

Student Handbook

4.1 Student Rights, Freedoms and Responsibilities

At its November 7, 1986 meeting the Board of Trustees approved the principles and procedures set forth in the Rights, Freedoms, and Responsibilities document which was adopted by students and faculty of the College in May 1986.

Preamble

Macalester College exists for the transmission of knowledge and the pursuit of truth. Free inquiry, free expression and responsibly free activity are indispensable to the attainment of these goals. Any assertion of rights and freedoms implies a readiness to assume concomitant responsibilities. The College community in moving to protect individual liberty, expects from each of its members a recognition of the primarily academic purposes of the institution, a concern for the rights and freedoms of others, and a commitment to the rule of reason in the settling of disputes. The purpose of the delineation of rights, freedoms and responsibilities that follows is to foster the growth of a free and cooperative community of learning.

All persons subject to provisions of this document are likewise subject to federal and state statutes and local ordinances.

I. Freedom of Access to Higher Education

A. Admission

Any person may apply for admission to Macalester College. All applications will be equitably considered by the Admissions Office and no applicant shall be barred from admission to the College on the basis of age, sex, color, national and ethnic origin, religious preferences, sexual preference or handicap/disability.

B. Financial Aid

The College provides a variety of financial aid through scholarships, grants-in-aid, work opportunities and loans in order to attempt to meet the total financial needs of students.

C. Leaves of Absence

Any student in good standing has the right to be granted a leave of absence from the College, based on policies which are published and available.

II. Expression and Inquiry in Courses and Scholarship

A. Protection of Individual Rights

Learning and scholarship are at once individual and collective activities. Individuals need to enjoy the collective assurance and protection of free inquiry and open exchange of facts, ideas and opinions. Students are free to take reasoned exception to the data or views offered in any course of study and to reserve judgment about debatable issues. The faculty member in the classroom and in individual conference is to encourage free discussion, inquiry and expression.

B. Respect for the Community of Scholars

The collaborative nature of scholarship demands that individuals recognize and acknowledge the authorship and priority of ideas and information used in their own work. In addition, individuals should be tolerant of legitimate differences of opinion, respect the convictions of others and protect the rights of all to pursue their own lines of inquiry. Students should preserve libraries, classrooms, laboratories and other buildings and facilities as learning resources for use by all. Finally, students should respect the rights of others to the privacy and solitude they require for study.

C. Academic Evaluation

Students are responsible for understanding the content of any course of study and the policies and grading procedures of faculty members in whose classes they are enrolled. Students who believe that they have been subjected to arbitrary or discriminatory academic evaluation by faculty members are guaranteed the right of appeal. Arbitrary or discriminatory academic evaluation may involve any or all of the following:

1. Grading on a basis clearly irrelevant to the student's mastery of the course;
2. Grading on a basis which has not been consistently applied to all students taking the same course concurrently;
3. Grading on a basis which is not consistent with the prior practices or announced policies in that course during that semester.

III. Expression and Inquiry in Campus Activities

A. Expression by Individuals and Student Organizations

Students and student organizations are free to examine and discuss all questions of interest to them and to express opinions publicly and privately. Members of the College community must take responsibility for their expressions by signing their names to any public document which they circulate or prepare for circulation.

B. Guest Speaker Policy

College organizations are free to bring to the College any guest speaker. The College may develop procedures for orderly scheduling of speakers and other programs. Sponsors of speakers should clearly state in their publicity the name of the sponsoring organization. Sponsorship of the appearance of a guest speaker does not necessarily imply endorsement by the sponsoring group of the College.

C. Student Demonstrations

Students are free to support causes by orderly means so long as those means do not disrupt the operation of the College, endanger the safety of individuals or destroy property. In any public demonstration or expression, students or student organizations speak only for themselves. In dealing with demonstrations

that are disruptive, the College will first attempt reason and persuasion to resolve the disruption. Only after full consultation among the constituencies of the College shall civil authorities be called in to deal with student demonstrations.

D. Student Media

1. The student media such as student produced radio, newspapers, literary or opinion magazines or journals, video and film shall remain free of censorship and prior review of copy, and its editor(s) and manager(s) are free to develop their own editorial policies.
2. Editors and managers of student media are protected from arbitrary suspension and removal from office because of student, faculty, administrative or public disapproval of editorial policy or content. Only for proper and stated causes are editors and managers subject to removal (see below), and then by orderly and prescribed procedures.
3. All student media must explicitly state that the opinions therein expressed are not necessarily those of the College community.
4. The freedom accorded student editors and managers entails adherence to the canons of responsible journalism and reporting, e.g., the avoidance of libel, indecency, undocumented allegations, attacks on personal integrity, harassment, and slanderous innuendo.
5. Charges of violation of the items noted above shall be dealt with through the College's judicial and mediation process.

IV. Confidentiality of Records

(also see Statement on Privacy and Disclosure of Student Information)

A. Assumption of Trust

When a student enters the College and submits the required personal data for academic and personal records, there is an assumption of trust placed in the College as custodian of these data. The College also believes that a similar relationship should be maintained relative to subsequent data generated during the student's enrollment: academic performance, activities, personal interviews and disciplinary proceedings.

B. Confidentiality of Records and Communications

In its relations with students, the College intends to preserve the confidential character of communications and records. Certain information is shared within the College for academic and administrative purposes. Such information remains confidential and is shared only as necessary to support the purpose of the College. However, no College faculty or staff member has immunity from subpoena and may be called on in such a manner to reveal information to civil authorities.

C. Requests from Outside the College Community

The College respects the right of students to determine prospective employers, graduate and professional schools, institutions and individuals whom they want personal information and records furnished to and will respond to inquiries only with the written consent of the student concerned.

D. Student Personal Folder

The student has access to the student personal folder, with the exception of those items in the folder to which the student has waived access (such as recommendations).

V. Associations and Organizations

The College guarantees the freedom to organize and join associations.

A. Macalester College Student Government officially charters student organizations on behalf of the College, making criteria for the granting of charters consistent with the general policies of the College.

B. Although organizations may set restrictive membership criteria, these should have a basis in the functioning of the organization and should not be discriminatory, as specified in the College's non-discriminatory policy.

C. No organization shall be required to submit a membership list to the College.

D. Affiliation with a non-college organization will not of itself disqualify a student organization from institutional recognition.

VI. Access to Information

A. Information Regarding College Regulations

Students have the right to complete information of College policies and regulations which shall be published and readily available. College officials should make clear what sanctions may be imposed for violations of policies and regulations.

B. Information Regarding Recruitment by Service and Employment Agencies

The College will publish the names of companies and organizations that wish to come to Macalester to recruit for employees and the dates on which they will recruit.

VII. Participation in Institutional Governance

Student, as well as faculty, staff and officers of the College, must play a major role in campus governance if the College is to thrive as a community of scholars. At the same time, it is recognized that the legal authority of the College resides in the Board of Trustees.

Participation in institutional governance includes:

The freedom of all constituents in the College community to express their views on institutional policy;

Fair and direct participation of any segment of the community in decisions that affect their interests;

A clear definition of the existing formal means whereby constituents of the community may participate in the formulation and application of institutional policy;

An explicit statement of the responsibility and jurisdiction of each decision-making body within the formal structure of campus governance;

Review of the actions taken by any such decision-making body or individual within an area of jurisdiction only through orderly and prescribed procedures.

VIII. Civil Rights and Due Process

A. Civil Rights

1. Macalester students are members of both the College and the greater public communities. The College supports students in the exercise of their civil rights.
2. When students incur penalties prescribed by civil authorities they will not be subject to further discipline by the College judicial systems unless there are distinct and clear College community interests involved. The appropriate judicial body will rule as to its jurisdiction in the case. Conviction for a criminal offense, though not irrelevant, is not a sufficient reason for denying a student admission or readmission to the College.
3. When members of the College community are charged with violation of federal, state or local law, the College has no responsibility of assistance to them.
4. In a case where a student withdraws from Macalester while a judicial review is pending, the College reserves the right to note this in the student's educational file.

B. Due Process

Students at Macalester College will be treated equally and fairly in disciplinary proceedings, including elements as:

A written statement of charges;

A formal hearing;

Private access to counsel, at the student's own expense, but this does not guarantee that the counsel may serve as an advocate in internal hearings;

Right of appeal.

Students, faculty and administration at Macalester are obligated to respond in a timely manner to official correspondence from each other.

C. Freedom from Unwarranted Search

Macalester College guarantees the student's right of privacy. The College and its officials abide by set procedures pursuant to entering or searching College property leased by or assigned to students with the understanding that this procedure in no way limits bona fide law enforcement for warranted searches consistent with this document.

D. Responsibility and the Law

Macalester students accept full responsibility for their own actions under federal, state and local laws. While reserving the right to criticize government policy and even, in the name of conscience, to resist government decree, they recognize the rule of law and expect no special immunity on account of their student status. Within the College community, students acknowledge the duly constituted role of trustees, administration, faculty and student organizations in the political processes of the College, accept its regulations and abide by the decisions of its judicial bodies.

E. Responsibility and Society

It is essential that the student has the opportunity to live and study with others who can contribute new insights and perspectives. The College therefore strives to maintain a diverse faculty and student body. As members of diverse ethnic, regional, religious and racial groups, Macalester students retain the special loyalties to which their circumstances commit, but respect the loyalties of others and share with them a larger commitment to humanity and justice.

