

# Students Rights and Freedoms Within the Academic Community

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The statement of student rights and responsibilities was passed by the Student Senate, the Faculty, and approved by the Board of Trustees of the University.

## General Understandings

- A. The statement in no way intends to abrogate the legal powers invested in the Board of Trustees under American corporate law and the laws of the State of South Carolina.
- B. The statement is recognized as a statement of principles only and that the interpretation of these statements, principles, and procedures is a continuing joint process.
- C. The implementation of the joint statement must be in harmony with our stated educational purposes and must be worked out in a number of subsidiary implementing documents.
- D. The statement is clearly understood as not giving complete autonomy to any sector of the academic community but promotes a community approach to those problems which are of proper concern to the University as a whole.

## 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. Institutional procedures for achieving these purposes may vary from campus to campus, but the minimal

standards of academic freedom of students outlined below are essential to any community of scholars.

Freedom to teach and freedom to learn are inseparable facts 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 University has a duty to develop policies and procedures which provide and safeguard this freedom. Such policies and procedures should be developed within the framework of general standards with the broadest possible participation of the members of the academic community. The purpose of this statement is to enumerate the essential provisions for student freedom that each person should learn.

### **Freedom of Access to Higher Education**

The admissions policies of the University are a matter of institutional choice provided that the University makes clear the characteristics and expectations of the students which it considers relevant to success in the institutional program. Under no circumstances should a student be barred from admission on the basis of race, creed, sex, handicap, religion, ancestry, or national origin. Thus, within the limits of its facilities, the University should be open to all students who are qualified according to its admission standards.

### **In the Classroom**

The professor in the classroom and in conference should encourage free discussion, inquiry and expression. Student performances should be evaluated solely on an academic basis, not opinions or conduct in matters unrelated to academic standards.

#### **A. Protection of Freedom of Expression**

Students should be free to take reasoned exceptions 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.

#### **B. Protection Against Improper Academic Evaluation**

Students should 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. 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 should be considered as confidential. Protection against improper disclosure is a serious professional obligation. Judgments of ability and character may be provided under appropriate circumstances, normally

with the knowledge and consent of the student.

## **Student Records**

The University should have a carefully considered policy as to the information which should be part of a student's permanent educational 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. Final transcripts or academic records should contain only information about academic status. Information from disciplinary files should not be available to any unauthorized persons on campus, or to any person off campus without the express consent of the student involved except under legal compulsion or for security clearance. No permanent records should be kept which reflect the political activities or beliefs of students. Administrative staff and faculty members should respect as confidential such information which they acquire in the course of their work. Counseling files should not be available to any person without the consent of the student except under legal compulsion. Authorized counselors should not, without the consent of the student, disclose any information obtained while counseling any student unless failure to disclose the information may result in physical or emotional harm to the student or others.

## **Student and Alumni Services**

In Student and Alumni Services certain standards must be maintained if the academic freedom of students is to be preserved.

### **A. Student Organizations**

Students bring to the campus a variety of interests previously acquired and develop many new interests as members of the academic community. They should be free to organize and join associations to promote their common interests.

1. Affiliation with an extramural organization should not of itself disqualify recognition of a student organization.
2. Each organization should be free to choose its own campus advisor. Members of the faculty serve the college community when they accept the responsibility to advise and consult with student organizations; they should not have the authority to control the policy of such organizations.
3. Student organizations may be required to submit a statement of purpose, criteria for membership, rules of procedures and a current list of officers. They should not be required to submit a membership list as a condition of institutional recognition other than an initial list of members on formation of an organization.
4. Campus organizations, including those affiliated with an extramural organization, should be open

to all students without respect to race, creed, or national origin.

5. The membership, policies, and actions of a student organization usually will be determined by vote of only those persons who hold bona fide status in the University community.

## B. Freedom of Inquiry and Expression

1. Students and student organizations should be free to examine and to discuss all questions of interest to them and to express opinions publicly and privately. They should be free to support causes by lawful and orderly means which do not disrupt the regular and essential operation of the institution and which do not interfere with the rights of others. At the same time, it should be made clear to the academic and larger community that in their public expressions or demonstrations, students or organizations speak only for themselves.
2. Students should be allowed to invite and to hear any person of their own choosing subject to those routine procedures provided for off-campus speakers. These procedures should be designed only to insure that there is orderly scheduling of facilities and adequate preparation for the event, that the occasion is conducted in a manner appropriate to an academic community, and that the safety of individuals, the University, and the community are not endangered. While the University is properly concerned with the prevention of unlawful conduct, the institutional control of campus facilities should not be used as a device of censorship of ideas. 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.

## C. Student Participation in Institutional Government

As constituents of the academic community, students should be free, individually and collectively, to express their views on issues of general interest to the student body. The student body should have clearly defined means to participate in the formulation and application of institutional policy affecting academic and students affairs. The role of the student government and both its general and specific responsibilities should be made explicit, and the student government within the areas of its jurisdiction should be reviewed only through orderly and prescribed procedures. The University should provide sufficient autonomy for the student government to maintain their integrity of purpose as elected representatives of the student body.

## D. Student Publications

Student publications and the student press are valuable aids in establishing and maintaining an atmosphere of free and responsible discussion and of intellectual exploration on the campus. They are means of bringing student concerns to the attention of the faculty and the institutional authorities and of formulating student opinions on various issues on the campus and in the world at large.

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

Institutional authorities, in consultation with students and faculty, have a responsibility to provide written clarification of the role of the student publications, or the standards to be used in their 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. As safeguards for the editorial freedom of student publications, the following provisions are necessary:

1. The student press should be free of censorship and advance approval of copy, and its editors and managers should be free to develop their own editorial policies and news coverage.
2. Editors and managers of student publications should 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 should editors and managers be subject to removal and then by orderly and prescribed procedures. The agency responsible for the appointment of editors and managers should be the agency responsible for their removal.
3. All University published and financed student publications should explicitly state on the editorial page that the opinions expressed are not necessarily those of the University or the student body.

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