BROOKDALE COMMUNITY COLLEGE
COLLEGE REGULATION

5.0010R Rights and Responsibilities

I. Title of Regulation

Rights and Responsibilities

II. Objective of Regulation

To ensure the rights and responsibilities of all members of the College Community.

III. Authority

Board of Trustees Policy No. 5.0000

IV. Regulation Statement

In accordance with the Board Policy on academic Rights and Responsibilities, the following statements are necessary to ensure the rights and responsibilities of all members of the College Community:

A. Fundamental Rights of Others as Citizens

1. As citizens, members of the College will enjoy the basic rights of freedom of speech, freedom of press, freedom of peaceful assembly and association, freedom of political beliefs, and freedom from personal force and violence, threats of violence, and personal abuse.

2. Freedom of press implies the right to freedom from censorship in campus newspapers and other media, and the concomitant obligation to adhere to the canons of responsible journalism.

3. It should be made clear in writings or broadcasts that editorial opinions are not necessarily those of the institution or its members.

4. The College is not a sanctuary from the general law.

5. The College does not stand in loco parentis for its members. Each member of the College has the right to organize his or her own personal life and behavior, so long as it does not violate the law or agreements voluntarily entered into, and does not interfere with the rights of others or the educational process.

6. Admission to, employment by, and promotion within the College will accord with the provisions against discrimination in the general law.

B. Rights of Others Based Upon the Nature of the Educational Process

All members of the College have responsibilities and rights based upon the nature of the educational process and the requirements of the search for truth and its free presentation. These rights and responsibilities will include:

1. Obligation to respect the freedom to teach, to learn, and to conduct research and publish findings in the spirit of free inquiry. Institutional censorship and individual or group intolerance of the opinion of others are inconsistent with this freedom.

Freedom to teach and to learn implies that the teacher has the right to determine the specific content of his course, within the established course description and approved learning objectives, and not to depart significantly from his area of competence or to divert significant time to material extraneous to the subject matter of his course.

Free inquiry implies that (except under conditions of national emergency) no research, the results of which are secret, will be conducted at the College.

2. Obligation not to interfere with the freedom of members of the College to pursue normal academic and administrative activities, including freedom of movement.

3. Obligation not to infringe upon the right of all members of the college to privacy in offices, and laboratories and in the keeping of personal papers, confidential records, and effects, subject only to the general law and to conditions voluntarily entered into.

College records on its members should contain only information which is reasonably related to the educational purposes or safety of the campus.

4. Obligation not to interfere with any member's freedom to hear and to study unpopular and controversial views on intellectual and public issues.

5. Right to identify oneself as a member of the College and a concurrent obligation not to speak or act on behalf of the College without authorization.

6. Right to hold public meetings in which members participate, to post notices, and to engage in peaceful, orderly demonstrations.

Reasonable and impartially applied rules, designed to reflect the educational purposes of the institution and to protect the safety of the campus, will be established regulating time, place, and manner of such activities and allocating the use of facilities.

7. Right to recourse if another member of the College is negligent or irresponsible in performance of his or her responsibilities, or if another member of the College represents the work of others as his or her own.

8. Right to be heard and considered at appropriate levels of decision-making process about basic policy matters of direct concern.

Members of the College who have a continuing association with the institution and who have substantial authority and security have an especially strong obligation to maintain an environment conducive to respect for the rights of others and fulfillment of academic responsibilities.

Tenured faculty will maintain the highest standards in performance of their academic responsibilities.

Trustees have a particular responsibility to protect the integrity of the academic process from external and internal attacks; and to prevent the political or financial exploitation of the campus by any individual or group.

C. Rights of the Institution

The College, and any division or agency which exercises direct or delegated authority for the College, has rights and responsibilities of its own. The rights and responsibilities of the College include:

1. Right and obligation to provide an open forum for members of the College to present and debate public issues.

2. Right to prohibit individuals and groups who are not members of the College from using its name, its finances, and its physical and operating facilities for commercial or political activities.

3. Right to prohibit members of the College from using its name, its finances, or its physical and operating facilities for commercial activities.

4. Right and obligation to provide, for members of the College, the use of meeting rooms under the rules of the College, including use for political clubs; to prohibit use of its rooms by individual members or groups of members on a regular or prolonged basis as free headquarters for political campaigns; and to prohibit use of its name, its finances, and its office equipment and supplies for any political purpose at any time.

5. Right and obligation not to take a position, as an institution, in electoral politics or on public issues, except on those issues which directly affect its autonomy, the freedom of its members, its financial support, and its academic functions.

6. Right and obligation to protect the members of the College and visitors from physical harm, threats of harm, or abuse; its property from damage and unauthorized use; and its academic and administrative processes from interruption.

7. Right to require that persons on the campus be willing to identify themselves by name and address, and state what connection, if any, they have with the College.

8. Right to set reasonable standards of conduct in order to safeguard the educational process and to provide for the safety of members of the College and the institution's property.

9. Right to deny pay and academic credit to members of the College who are on strike; and the concomitant obligation to accept legal strikes legally conducted without recourse to dismissal of participants.

D. Rights to Fair and Equitable Procedures

A. Members of the College have a right to fair and equitable procedures which shall determine the validity of charges of violation of College regulations.

1. The procedures will be structured so as to facilitate a reliable determination of the truth or falsity of charges, to provide fundamental fairness to the parties and to be an effective instrument for the maintenance of order.

2. All members of the College have a right to know in advance the range of penalties for violations of College regulations. Definitions of adequate cause for separation from the College should be clearly formulated and made public.

3. Charges of minor infractions of regulations, penalized by small fines or reprimands which do not become part of permanent records, may be handled expeditiously by the appropriate individual or committee. Persons so penalized have the right to appeal.

4. In the case of charges of infractions of regulations which may lead to notation in permanent records or to more serious penalties, such as suspension or expulsion, members of the College have a right to formal procedures with adequate due process, including the right of appeal.

5. Members of the College charged or convicted of violations under general law may be subject to College sanctions for the same conduct, in accord with Board policies and College regulation and procedures, when the conduct is in violation of a College regulation essential to the continuing protection of other members of the College or to the safeguarding of the educational process.

V. Responsibility for Implementation

Officers of the College

Approved: President 12/17/71
Effective: 12/17/71
Revised: 9/1/75

Added July 1, 2005: Student Rights and Responsibilities 5.0010R

Student Rights and Responsibilities

Students shall enjoy all the rights and privileges guaranteed to every citizen by the Constitution of the United States and by the State of New Jersey. In addition students will have the following rights and responsibilities:

1. Academic Freedom

Right: Students have the right to develop, explore, and express ideas with the expectation that their in-class performance will be evaluated solely on an academic basis.

Responsibility: Students are responsible for respecting the viewpoints and opinions of others in an academic environment.

2. Confidentiality

Right: Students have the right to confidential and appropriate use of academic and personal information.

Responsibility: Students are responsible for understanding the circumstances under which information can be released.

3. Course Information

Right: Students have the right to know the academic requirements for each course in which they are enrolled. These requirements should be identified in the course syllabus distributed at the beginning of the semester and include the evaluation system, due dates, attendance policy, and consequences for failing to meet the standards.

Responsibility: Students are responsible for adhering to the standards of academic performance contained in the syllabus and for seeking clarification of standards at the beginning of the term.

4. Discrimination

Right: Students have the right to an academic environment that is free from all forms of discrimination.

Responsibility: Students are responsible for conducting themselves respectfully in an academic environment that accepts the diversity of all people regardless of their perceived or real differences in race, nation of origin, color, religion, age, sex, sexual orientation, gender identity or disability status.

5. Disruption

Right: Students have the right to an academic environment that is free of unnecessary disruption.

Responsibility: Students may not interfere with the learning process of others by disrupting the academic environment. Disruptions may include entering class or other academic settings late, leaving and returning unnecessarily, inappropriate talking or noise, and improper use of cell phones, pagers, headphones, laptops or other devices.

6. Drugs and Alcohol

Right: Students have the right to an academic environment that is free from the unlawful use of drugs and alcohol.

Responsibility: Students are responsible for compliance with Brookdale's policies and regulations regarding the unlawful use of illegal drugs or alcohol at all Brookdale facilities and sponsored events.

7. Grievances

Right: Students have the right to a process for addressing grievances.

Responsibility: Students are responsible for identifying and following the appropriate procedures for pursuing a grievance.

8. Health and Safety

Right: Students have the right to an academic environment that is healthy and reasonably free of hazards to safety and security.

Responsibility: Students may not jeopardize the health, safety and well-being of others. Students are responsible for compliance with Brookdale Community College policies and regulations regarding health and safety.

9. Program Information and Graduation Requirements

Right: Students have the right to accurate and complete information regarding program and graduation requirements.

Responsibility: Students are responsible for reviewing program material and developing graduation plans based on program and graduation requirements.

10. Student Records

Right: Students have the right to know the type of information that is maintained in their student records and have the right to view those records and petition for change.

Responsibility: Students are responsible for adhering to the rules and regulations governing access to student records as defined in the Family Educational Rights and Privacy Act of 1974 (FERPA) and any college policies defining and regulating access to student records.

A variety of resources are available to help students understand and pursue their rights and responsibilities. All the resources are available at the Brookdale website www.brookdalecc.edu/handbook

Effective: July 1, 2005