

SECTION SIX – RIGHTS AND RESPONSIBILITIES

STATEMENT OF STUDENT RIGHTS AND RESPONSIBILITIES REVISED JULY 1994

PREAMBLE

Recognizing that the Board of Trustees of the University is the final authority in all matters pertaining to the University, the students of Franklin Pierce University do affirm and declare that the rights and responsibilities herein enumerated are basic and necessary to human development and to the scholarly pursuit of truth within the Franklin Pierce University community

ARTICLE I

ADMISSIONS POLICY

1. The University shall provide a statement delineating the criteria for admissions upon which the prospective student shall be judged, the nature of the programs offered, and the academic and disciplinary standards, regulations and procedures for students.
2. No student shall be denied admission to the University on the basis of gender, age, disability, race, color, sexual orientation, religion or national origin.

ARTICLE II

ACADEMIC POLICY

1. Each student shall have protection, through procedural review and appeal, against prejudicial or capricious academic evaluation. At the same time, each shall be responsible for maintaining standards of academic performance established for each course in which he is enrolled.
2. Students shall be free to take reasoned exception to the data or views offered in any course of study and to reserve judgment about matter of opinion. Knowledge and academic performance shall be the criteria by which students shall be graded.
3. The responsibility to secure and to respect conditions necessary for the freedom to learn is shared by all members of the University community. Regulations pertaining to academic and curricular policies shall be clearly stated in a document freely accessible to all students.

ARTICLE III

STUDENT RECORDS

1. Academic and social counseling records shall be made available only to appropriate University personnel. Student academic records shall be made available to other

persons outside the university only upon written authorization of the student concerned, except under the compulsion of a subpoena or warrant in accordance with the law. Information in a student file may be shared with staff and faculty within the university only if there is a legitimate need to know.

2. Disciplinary records shall be kept separate from academic records. The same disclosure restrictions as are found in Article III, Section 1. No records shall be kept which reflect the political, social or religious activities or beliefs of student if the student so requests.

3. Each student shall have access to his or her records. Provisions are made for periodic routine destruction of non-current disciplinary records. Students wishing to inspect their file should make an appointment with the Vice President for Student Affairs.

ARTICLE IV

CO-CURRICULAR AFFAIRS

A. Student Organizations

1. Students shall have the right to organize, join and support organizations for purposes of interest to them, except such organizations of which the existence is judged by the President or his/her designee, to be contrary to the welfare of the University and/or the students, and such organizations as are in violation of laws of the State of New Hampshire or of the United States.

2. No student organization shall discriminate against any student because of race, age, disability, sexual orientation, religion or national origin, except for such religious qualifications as may be required by student organizations which have primarily sectarian aims.

3. Student organizations newly formed shall request recognition from the Student Government Association in accordance with the procedure established in its Constitution. Each student organization shall conduct its business in democratic fashion. Affiliation with a non-university organization shall not, in itself, disqualify a student organization from recognition or from rights and privileges enjoyed by other student organizations. After recognition by the Student Government Association, a student organization may apply for funding from the Student Government Association.

4. Each recognized student organization shall have the right to invite to and hear on campus any speaker of its choosing provided that the Vice President for Student Affairs shall be informed of the identity of any speaker so invited at least fifteen (15) days prior

to his arrival. Each of such speakers shall have freedom of speech; actions by students or student organizations interfering with that right will result in disciplinary action.

5. A student organization shall not claim, without authorization, to speak or act for or represent the opinion of the University or the University community. Except for such unauthorized action, no sanction shall be taken against a student organization for legal off-campus activities.

B. Student Media

1. The right of students to disseminate their personal views, without abridging the rights of others, shall be guaranteed.

2. 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 within the bounds of responsible journalism.

3. The integrity and responsibility of student media shall be encouraged.

4. Editors and managers of student media shall subscribe to canons of responsible journalism. They shall be protected from arbitrary suspension and removal because of student, faculty, administrative or public disapproval of editorial policy or content and shall only be subject to removal for cause by the agency responsible for their appointment.

C. Student Government

1. The students of Franklin Pierce University may establish a student government in such form as they deem best. The student government so established shall have authority to administrate, legislate and adjudicate in all areas within its jurisdiction free from arbitrary intervention, subject to adequate safeguards against the abuse of power as set forth by its own Constitution and by this Statement of Student Rights and Responsibilities.

2. Participation of any student in the functioning of the student government shall be restricted only by the Constitution of that government.

3. The Student Government Association, through its officers, has the right and the responsibility to serve student needs and interests and to protect and to fulfill the requirements of its Constitution and this Statement of Student Rights and Responsibilities.

4. It shall be the duty of the Student Government Association to obtain student participation in the determination of university policies affecting academic affairs,

planning of physical plant, admissions and student welfare. It shall be responsible for accurately representing student views to faculty and administration.

5. The Student Senate shall be the official representative of the student body. The Board of Trustees may consult with the Student Government Association in such a manner as the Board shall determine relative to the selection or appointment of officers of the University.

ARTICLE V

RIGHTS OF STUDENTS AS CAMPUS CITIZENS

1. Students of Franklin Pierce University are entitled to any and all rights and liberties essential in obtaining an education as free as possible from imposed limitations that have no direct relevance to their education.

2. No disciplinary action shall be taken by the University against a student for engaging in legal off-campus activities provided that the student does not claim to act or speak in the name of the university and/or unless the off-campus activity is contrary to the welfare of the University or its students.

3. If a student is charged with a violation of civil law, no disciplinary action shall be taken against him/her for that alleged violation while legal proceedings are pending provided, however, that disciplinary action may be taken if the presence of the student on campus, in the opinion of the Vice President for Student Affairs or his/her designee, is contrary to the welfare of the University or its students. If, after due process of law, the student is found guilty by civil authorities of violation of the civil law, such disciplinary action may be taken against him/her as shall be deemed appropriate by the Vice President for Student Affairs or his/her designee.

4. Each student shall act in a mature manner adhering to University regulations, laws of the State of New Hampshire and of the United States and shall be held accountable for his/her actions that violate these standards through the University's Code of Conduct.

ARTICLE VI

RIGHTS OF RESIDENCY

1. The residence halls operate as an adjunct to the educational process and as such should function under the guidance of all portions of the University community.
2. The determination of the conditions under which students may gain residence and the establishment of priorities for room allocations within the student body shall be determined by the University with appropriate consultation with the Student Government.
3. No person other than the resident students to whom the room is assigned shall have the right to use a residence hall room without first obtaining the explicit permission of those resident students.
4. Entrance to residence hall rooms shall be subject to one of the following conditions:
 - a.) Permission of the student(s) who occupy the room.
 - b.) A clear and present danger to life and property, or reasons that relate to health, safety or welfare.
 - c.) If a member of the housing staff has evidence of illegal activities in the room, he may enter provided that he is accompanied by another student, staff member, or provided that the student(s) who occupy the room are present.
 - d.) For maintenance or fire safety inspections.
 - e.) An official member of the Safety Department of Franklin Pierce University may make a search of a student's person or belongings or campus living quarters with the permission of the President of the University, the Vice President of Student Affairs, or by the administrative officer the Vice President designates, except that a student may be searched without such permission if there are reasonable grounds for believing the student is armed or that a student (including him/herself) is in eminent danger. The official making a search of a student's room or belongings shall preferably do so accompanied by the student involved or, if he cannot be located, by one of his roommates. In the event that neither the student nor one of his roommates can be found, another staff member shall be considered a reasonable substitute.

5. Inspection of rooms by appropriate Residence Life, Safety Staff, or maintenance staff may be made as required to maintain standards of health and fire prevention or as required for maintenance or life safety.

ARTICLE VII

DISCIPLINARY PROCEDURES

1. Students detected or detained in the course of violations of institutional regulations shall be informed of their rights under University Regulations.

2. An accused student is entitled to judgment according to the procedures specified in the current Student Code of Conduct. This policy shall be made readily available to all students.

3. The university shall publish, in a freely accessible document, university regulations and the rights of students.

4. Students shall have the right to appeal a disciplinary decision according to procedures outlined in the Student Code of Conduct or academic decision to the Chairman of the Department concerned.

ARTICLE VIII

RESPONSIBILITIES AND IMMUNITIES OF OFFICERS OF STUDENT GOVERNMENT AND STUDENT ORGANIZATIONS

1. No student, having been elected or appointed to an office or position within the student government or any student organization, shall use that office or position for illicit, personal gain.

2. No student, having been elected or appointed to an office or position within the student government or any student organization shall be subject to any intimidation or punitive action for executing his/her office. However, such student shall not be immune from existing academic or disciplinary regulations and procedures.

ARTICLE IX

1. This Statement may be amended by two-thirds of the members of the student body voting on an amendment previously adopted by two-thirds of the Student Government Association.

2. Amendments shall be drafted by a committee comprised of two representatives of the Student Government Association, two representatives of the Faculty and two representatives of the Administration of the University, one of whom shall be the Vice President for Student Affairs. Proposals for amendments may be submitted to the

committee for consideration by members of either the student body, faculty, or administration of the university.

3. After adoption by the student body as above provided, an amendment shall be submitted through the Vice President For Student Affairs to the President and Board of Trustees of the University and shall become operational policy of the University upon its approval by the Board of Trustees.