



Fairmont State University Board of Governors
Rule SA -01 (formerly referred to as Policy No. 17)
Effective Date: 02/17/2022
Review Date: _____, 2024

TITLE: STUDENT RIGHTS AND RESPONSIBILITIES

SECTION 1: GENERAL

- 1.1** Fairmont State University is a comprehensive, regional university committed to educating global citizen leaders in an environment distinguished by a commitment to excellence, student success, and transformational impact” (Fairmont State University Mission Statement). Guided by this mission, the following student rights and responsibilities support an inclusive, safe, and healthy university community where all students can pursue their educational goals. Furthermore, Fairmont State strives to adhere to core values of family, diversity, excellence, entrepreneurship, safety, trust, respect, integrity, transparency, and stewardship. In order to uphold these values and make every effort to support our students in their learning journey, students should familiarize themselves with this Rule.
- 1.2 Responsible Unit.** Office of the President.
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SECTION 2: PURPOSE AND SCOPE

- 2.1 Scope.**
- 2.1.1 This rule sets forth the understanding that students at Fairmont State University are entitled to certain academic rights and, in exchange, students shall fulfill certain academic responsibilities.
- 2.1.2 This Rule applies to all students enrolled at Fairmont State University.
- 2.2 Purpose.** The purpose of this rule includes, but is not limited to, the following:
- 2.2.1 To establish a general policy regarding student rights and responsibilities, at Fairmont State University.
- 2.2.2 To define generally the powers, authority and duties to be exercised by the President and other officials of the institution in applying this rule.
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SECTION 3: DEFINITIONS

- 3.1** “President” means the President of Fairmont State University or their designee.

- 3.2 “Student” means, for purposes this Rule, all persons enrolled, taking courses part-time, or pursuing non-degree and certificate, undergraduate, graduate, or professional studies at Fairmont State University.
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SECTION 4: STUDENT RIGHTS

- 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 The Provost shall ensure that each student is entitled to the following academic rights:
- 4.2.1 *Access to the Catalog.* Each student shall have access to the college or university catalog or program brochure in which current academic program requirements are described (e.g., required courses, total credit requirements, time in residence requirements, special program requirements, minimum grade point average, probation standards, professional standards, etc.).
- 4.2.2 *Class Syllabi.* During the first week of classes, students have the right to receive from each instructor a syllabus with descriptions of content and requirements for any course in which the Student is enrolled (e.g., attendance expectations, special requirements, laboratory requirements including time, field trips and costs, grading standards and procedures, professional standards, etc.).
- 4.2.3 *Feedback on Assignments.*
- 4.2.3.1 Each student shall have the right to receive feedback on assignments in a timely manner.
- 4.2.3.2 Each student shall be graded or have their performance evaluated solely upon performance in the course work as measured against established academic standards. Students shall not be evaluated prejudicially, capriciously, or arbitrarily. Each student shall have the right to appeal a final grade assigned in accordance with the policy and process of the institution.

4.2.4 *Posted Grades.*

4.2.4.1 Undergraduate Courses. During regular terms (fall and spring), students who are enrolled in Undergraduate Courses have the right to, at the minimum, a full range of grades posted mid-semester and final grades. All such grades shall be assigned by the course instructor. During all other terms, students have the right to, at the minimum, a posted final grade assigned by the course instructor.

4.2.4.2 Graduate Courses. Students who are enrolled in Graduate Courses have the right to a posted final grade assigned by the course instructor.

4.3 *Academic Integrity.* The Provost shall provide clear guidance and assistance to students to ensure that they understand the requirement to maintain academic integrity and are aware that failure to maintain academic integrity constitutes academic dishonesty. The Provost shall administer a fair and consistent system for defining and responding to academic dishonesty, including establishing a range of outcomes for students determined to have committed academic dishonesty.

4.4 *Confidentiality of Records.* The student is entitled to confidentiality of academic and disciplinary records, as afforded by the Family Educational Records and Privacy Act (FERPA).

4.5 *Anti-Discrimination.* The student is entitled to an environment that promotes mutual understanding and respect among all individuals and groups at Fairmont State University and the elimination of all forms of discrimination as provided by state and federal law, and under Board of Governors Policy GA-01.

SECTION 5: STUDENT RESPONSIBILITIES

5.1 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 ordinance.

5.1.4 The Student Code of Conduct, Residence Life Guide (if applicable), University Policies, and all other rules and regulations of the board and the institution.

5.1.5 The directions and orders of the administrators, faculty and staff of the institution who are charged with the administration of institutional affairs on campus.

- 5.2** Each student, by voluntarily accepting admission to the University or enrolling in a class or course of study offered by the University, accepts the academic requirements and criteria of the University. It is each student's responsibility to independently fulfill course work and degree or certificate requirements and to know and meet criteria for satisfactory academic progress and completion of the degree program.
- 5.3** Each student shall conduct themselves in a manner which is fair, honest, and consistent with the principles of academic integrity, particularly when undertaking coursework and research.
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SECTION 6: POWERS, AUTHORITY AND DUTIES OF THE PRESIDENT

- 6.1** General powers, authority and duties of the president. The President shall be responsible for the entire administration of the institution, subject to the control of the board. It shall be the President's duty to attend to and administer the laws of the State of West Virginia which may be applicable on the campus as well as the policies, rules and regulations of the board and institution. The President is hereby vested with authority requisite to that end, subject to the control of the board.
- 6.2** Any authority, responsibility, or duty granted to or imposed upon the President by these policies, rules and regulations may be delegated by the President, subject to the control of the board, to another persons(s) of the administration, faculty, staff or student body of the institution. All persons dealing in the matters so delegated by the President shall be required to deal with the persons to whom the President shall have delegated such authority, responsibility or duty and such persons shall be required to deal with the institution or the President through such designees, except on appeal to the President as specified by the President.
- 6.3** Promulgation of institutional regulations for student discipline. The President or designee shall have authority and responsibility, subject to the control of the board, for the discipline of all students at the institution. The President, with the advice of faculty and students and subject to the control of the board, shall develop, promulgate and use disciplinary regulations and channels not inconsistent with the policies, rules and regulations of the Board.
- 6.4** Activities on, and use of, institutional property or facilities. The use by any person of the property or facilities of the institution shall be controlled and governed by the policies, rules and regulations of the board. Regulations governing the use of such property or facilities shall be promulgated by the president with the advice of faculty and students and shall conform to these policies, rules and regulations and be subject to the control of the board.

- 6.5** Public use of institutional property or facilities and restrictions imposed. Subject to the control of the board, notwithstanding any rules, regulation, policy or express or implied permission for the use of, or presence in or on, the property or facilities of the institution, any person who (a) is not a student presently registered for current classes or course work at the particular institution or is not an employee of the board currently on duty at the institution and (b) by their conduct or speech or expressions, causes or, in the opinion of the president or designee, may be reasonably expected to cause harm to persons, property or facilities or disruption of, or interference with, any activity of the institution, is no longer authorized to be in or on the property or facilities of the institution. In such instance, the president or the designee, shall cause such person to be ejected from, kept off, and kept out of the property and facilities of the institution. The president or designee may take whatever legal or institutional action is necessary to effectuate this authority.
- 6.6** Use of institutional property or facilities; activities which interfere with, disrupt or inhibit institutional operations. The assertion by any person or persons of rights of speech, assembly, press or other expression with the intention to interfere with access to, or use of, the institution's property, facilities, activities, programs, or operations by those properly and regularly using the same is expressly prohibited, any rule, regulation or permission express or implied notwithstanding.
- 6.7** Limitations of assembly and student use of institutional property or facilities. Subject to the control of the board, when, in the judgment of the president, an assembly is not in the best interest of the institution or the individuals concerned, in that it presents a clear and present danger of harm to persons, property, or facilities or interference with or disruption of activities, the president or his designee shall prohibit such assembly and shall take measure to prevent harm to persons, property or facilities, or to prevent interference with or disruption of activities, as may be necessary in the circumstances or may be reasonably expected to come into existence.
- 6.8** Limitation of activities and emergency measures. When there has been harm or damage to persons, property or facilities, or when there has been disruption of or interference with institutional activities, or when there has been seizure or occupation of property or facilities by persons no longer authorized, then, subject to the control of the board, when the president deems it necessary to end or to control such occurrences and the circumstances caused thereby, the President shall have the authority to declare a state of emergency to exist on the campus; and

- 6.8.1 Close down any part of the institution for any length of time, or limit use of certain parts of the campus, property or facilities to certain persons at certain times;
 - 6.8.2 Impose curfews on the presence of persons in or on institutional facilities or property;
 - 6.8.3 Place bans on gatherings of persons at places or times on or in the institution's property or facilities; or
 - 6.8.4 Enlist the aid of any public authority, police or otherwise, as may be necessary to restore order, protect persons, property, health, safety or welfare; and
 - 6.8.5 Immediately suspend any student who is found involved in prohibited action or conduct and who is (1) first advised, told or notified that a particular action or conduct is prohibited, and who (2) continues such action or conduct in spite of the warning. Such immediate suspension shall be followed with speedy disciplinary proceedings consistent with these policies, rules and regulations.
 - 6.8.6 See to the enforcement of the laws of the State of West Virginia; the policies, rules and regulations of the board; and the policies, rules and regulations of the institution, including any emergency orders imposed as a result of the state of emergency so declared.
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SECTION 7: DISCIPLINARY ACTION

- 7.1 Any student shall be subject to disciplinary action by the institution if that person is involved in any of the actions or conduct prohibited by Fairmont State policies, rules and regulations. In taking disciplinary action against a student, Fairmont State may act to remove any status of a student or to revoke or remove any right or privilege of a student, or to withhold, remove, or cancel any benefit, recognition or certification, including the conferring of a degree, which such a student might yet not have received from Fairmont State.
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SECTION 8: DELEGATION

- 8.1 The Board of Governors delegates to the President the authority to adopt additional internal policies and procedures to effectuate the implementation of any Board of Governors Rule or in furtherance of any authority that the Board of Governors has specifically delegated to the President.
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SECTION 9: AUTHORITY

9.1 West Virginia Code § 18B-1-6; West Virginia Code § 18B-2A-4.

SECTION 10: SUPERSEDING PROVISIONS

10.1 This Rule supersedes and replaces any rule, policy or procedure that relates to the subject matter contained within this Rule. This Rule also supersedes and replaces Fairmont State University Board of Governors Policy 17, which was approved on December 5, 2002, and any internal policy or procedure that relates to the subject matter contained in this Rule.