considered policy as to the information which should be part of students' permanent education record and as to the conditions of its disclosure. To minimize the risk of improper disclosure, academic and disciplinary records should be separate, and the conditions of access to each should be set forth in an explicit policy statement. Transcripts of academic records should contain only information about academic status. Information from disciplinary or counseling files should not be available to unauthorized persons on campus, or to any person off campus without the express consent of the student involved except under legal compulsion or in cases where the safety of persons or property is involved. No records should be kept which reflect the political beliefs or activities of students. Provisions should also be made for periodic routine destruction of noncurrent disciplinary records. Administrative staff and faculty members should respect confidential information about students which they acquire in the course of their work.

**Article IV.** Student Affairs: In student affairs, certain standards must be maintained if the freedom of students is to be preserved.

**Section A.** Freedom of Association: Students may bring to the campus a variety of interests previously acquired and develop many new interests as members of the academic community. They shall be free to organize and join associations to promote their common interests.

1. The membership, policies, and actions of a student organization will be determined by vote of only those persons who hold bona fide memberships in that organization and in the College community.

2. Affiliation with an extramural organization shall not of itself disqualify a student organization from institutional recognition.

3. Each organization shall be free to choose its own advisor, and institutional recognition shall not be withheld or withdrawn solely because of the inability of a student organization to secure an advisor. Campus advisors may advise organizations in the exercise of responsibility, but they should not have the authority to control the policy of such organizations.

4. Student organizations will be required to submit for approval a constitution that incorporates purpose, criteria for membership, and rules or procedures to the Student Senate and the Dean of Students.

5. Campus organizations, including those affiliated with extramural organizations, shall be open to all students without respect to race, creed, or national origin, except for religious qualifications which may be required by organizations whose aims are primarily sectarian.

**Section B.** Freedom of Inquiry and Expression:

1. Students and student organizations shall be free to examine and discuss all questions of interest to them and to express opinions publicly and privately. They should always be free to support causes by orderly means which do not disrupt the regular and essential operation of the College, such operation to be understood in the context of the whole educational mission of the College, including educational activities and practices outside, as well as within, the classroom. At the same time, it should be made clear to the

academic and the larger community that in their public expressions or demonstrations students or student organizations speak only for themselves.

2. Students shall be allowed to invite and to hear any person of their own choosing. Those routine procedures required by the College before a guest speaker is invited to appear on the campus should be designed only to ensure that there is orderly scheduling of facilities and adequate preparations for the event, and that the occasion is conducted in a manner appropriate to an academic community. The institutional control of campus facilities should not be used as a device of censorship. It should be made clear to the academic and larger community that sponsorship of guest speakers does not necessarily imply approval or endorsement of the views expressed, either by the sponsoring group or the institution.

3. Action by individuals or groups to prevent speakers invited to the campus from speaking, to disrupt the operations of the College in the course of demonstrations, or to obstruct and restrain other members of the academic community and campus visitors by physical force is destructive of the pursuit of learning and of a free society. All components of the academic community are under a strong obligation to protect its processes from these tactics.

**Section C.** Student Participation in Institutional Government: As constituents of the academic community, students shall be free, individually and collectively, to express their views on issues of institutional policy and on matters of general interest to the student body. The student body shall have clearly defined means to participate in the formulation and application of institutional policy affecting academic and student affairs. The role of the Student Government and both its general and specific responsibilities shall be made explicit, and the actions of the Student Government within the areas of its jurisdiction shall be reviewed only through orderly and prescribed procedures.

**Section D.** Student Publications: Student publications and the student press are a valuable aid in establishing and maintaining an atmosphere of free and responsible discussion and of intellectual exploration on the campus. They are a means of bringing student concerns to the attention of the faculty and the institutional authorities and of formulating student opinion on various issues on the campus and in the world at large.

In the delegation of editorial responsibility to students, the College must provide sufficient editorial freedom and financial autonomy for the student publications to maintain their integrity of purpose as vehicles for free inquiry and free expression in an academic community.

The Student Senate and the Media Board have the responsibility to define the role of student publications, the standards to be used in the evaluation, and the limitations on external control of their operation. At the same time, the editorial freedom of student editors and managers entails corollary responsibilities to be governed by the canons of responsible journalism, such as the avoidance of libel, indecency, undocumented allegations, attacks on personal integrity, and the techniques of harassment and innuendo. Editors and managers may have to bear the legal responsibility for the contents of their publications. As safeguards for the editorial freedom of student publications the following provisions are necessary:

1. The student press shall be free of censorship and advance approval of copy, and its editors and managers shall be free to develop their own editorial policies and news coverage.

2. Editors and managers of student publications shall be protected from arbitrary suspension and removal because of student, faculty, administrative, or public disapproval of editorial policy or content. Only for proper and stated causes shall editors and managers be subject to removal and then by orderly and prescribed procedures. The Media Board shall be the agency responsible for their removal.

3. All College published and financed student publications shall explicitly state on the editorial page that the opinions there expressed are not necessarily those of the College or the student body.

**Section E:** Elected Student Officers: An elected student officer shall be removed from office during his or her normally elected term only by orderly and prescribed methods of proper recall, voting procedures through his or her constituency, or proper impeachment procedures.

**Article V.** Off-Campus Freedom of Students:

**Section A.** Exercise of Rights of Citizenship: College students are both citizens and members of the academic community. As citizens, students should enjoy the same freedoms, such as freedom of speech, peaceful assembly, and the right of petition, that other citizens enjoy and, as members of the academic community, they are subject to the obligations which accrue to them by virtue of this membership. Faculty members and administrative officials should ensure that institutional powers are not employed to inhibit students' exercise of the rights of citizenship both on and off campus.

**Section B.** Institutional Authority and Civil Penalties:

1. Activities of students may on occasion result in violation of civil or criminal law. In such cases, College officials shall be prepared to apprise students of sources of legal counsel and may offer other assistance. Students who violate the law may incur penalties prescribed by civil authorities, but College authority shall never be used merely to duplicate the function of general laws. Only where the institution's interests as an academic community are distinctly and clearly involved shall the special authority of the institution be asserted. The student who incidentally violates institutional regulations in the course of his or her off campus activity shall be subject to no greater penalty than would normally be imposed. Institutional action should be independent of community pressure.

2. The College reserves the right to enforce its own regulations against members of the College community, when the action occurs on campus. Students may be liable to penalties by both civil authority and the College. This does not constitute double jeopardy.

**Section C.** Investigation of Student Conduct:

1. Except under extreme emergency circumstances, premises occupied by students and the personal possessions of students shall not be searched unless appropriate authorization has been obtained. For premises such as residence halls controlled by the institution, appropriate and responsible authority shall be assigned to whom application shall be made before a search is conducted. The application shall specify the reasons for the search and the objects or information sought. The student should be present, if possible, during the search. For premises not controlled by the institution, the ordinary requirements for lawful search shall be followed.

2. No form of harassment shall be used by institutional representatives to coerce admissions of guilt or information about conduct of other suspected persons.

**Section D.** Status of Student Pending Final Action: Pending action of the charges, the status of a student shall not be altered, or his or her right to be present on the campus and to attend classes suspended, except for reasons relating to his or her physical or emotional safety and well-being, or for reasons relating to the safety and well-being of students, faculty, or College property. Such decision concerning the status of the student pending disciplinary action shall be determined by the President of the College or his delegate.

Approved by the Student Affairs Governing Board: October 19, 1971

## **Student Conduct Responsibilities and Regulations**

Following is a summary of College regulations outlining unacceptable student behavior that may lead to conduct charges by Cornell College.

### **A. Acts of Dishonesty**

1. Cheating and plagiarism.
2. Forgery, alteration or misuse of any College documents, records or identification.
3. Furnishing false information to any College official or office.
4. Alteration of Cornell ID card.
5. Theft or abuse of computer time, passwords or computer accounts.
6. Unauthorized removal of library books, periodicals or other library materials.

### **B. Treatment of College Property**

1. Attempted or actual theft, damage or vandalism of property of the College, a student organization, a member of the College community or a campus visitor.
2. Unauthorized entry into or use of College facilities.
3. Unauthorized possession or use of keys to College buildings or facilities.
4. Painting for decorating or advertising in areas other than those specifically designated by College policy.

### **C. Conduct Toward Others**

1. Assault, physical abuse, verbal abuse, threats, intimidation, harassment and other conduct that threatens the health or safety of any person.
2. Sexual harassment or assault.
3. Violation of residence hall policies as outlined in the Room Agreement and/or the Residence Life Handbook.
4. Hazing.
5. Failure to comply with the directions of a College official or security officer(s) or hindering such an official in the performance of his/her duties.
6. Excessive noise that interferes with the rights of others to sleep or study, or that creates a disturbance for other members of the College community.

### **D. Health and Safety**

1. Misuse of or tampering with fire alarm systems, fire extinguishers or other safety or security equipment.
2. Possession or use of firearms, fireworks, air guns, explosives, ammunition, or other dangerous weapons.
3. Failure to cooperate with regulations or authorities during a fire alarm or drill.
4. Unauthorized fires.
5. Smoking on campus property.

### **E. General Conduct**

1. Disruption or obstruction of teaching, research, administration, conduct proceedings, or other College activities.
2. Disorderly or obscene conduct on College property or at College sponsored functions.
3. Use, possession, sale or distribution of alcoholic beverages except as permitted by law and by College regulations.
4. Use, possession, sale or distribution of narcotic or other controlled substances or paraphernalia except as permitted by law.
5. Misappropriation of student organization funds.
6. Failure to register, operate or park a motor vehicle in accordance with College policy and city and state law.