

# Policies On The Rights & Responsibilities Of Individuals

## STATEMENT ON DIVERSITY

The following excerpts are taken from *The Cal Poly Statement on Diversity*, which has been endorsed by the Cal Poly Academic Senate Resolution AS-506-98/DTF:

“At the heart of a university is the responsibility for providing its students with a well-rounded education, an education that fosters their intellectual, personal and social growth. The ultimate product of universities is education in the broadest sense, including preparation for life in the working world.” In this regard, it is in the compelling interest of Cal Poly, the State, and the Nation to provide our students with an education that is rich with a diversity of ideas, perspectives, and experiences.”

“Cal Poly’s commitment to diversity signals an affirmation of the highest educational goals for this University, including mutual respect, civility, and engaged learning.”

## POLICIES ON THE RIGHTS OF INDIVIDUALS

Cal Poly is a community enriched by individual differences. The University is committed to respecting and protecting the rights of individuals. This section presents a summary of University non-discrimination policies and procedures for pursuing complaints under these policies. The office of Employment Equity, working with the Inclusive Excellence Council, has been designated to oversee and coordinate implementation of campus non-discrimination policies. Except where otherwise indicated, procedures for reporting incidents of discrimination can be found in “Reporting Guidelines.”

### Non-discrimination Policy

Cal Poly does not discriminate in admission or access to, or treatment or employment in, its programs and activities, including intercollegiate athletics. Cal Poly and its auxiliary organizations are committed to maintaining and implementing policies and procedures in compliance with applicable CSU, State, and federal nondiscrimination and affirmative action laws, regulations, and policies. Cal Poly supports an environment free of unlawful discrimination on the basis of:

- Race
- Color
- Ethnicity
- National Origin
- Age
- Religion
- Sex
- Sexual Orientation
- Gender Identity
- Marital Status
- Physical Disability
- Mental Disability
- Medical Condition
- Veteran Status (as defined by the Vietnam-Era Veterans' Readjustment Assistance Act of 1974, as amended)

## Federal, State and CSU Mandates

Cal Poly complies with the requirements of Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Sections 504 and 508 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 and other CSU, State, and federal laws, regulations, and policies prohibiting unlawful discrimination.

## Protection from Retaliation

It is critical that individuals not be deterred from reporting possible prohibited harassment. CSU policy [Executive Order 927] prohibits retaliation against individuals who have or are believed to have filed a discrimination complaint, opposed a discriminatory act, or participated in a discrimination investigation or proceeding.

## Reporting Guidelines

Inquiries regarding the application of these laws, regulations and policies to programs and activities of California Polytechnic State University, or individuals wishing to file a complaint alleging a violation of these policies, may contact the office of Employment Equity, Fisher Science (Bldg. 33), Rm 290, (805)-756-6770, <http://employequity.calpoly.edu>, or other designated campus offices as indicated in the following administrative guidelines.

- \* Complaints from or about students alleging violations of these policies by other students may be directed to the office of the Vice President for Student Affairs, Administration Building (Bldg. 01), Room 209, (805) 756-1521; the office of the Dean of Students, Student Health Center (Bldg. 17), Room 113, (805) 756-0327; or the office of Student Rights and Responsibilities, Student Services Building (124), (805) 756-0327.
- \* Student disability-related complaints may be directed to the Disability Resource Center, Student Services Building (124), Room 119, (805) 756-1395.
- \* Students wishing to seek additional information or file a complaint not previously addressed should contact the office of Employment Equity, Fisher Science (Bldg. 33), Room 290, (805) 756-6770 for assistance.
- \* Complaints by or against employees who are covered by either collective bargaining agreements or CSU system-wide procedures shall be processed in accordance with the applicable collective bargaining agreement or system-wide procedures. Questions should be directed to the office of the Associate Vice President for Academic Personnel, Administration (Bldg. 01), Room 314, (805) 756-2844 for faculty matters; and the office of the Director of Human Resources, Administration (Bldg. 01), Rm 110, (805) 756-6564, for staff or management issues.
- \* Complaints from non-represented employees or Independent Contractors may be directed to the office of Employment Equity, Fisher Science (Bldg. 33), Room 290, (805) 756-6770.

- \* Complaints by or against employees of the Cal Poly Corporation must follow the Corporation's "Procedures for Resolving Harassment Complaints." Any such complaints should be directed to either her or his supervisor or the Advisor on Harassment Concerns, Corporation Building (15), (805) 756-1151.  
[www.calpolycorporation.org/administration/policies/pm207.pdf](http://www.calpolycorporation.org/administration/policies/pm207.pdf)
- \* Employees and students of Associated Students, Inc., comply with University policies. Employees of Associated Students, Inc., or others who believe that they have been discriminated against can file a complaint using the ASI "Policy Prohibiting Harassment."  
[www.asi.calpoly.edu/about/policies/personnel\\_policy\\_manual.pdf](http://www.asi.calpoly.edu/about/policies/personnel_policy_manual.pdf)
- \* If an act of discrimination is alleged to have occurred over the campus's information resources infrastructure—telephones, computers, network, etc.—redress may be through Instructional Technology Service's "Responsible Use Policy." Initial inquiries regarding violations should be directed to the office of the Vice Provost and Chief Information Officer, (Bldg. 14), Room 113, (805) 756-5541.

Filing a complaint about discrimination with the University is not a prerequisite to filing a complaint with a federal or state agency.

### **ACADEMIC FREEDOM** (Updated 8/26/09)

Cal Poly recognizes and supports the principle of academic freedom, by which each instructional faculty member, researcher, librarian and counselor has the right to teach, to conduct research, and to publish material relevant to that faculty member's discipline, even when such material is controversial.

The University also guarantees to its faculty the same rights shared by all citizens, which include:

- \* the right to free expression,
- \* the right to assemble, and
- \* the right to criticize and seek revision of the institution's regulations.

At the same time, the faculty should recognize an equally binding obligation to perform their academic duties responsibly and to comply with the internal regulations of the University.

Each faculty member is expected to recognize the right of free expression of other members of the university community; intolerance and personal abuse are unacceptable.

Faculty shall not claim to be representing the University unless authorized to do so.

Cal Poly endorses the nationally recognized definition of academic freedom from the American Association of University Professors (AAUP): The 1940 *Statement of Principles on Academic Freedom and Tenure with 1970 Interpretative Notes*, as follows:

(a) Teachers<sup>1</sup> are entitled to full freedom in research and in the publication of results, subject to the adequate

performance of their other academic duties; but research, for pecuniary return, should be based upon an understanding with the authorities of the institution.

(b) Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial subject matter which has no relation to the subject.<sup>2</sup> Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of appointment.

(c) College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and institution by their utterances. Hence, they should at all times be accurate, should exercise appropriate restraints, should show respect for the opinions of others, and should make every effort to indicate they are not speaking for the institution.

### **STUDENT ACADEMIC RIGHTS & RESPONSIBILITIES**

#### **Academic Rights**

The classroom (including laboratories, field trips, independent study, etc.) is the essential part of any university where freedom to learn should flourish. The instructor has the responsibility for the manner of instruction and the conduct of the classroom. The instructor should not act in any way that denies the rights of students as set forth below:

Students are free to take reasoned exception to the data or views offered in courses. It is the responsibility of the instructor to take every precaution to ensure that what is presented is factual. If the instructor's presentation is in the area of opinion, belief, or debatable fact, it is the instructor's responsibility to make this clear to the students. Students may be required to know thoroughly the particulars set forth by the instructor, but they are free to reserve personal judgment as to that which is presented in the classroom.

<sup>1</sup> The footnote from the 1940 Statement states: "The word 'teacher' as used in this document is understood to include the investigator who is attached to an academic institution without teaching duties." Reference: AAUP: The 1940 *Statement of Principles on Academic Freedom and Tenure with 1970 Interpretative Notes*, adopted by the Council of the American Association of University Professors in April 1970 and endorsed by the Fifty-sixth Annual Meeting as Association policy,  
[www.aaup.org/AAUP/pubsres/policydocs/contents/1940statement.htm](http://www.aaup.org/AAUP/pubsres/policydocs/contents/1940statement.htm)

<sup>2</sup> The footnote from the 1970 Interpretative Notes on the AAUP Statement reads: "The intent of this statement is not to discourage what is 'controversial.' Controversy is at the heart of free academic inquiry which the entire statement is designed to focus. The passage serves to underscore the need for teachers to avoid persistently intruding material which has no relation to the subject."

The student has the right to substantial presentations appropriate to the course. Unjustified failure of the instructor to meet or prepare for classes, which results in incompetent performance, is a legitimate ground for student complaints against the instructor.

The student has the right to a statement at the beginning of each quarter providing: instructor's name, office location, office telephone number, and office hours; texts and supplementary materials required for the course; purpose of the course; prerequisites; requirements for grading; frequency and types of tests; and other information to assure student's understanding of the nature and requirements of the course.

A **Fairness Board** has been established to hear grievances of students who believe their academic rights have been denied or violated. The process and procedure of evaluation in the course shall be the sole criterion of the Fairness Board. Students may contact the Academic Senate (756-1258) for clarification of the description and procedures for the Fairness Board and the appeal process for grade disputes. Students may also contact the Dean of Students (756-0327) for informal assistance with grade disputes.

### **Academic Responsibilities**

Students enrolled in a class are responsible for meeting standards of performance and conduct established by the University and the instructor. Students are responsible for registering and "adding" and "dropping" classes in a timely fashion, to ensure that others have an opportunity to take classes. Students are responsible for completing and submitting all class assignments, examinations, tests, projects, reports, etc., by scheduled due dates, or face penalties. If any problem arises regarding course work or attendance, the student is held responsible for initiating communication and contact with the instructor. In addition, students are held responsible for behavior and conduct adverse to the preservation of order as established by the University and the instructor. Students are responsible for meeting their degree requirements as provided in the university catalog.

### **Cheating and Plagiarism**

Cal Poly does not tolerate academic cheating or plagiarism in any form.

Learning to think and work independently is part of the educational process.

Cheating or plagiarism in any form is considered a serious violation of expected student behavior and may result in disciplinary action. All faculty and students are encouraged to review the formal policy on cheating and plagiarism (including definitions, sanctions, and appeal procedures) found in the Campus Administrative Manual, Section 684.

University policy can be summarized simply:

*As a student, you are responsible for your own work and you are responsible for your actions.*

## **USE AND RELEASE OF STUDENT INFORMATION**

[www.ess.calpoly.edu/records/stu\\_info/ferpa.htm](http://www.ess.calpoly.edu/records/stu_info/ferpa.htm)

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their educational records. This federal law applies to all schools that receive funding under most programs administered by the Department of Education. The primary rights afforded each student are the right to inspect and review his/her educational records, the right to seek to have the records amended, and the right to have some control over the disclosure of information from the records.

## **RESPONSIBLE USE OF INFORMATION TECHNOLOGY RESOURCES**

<http://security.calpoly.edu/policies/>

Information technology resources are provided to support the University's mission of education, research and service. To ensure that these shared and finite resources are used effectively to further the University's mission, each user has the responsibility to:

- use the resources appropriately and efficiently;
- respect the freedom and privacy of others;
- protect the stability and security of the resources; and
- understand and fully abide by established University policies and applicable public laws.

All students, faculty and staff are encouraged to review the policy, which covers authorized use/access, data security, confidentiality and privacy, network and system integrity, commercial use, copyright infringement, and more.

The full policy describes consequences of non-compliance and procedures for reporting and responding to complaints. It includes definitions and examples of responsible and irresponsible use. Information Technology Services (ITS) is responsible for policy oversight and compliance. For more information, call 805-756-2966 or [it-policy@calpoly.edu](mailto:it-policy@calpoly.edu).

## **E-MAIL -- AN OFFICIAL MEANS OF COMMUNICATION TO STUDENTS**

[www.email.calpoly.edu/policy/email-student-final.html](http://www.email.calpoly.edu/policy/email-student-final.html)

Campus policy permits colleges, departments and faculty to use electronic mail (e-mail) to send official communications to students, i.e., messages pertaining to the conduct of university business for academic or administrative purposes. Using e-mail for such purposes is at the discretion of the sender and in no way precludes the use of other communication methods. Official communications are sent to a student's university-assigned e-mail address (*username@calpoly.edu*).

Students are responsible for receiving and reading official e-mail communications in a timely manner and for taking action where appropriate. Redirecting university e-mail to a non-university e-mail address does not absolve students

from their responsibilities associated with official communications.

For more information about the policy and related standards and practices, including frequently asked questions, see: [www.email.calpoly.edu/policy/index.html](http://www.email.calpoly.edu/policy/index.html).

### **ACCESSIBILITY OF CAL POLY ELECTRONIC AND INFORMATION TECHNOLOGY RESOURCES**

<http://accessibility.calpoly.edu>

The Americans with Disabilities Act (ADA) provides that no qualified individual with a disability be denied access to or participation in services, programs, and activities at Cal Poly. This act applies to virtually all aspects of campus activities, including employment, teaching and learning, and services provided to the campus community.

It is the policy of the California State University to make information technology resources and services accessible to all CSU students, faculty, staff, and the general public regardless of disability status. Cal Poly is committed to ensuring that university information and services delivered electronically are made accessible and the needs of individual students and employees with disabilities are accommodated. For more information regarding Cal Poly plans and policies and related standards and practices related to accessibility, visit: <http://accessibility.calpoly.edu>