

CONCORD UNIVERSITY BOARD OF GOVERNORS

Policy No. 20
Policy on Student Rights and Responsibilities
Effective Date: 03/30/2006

Section 1. GENERAL

- 1.1 Scope: Policy regarding student rights, responsibilities, and conduct at Concord University.
- 1.2 Authority West Virginia Code § 18B-1-6, 18B-2A-4
- 1.3 Effective Date – March 30, 2006

Section 2. PURPOSE

- 2.1. To establish a general policy on student life, including a statement on student rights and responsibilities, at Concord University.
- 2.2 To identify behavioral expectations and certain prohibited acts by students at Concord University.
- 2.3 To prescribe penalties and sanctions for such prohibited conduct.
- 2.4 To define generally the powers, authority and duties to be exercised by the President, the Senior Student Affairs Officer, and other officials of the University in applying this policy.
- 2.5 To prescribe disciplinary actions and proceedings to be taken in cases of violations of policy.

Section 3. DEFINITIONS

- 3.1 Property. Any property, whether owned, rented or otherwise held or used by the Board, or by the institutional community.
- 3.2 Activity. All or any operations conducted, sponsored, promoted, operated or otherwise engaged in by the institution, including, by way of illustration and not as limitation of the foregoing, classroom and course activity, recreational and cultural programs, maintenance or building programs, committee or other business activity, registration, advising, teaching, admissions, placement, disciplinary or routine office activity, research or service.
- 3.3 Facility. Any and all property of the institution used or usable in any activity of the institution.
- 3.4 Campus. All the property and facilities of the institution serving as the locus in quo of any activity of the institution.

3.5 Faculty. Those employees of the Board who are assigned to teaching, research, or service functions at the institution, and who hold academic rank.

3.6 Staff. Those employees of the Board who are assigned to teaching, research, or service functions at the institution, and who are not members of the faculty.

3.7 Student. Any person who has been admitted to the institution to pursue a course of study or service, who is currently engaged in an institutionally-sponsored activity, and who has some right or privilege to be on the campus or in the facilities of the institution, or to use the same, in connection with study, research, or service, or who yet has some right or privilege to receive some benefit or recognition or certification from the institution, under the rules, regulations, or policies of the Board.

3.8 Member of the institutional community. Any Board member, officer, administrator, faculty member, staff member, employee, student of or at the institution, member of the community or University Board of Governors, as well as any person authorized to participate in an institutional activity at the time applicable.

Section 4. POLICIES REGARDING STUDENT RIGHTS and RESPONSIBILITIES

4.1 The submission of an application for admission to the institution represents an optional and voluntary decision on the part of the prospective student to partake of the program and privileges offered by the institution pursuant to the policies, rules and regulations of the Board and the institution. Institutional approval of that application, in turn, represents the extension of a right or privilege to join the institutional community and to remain a part of it so long as the student fulfills the academic and the behavioral expectations that are set forth in the policies, rules and regulations of the board and the institution.

4.2 Freedom of expression and assembly. The student enjoys the essential freedoms of scholarship and inquiry central to all institutions of higher education. In exercising these freedoms the student has certain rights and responsibilities, including, but not limited to, the following:

4.2.1 To have access to campus resources and facilities.

4.2.2 To espouse causes.

4.2.3 To inquire, discuss, listen to and evaluate.

4.2.4 To listen to any person through the invitation of organizations recognized by the institution.

4.2.5 To have a free and independent student press which adheres to the canons of responsible journalism.

4.2.6 To not violate the rights of others in matters of expression and assembly.

4.2.7 To abide by policies, rules and regulations of the University and federal, state, and local statutes

and ordinances pertaining to freedom of expression and assembly.

4.3 Freedom of association. Students may organize whatever associations they deem desirable

and are entitled to affiliate with any group or organization for which they meet membership

qualifications. However, institutional recognition of student organizations shall be limited to those

whose purposes comport with the educational mission of the institution.

4.4 Right to privacy. The student is entitled to the same safe-guards of the rights and freedoms of

citizenship as are afforded those outside the academic community, including, but not limited to,

the following:

4.4.1 Privileged communication on a one-to-one relationship with faculty, administrators, counselors

and other institutional functionaries.

4.4.2 Respect for personality, including freedom from unreasonable and unauthorized searches of

student living quarters and or personal belongings.

4.4.3 Confidentiality of academic and disciplinary records.

4.4.4 Legitimate evaluations made from student records.

4.5 Responsibilities of citizenship. The student is expected, as are all citizens, to respect, and abide

by local ordinances and state and federal statutes, both on and off the campus.

As a member of

the educational community, the student is expected to abide by the institution's code of student

conduct which clarifies those behavioral standards considered essential to its educational

mission.

4.6 Disciplinary proceedings. Disciplinary proceedings for students accused of committing offenses

must be consistent with such constitutional provisions guaranteeing due process of law as are

applicable to them. In all disciplinary proceedings, the student shall be

considered innocent until

proven in violation of any University policy. The President or designee shall have authority for promulgating policies and regulations, consistent with the policies of the Board.

Section 5. STANDARDS of CONDUCT

5.1 Conduct required in general. All students at the institution are subject to, and are required to comply with, observe, and obey the following:

5.1.1 The laws of the United States.

5.1.2 The laws of the State of West Virginia.

5.1.3 Local city, county and municipal ordinances.

5.1.4 All policies, rules and regulations of the University.

5.1.5 The directions and orders of the officers, faculty and administrative staff of the University.

5.2 Disorderly conduct. Any and all students who behave in a disorderly or unlawful manner, such as the actions listed below, but not limited to those listed, in or about institutional property or facilities, are subject to institutional disciplinary action which may result in probation, suspension or expulsion, whether or not there is prosecution for such violations in local, state or federal courts:

5.2.1 Fights.

5.2.2 Assaults or battery.

5.2.3 Public disturbances.

5.2.4 Unlawful assembly.

5.2.5 The violation of any municipal, state or federal law, or the rules and regulations of the University.

5.3 Theft or damage of property. No student shall, individually or by joining with one or more others, misuse, steal, damage or destroy any institutional property or facilities or the property of any member of the institutional community. Students involved in any such prohibited actions or conduct shall be subject to institutional disciplinary action which may result in probation, suspension or expulsion, whether or not there is prosecution for such actions or conduct in local, state or federal courts.

5.4 Disruption. No student shall, individually or by joining with one or more other persons, do any of the following:

5.4.1 Disrupt or interfere with any institutional activity, program, meeting or operation.

5.4.2 Interfere with the rights of any member of the institutional community.

5.4.3 Injure or threaten to injure, or coerce by bodily harm or restraint or threats thereof or any other means, any member of the institutional community or persons lawfully on the institution's campus, property or facilities.

5.4.4 Seize, hold, commandeer or damage any property or facilities of the institution, or threaten to do so, or refuse to depart from any property or facilities of the institution upon direction, pursuant to policies, rules and regulations of the Board or an institutional officer, faculty or staff member, or other person authorized by the President. Students involved in any such action or activities shall be subject to institutional disciplinary action which may result in probation, suspension or expulsion, whether or not there is prosecution for such actions in local, state or federal courts.

5.5 Hazing. No student shall, individually, or by joining with one or more other persons, engage in any act of hazing involving another member of the institutional community. The President shall establish institutional policies and regulations prohibiting hazing in any form. Such policies and regulations shall include provisions to:

5.5.1 Prohibit any action which subjects a pledge, initiate, or member of a student organization to activities which are personally demeaning or involve a substantial risk of physical injury. This includes both organized rites of initiation and informal activities.

5.5.2 Include the institutional hazing policy in the student handbook, and such other publications which are readily distributed to all students as may be appropriate. The institutional policy shall provide that students involved in hazing activities are subject to institutional disciplinary action which may result in the sanctions of suspension or expulsion, whether or not there is prosecution for such actions in local, state or federal courts.

5.5.3 Identify, through student publications and other appropriate mechanisms, the sanctions which apply to student organizations engaged in prohibited hazing activities or prohibited rites of initiation. These sanctions may include, but are not limited to: denial of the use of institutional facilities, removal of some or all social privileges, removal of institutional recognition, and a

recommendation to regional or national headquarters that the organizational charter be revoked.

5.6 Discrimination. No student shall, individually or by joining with one or more other persons, promote or demand action on their part or any other member of the institutional community that would constitute unlawful discrimination on the basis of race, sex, color, sexual orientation, political affiliation, handicap or age. Students involved in any such action or activities shall be subject to institutional disciplinary action which may result in probation, suspension or expulsion, whether or not there is prosecution for such actions in local, state or federal courts.