

PART II

Regulations of the University

CHAPTER 6 RIGHTS AND RESPONSIBILITIES

6.10.10 Policy Statement on Freedom of Expression. Faith in the fundamental importance of freedom forms a major theme in the history, government and tradition of the State of Rhode Island and Providence Plantations and of the United States of America. Freedom is also recognized on practical grounds as vital to the scholar in his/her search for and dissemination of truth. Although academic freedom is not written into law, it is well established in custom and grounded in traditions of long standing in the colleges and universities of the Western world, protecting professional scholars and teachers from interference with their obligation to pursue truth. Though it is a specific kind of freedom peculiar to members of the teaching profession in higher education, its benefits ultimately accrue as much to the public at large as to the scholars themselves. In fact, the present age of accelerating change emphasizes that education must stress development of the capacity for critical thought, a capacity that can be achieved only when freedom in inquiry and discussion prevail. Therefore, in accordance with the ideals of state and nation, and in order that the institutions under its jurisdiction might perform well the functions for which they are established, the former Board of Trustees of State Colleges affirmed its unqualified acceptance of the principle of freedom in inquiry and expression.

6.11.10 The Faculty. Academic freedom has been defined and codified in a statement of principles that was prepared by representatives of the American Association of University Professors and the Association of American Colleges. Adopted by both organizations in 1941 and later endorsed by many other professional and learned societies, it is known as "The 1940 Statement of Principles on Academic Freedom and Tenure." The former Board of Trustees of State Colleges and the University of Rhode Island unconditionally endorsed the 1940 Statement, including the following pertinent passages:

6.11.11 "Institutions of higher education are conducted for the common good and not to further the interest of either the individual teacher* or the institution as a whole. The common good depends upon the free search for truth and its free exposition.

6.11.12 "Academic freedom is essential to these purposes and applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspects is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning. It carries with it duties correlative with rights.

6.11.13 "The teacher is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of his other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.

* The word "teacher" as used in this document is understood to include the investigator who is attached to an academic institution without teaching duties.

6.11.14 "The teacher is entitled to freedom in the classroom in discussing his subject, but he should be careful not to introduce into his teaching controversial matter which has no relation to his subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.

6.11.15 "The college or university teacher is a citizen, a member of a learned profession, and an officer of an education institution. When he speaks or writes as a citizen, he should be free from institutional censorship or discipline, but his special position in the community imposes special obligations. As a person of learning and an educational officer, he should remember that the public may judge his profession and his institution by his utterances. Hence he should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that he is not an institutional spokesman."

6.11.16 Academic Freedom means *inter-alia* that political beliefs, political activities and political associations shall not be used as criteria in reaching decisions about hiring, termination, promotion and tenure.

6.11.19 Graduate Study for Faculty. Ordinarily, a faculty member may become a candidate for a graduate degree at this institution only if s/he holds the rank of instructor or its equivalent as defined in Section 7.10.10, with inherent rights of attaining salary increments, tenure, and promotion. Faculty members of higher rank than instructor are encouraged to attain advanced degrees and continue study at other institutions. However, faculty members of higher rank than that of instructor shall have this privilege under the following specific conditions:

- a. The program to which the faculty member applies for matriculation has not been identified by the Vice Provost for Graduate Studies, Research and Outreach as oversubscribed.
- b. Taking the degree represents retraining or adding competence and enhancing the faculty member's contribution to the institution rather than serving to qualify the person for initial appointment to the University faculty. Although this option may be used for the retraining and redirecting of faculty, the entry into matriculation for a degree shall not constitute a presumption of eligibility for another position at the University.
- c. Unless specific, alternate arrangements are made no released time from teaching, scholarship, or service shall be part of the decision to accept a faculty member's application for matriculation.
- d. Permission to apply for matriculation shall be obtained in advance from the faculty member's department chair, the dean of the college in which the faculty member holds rank and the Vice Provost for Graduate Studies, Research and Outreach (for those wishing to pursue a graduate degree). After that step, ordinary procedures for processing applications will apply.

6.11.20 Teaching Excellence. All teaching faculty are expected to strive for and maintain the highest standards of excellence in teaching effectiveness as set forth in the guidelines adopted by the Faculty Senate.

6.12.10 The Students. Students seeking knowledge and understanding also need freedom to inquire, to conduct research and to exchange ideas through discussion, publication and such public presentations as in the fine arts. These opportunities are basic to education in and for a democratic society. The former Board of Trustees therefore declared that students in the institutions under its control should have

freedom both of inquiry and of expression. In exercising such freedom and in discharging the rights and obligations of citizenship, students must also recognize their responsibilities to other individuals, to the University, to the state and the nation, and to society in general. Orderly and dignified expression and conduct are expected.

6.12.11 The faculties of institutions of higher learning under the jurisdiction of the Board of Governors in the future shall adopt specific regulations stating in detail the meaning of this general principle for their respective campuses.

6.12.12 To illustrate and amplify this statement, yet without restricting its meaning in any respect, the following more specific statements were made by the former Board of Trustees:

6.12.13 Students shall be free to organize and join associations for educational, political, social, religious or cultural purposes. The fact of affiliation with any extra-mural association or national organization or political party, so long as it is an open affiliation, shall not in itself bar a group from recognition as a legitimate campus organization or from use of University facilities. However, no body of students shall organize and act as representatives of the University in outside activities unless approved and authorized by University authorities.

6.12.14 The student government, student organizations and individual students shall be free to discuss any matters that affect them directly or indirectly as students or as citizens, to pass resolutions upon them, to circulate petitions, to distribute leaflets and to take other lawful action respecting them. Orderly demonstrations on campus are permitted.

6.12.15 The principle of freedom of the press is fully applicable to all student publications. The University shall refrain from acts of censorship contrary to this principle.

6.12.16 Visual presentation of information and ideas through the movies, the drama, the dance, painting, sculpture and other art form shall be as free from restraint as the presentation of ideas and information by means of speech or the printed page.

6.12.17 Student organizations on the campus may freely select persons they wish to invite as guest speakers for their programs (see 6.14.10-17).

6.12.18 A student organization, not curriculum-connected, shall be free to choose its own faculty adviser. The adviser shall consult with and advise the organization but shall have no authority or responsibility to regulate or control its activities unless such authority and responsibility are specifically stated and mutually agreed upon in advance.

6.12.19 No disciplinary action shall be taken by the University against a student for engaging in such off-campus activities as political campaigning, or participating in public demonstrations, provided the student does not claim without authority to speak or act in the name of the University or one of its organizations.

6.12.20 The University shall endeavor to develop in its students the realization that all citizens not only have the right but the obligation to inform themselves about problems and issues of concern to the community and the nation. It shall encourage students to formulate points of view regarding these issues and to give expression to them.

6.12.21 The University maintains student records primarily for educational purposes, although student records are maintained for other purposes such as health and employment. Procedures for the release and disclosure of student records maintained by the University are in large measure governed by State and Federal laws. Guidelines incorporating the requirements of the Federal Family Educational Rights and Privacy Act of 1974 are published annually in the student handbook.

6.13.10 Speakers on Campus. Students and faculty alike may freely select the persons they wish to invite to the campuses of their respective institutions as guest speakers other than those imposed by state and national law. Obviously, an invitation to a speaker does not imply approval or sponsorship of his/her views by the University or college or the Board of Governors, nor necessarily by the organization or person inviting him/her. Both students and faculty possess the same rights as other citizens to hear different points of view and to draw their own conclusions.

6.14.10 Controversial Persons. The following guidelines govern visits to the campus by controversial persons:

6.14.11 In all circumstances, the civil rights and liberties of every person involved shall be fully respected and protected from any abridgement whatsoever. There shall be no infringement upon the right of the speaker to present his/her views or of the visitor to perform his/her intended service or the right of members of the University community to hear the presentation or benefit from the performance of the intended service or the right of any persons to conduct orderly picketing or make other lawful forms of protest.

6.14.12 Routine procedures required by the University in connection with the appearance of a guest speaker shall be designed only to ensure that there is orderly scheduling of facilities and adequate preparation for the event, and that the affair is conducted in a manner appropriate to an academic community. University control of campus facilities shall not be used as a device of censorship.

6.14.13 When it is known that a potentially controversial person is expected on the campus, with the likelihood of generating some form of protest or demonstration, the President of the University or his/her designated representative shall make every effort to arrange prior discussions with the probable protesting group or groups. The only purpose of such meetings shall be to establish mutually agreeable arrangements. In no case shall such discussion be construed as implying university endorsement of the protestors' position.

6.14.14 If a formal protest or demonstration is held, it shall not be confined to a specified area, but persons, or signs or other devices used to express the protest shall not block sight, hearing, access or egress, or otherwise interfere with the orderly conduct of the event being protested or of normal University activities. In order to attain the latter objective, certain areas in which protest activity is to be prohibited may be defined in advance by mutual agreement between the University and the protesting parties.

6.14.15 In the event of a visit to the University by a highly placed government official or a highly controversial person, special arrangements for the visit may be required. Any such arrangements shall be made by the University. Special rules and procedures shall be devised and promulgated by a special University committee representing the University administration (including the campus police forces), the faculty and the student body. Representatives of outside agencies may be invited either to advise or to serve upon the committee. In all such cases, the University shall maintain final control over arrangements, consistent with University rules and regulations.

6.14.16 If any special rules are adopted, they shall be given wide publicity well before the event to which they apply. It is expected that every person on the campus shall act in a lawful manner and observe general and special University regulations. The Vice President for Student Development or designated representative shall be present at all occasions when controversy is likely to arise and shall request persons acting in an unseemly manner to desist from such action. Members of the campus community are subject to the disciplinary procedures stated in 9.20.10 and 7.41.10-11.

6.14.17 The campus police shall normally handle such routine matters as traffic regulations in accordance with established procedures, and whatever problems arise from action in contravention of previously announced policies. In the event of violence, or of clear, unmistakable indication of probable violence, the responsible University official in attendance may authorize a call for additional assistance.

6.20.10 Policy on Religious Observance. No faculty or staff member, administrator or student shall be discriminated against because of religious beliefs or practice.

6.20.11 To facilitate course planning, the University Chaplains shall prepare and provide to staff and faculty a comprehensive listing of religious holy days that traditionally have precluded secular activity. This list shall be provided each semester at least one week prior to the first day of classes. See sections 8.51.11-14 for relevant university make-up policy.

6.30.10 Policy Statement on the Use of Drugs on Campus. The University of Rhode Island asserts its commitment to promoting a drug-free environment. The University's commitment applies broadly to all segments of the campus community: faculty, staff, administrators, and students alike. The Drug and Alcohol Task Force (see section 5.62.10) is charged with developing policies and procedures and with recommending educational programs in furtherance of this commitment.

6.30.11 With respect to *controlled substances*, The University of Rhode Island affirms its commitment to enforcement of federal and state statutes restricting the use of such substances as well as the regulations of the University itself pertaining to controlled substances.

6.30.12 With respect to *alcohol* and *tobacco*, The University of Rhode Island recognizes the extreme health costs associated with the use of these substances and its responsibility to provide a positive model for young people who are in the process of consolidating attitudes and behaviors that will serve them, positively or adversely, throughout their lives. The University therefore asserts its commitment to enforce fully regulations pertaining to the illegal use of alcohol and drugs and to a program of active discouragement of the use of tobacco and the abuse of alcohol.

6.30.13 With respect to *performance-enhancing drugs*, The University of Rhode Island strictly prohibits the use of drugs banned by the NCAA by members of athletic teams or individuals representing the University at athletic events. The Department of Athletics shall present and discuss the institutional policies with all athletes participating on intercollegiate sports teams. Student athletes will be required to sign the Awareness Statement Concerning Use of Drugs by Student Athletes.

* **6.40.10 Accommodations for Qualified Students with Disabilities.** All programs, activities and facilities of the University, when viewed in their entirety, must be accessible to qualified students. The Disability Services for Students in the Office of Student Life is responsible for determining students' eligibility for physical accommodations and, in cooperation with the appropriate academic deans, department chairpersons and faculty members, the selection of reasonable alternative means to satisfy the academic requirements of courses and programs of study. Student

requests for accommodations are made via the Director, Disability Services for Students to the University member responsible for the program or activity. Such requests shall be made by the student himself/herself, a parent, legal guardian or other representative. (For Policy on Accommodation of Qualified Students with Disabilities see Appendix G. For further information, a regularly updated document titled *Policies And Procedures: Academic & Administrative Accommodations For Students With Disabilities*, is available through the Office of Student Life/Disability Services for Students.)

6.40.11 Faculty shall make reasonable efforts to provide alternative means for qualified disabled students to fulfill course requirements. Academic Deans, in consultation with program directors and department chairs, shall modify academic requirements on a case by case basis to afford disabled students an equal opportunity. Academic requirements which the University determines and can demonstrate are essential cannot be modified.

6.40.12 The student with a disability shall be responsible for self-identification to the Disability Services for Students in the Office of Student Life, providing appropriate documentation of disability, requesting accommodation in a timely manner, and follow-through regarding accommodations requested.

6.40.13 University members shall use reasonable efforts to ensure confidentiality regarding student information related to a disability in accordance with the Family Educational Rights and Privacy Act.

* **6.40.20 Appeal of Accommodation Decisions.** A University member or student may request a review of an accommodation decision. The request for reconsideration is to be submitted to the Director, Disability Services for Students who shall forward the request to the appropriate Vice President or the Provost for final determination.

* **6.40.21** The Provost or appropriate Vice President shall review the information received, request additional information if necessary, and make a final decision. The Provost or Vice President shall transmit a decision to the student, the University member and the Director, Disability Services for Students.

