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their membership in the academic community.² Indeed, all members and constituencies within an academic community are obliged to protect these rights to free expression.³ To recapitulate, in the words of the National Council of A.A.U.P.; we reaffirm "that free inquiry and free expressions are indispensable to the attainment of the goals of academic institutions; emphasize that the responsibility to secure and to respect general conditions conducive to the freedom to learn is shared by all members of the academic community... and note that students should be free to support causes by any orderly means which do not disrupt the regular and essential operation of the institution."

B. Freedom from Discrimination

Just as the University should not discriminate on grounds of race, color, religion, sex, sexual orientation, gender identity or expression, age, national or ethnic origin, physical or mental disability, marital or veteran status or any other characteristic or status protected by state or federal laws in its educational programs and activities, so should it not permit unlawful discrimination in any area of student life, such as University-managed housing, athletics, clubs, organizations, and other campus activities. Cases of discrimination by students against other students should be dealt with in accordance with the official Judicial Code. Cases of discrimination involving academic affairs should be reported to the appropriate academic dean or to the Equal Rights and Opportunities Officer. Cases involving claims of sexual harassment should be handled according to the appropriate University policy.

No student shall be expelled or refused admission to Hofstra University because he or she is unable to participate in any examination, study or work requirement because of his or her religious obligations and practices. However, all students are expected to complete all assignments and examinations. It is understood that no adverse or prejudicial effects shall result to any student who avails himself or herself of religious observances. The University, faculty, and student shall work together to achieve a reasonable accommodation concerning any conflicts between educational and religious obligations.

C. Government by Law

Students should live under a government of law, created, where appropriate, by joint action of students, faculty, and administration. The United States National Student Association has properly said: "The functioning of the educational community requires an awareness of mutual responsibility, understanding, trust, and respect in order that all its members actively contribute to the development of policies and programs; this purpose can best be achieved only through the continuous cooperation within the educational community... These policies and procedures should in no case be subject to

² Cf. AAUP, 1940 Statement of Principles on Academic Freedom and Tenure, "Academic Freedom", (c); 1964 Committee A Statement on Extramural Utterances. See also Letter No. 11, "Extramural Utterances", in *Academic Freedom and Tenure*, edited by Louis Joughlin (Madison, Wisc.: The University of Wisc. Press, 1967), 132-134.

³ "Joint Statement on Rights and Freedoms of Students," *Bulletin of the AAUP*, LIII, No.4 (Winter, 1967), V.A. p. 367

change without notice under the pressure of a particular situation, and the groups affected should participate at all times in their application."⁴

III. STUDENTS AS CAMPUS CITIZENS

A. Student Participation in Institutional Government

As constituents of the academic community, students should be free, individually and collectively, to express their views on issues of institutional policy and on matters of general interest to the student body. The student body should have clearly defined means of participating in the formulation and application of institutional policy affecting academic as well as student affairs. The role of the student government and both its general and specific responsibilities should be made explicit, and the actions of the student government within the areas of its jurisdiction should be reviewed only through orderly and prescribed procedures.⁵ The obstacles to such participation are large and should not be minimized. Nevertheless, ways should be found to permit significant student participation within the limits of attainable effectiveness.⁶

B. Student Government

1. The University should recognize and respect the Student Government Constitution.
2. One purpose of student government is to provide students with the means to regulate student-sponsored activities, organizations, publications and any other matters properly subject to their jurisdiction. The electorate of such a government should consist of the undergraduate student body. Designation of delegates, officers, committees and boards should be by student vote only, should be non-discriminatory and should not be subject to administration or faculty approval. The Student Government may set up a uniform and reasonable system of eligibility requirements for major student offices.
3. The Student Government has the responsibility to establish a procedure for official recognition and registration of student organizations. The organization applying for recognition must submit a constitution and provide information about its purpose, affiliations, and activities. Such information should be available to all within the University community and should be subject to publication on the campus.

C. Student Clubs and Organizations

1. Freedom of Student Association: Students have the right to organize and join lawfully organized associations for educational, political, religious, social, or cultural purposes. The fact of affiliation with any co-curricular association or national

⁴ Codification of Policy, United States National Student Association, 196.0210

organization or political party, so long as it is an open affiliation, may not bar a group from recognition. Any campus group which plans political discussion or action has the right to organize. The administration may not discriminate against a student because of membership in any such organization.

2. Disclosures: If the Dean of Students, or student government has reason to believe that any organization has concealed, misrepresented, or otherwise failed to disclose its purposes or affiliations, it may proceed in accordance with the Judicial Code.
3. Membership List: Organizations should not be required to file a public list of members. However, confidential membership lists are required to be submitted to ensure that student activity fees are being allocated appropriately, and to verify the authenticity of student members' registration and undergraduate status. The names of officers and members should not, without the consent of the individuals involved, be disclosed to any non-University persons or to any University persons having no direct and legitimate interest therein, except as provided by law.
4. Use of the Campus:
 - a. Campus Facilities:

Meeting rooms and other campus facilities should be made available, as far as their primary use for educational purposes permits, on a non-discriminatory basis, to registered student organizations.
 - b. Pamphlets, Petitions, and Demonstrations:

Student organizations and individual students should be allowed to distribute pamphlets in accordance with University procedures, or collect names for petitions concerning either campus or off-campus issues. Such procedures shall not include regulation of content. Orderly demonstrations on campus should not be prohibited. Any such demonstrations must be registered with the Office of Student Activities, Residential Life, and the Department of Public Safety.
 - c. Bulletin Boards:

Bulletin boards should be provided for the use of student organizations; school-wide circulation of all notices and leaflets which meet uniform and nondiscriminatory standards, and which are in compliance with posting policies established by the Office of Student Activities, Residential Life and the Department of Public Safety, should be permitted.
 - d. Other Forms of Publication:

Information related to student events or student issues may be disseminated through telephone, voice mail, e-mail, websites, and other technologies. Such disseminations must comply with University regulations.
5. Advisers for Organizations:

A student organization has the right to choose its own faculty adviser from among the full-time faculty or administration or someone else approved by the Dean of Students.

A student organization may not operate without selecting an advisor and having that advisor confirm that he/she has agreed to serve as such with the Office of the Dean of Students.

Regulations governing the behavior of students should be fully and clearly formulated, published, and made available to the whole academic community. Academic matters, including cases of academic dishonesty, are handled through the Provost's Office, while disciplinary issues related to student conduct are handled through the Dean of Students' office. In no case shall students be denied their rights under the Judicial Code.

The Division of Campus Life shall publish and distribute the Judicial Code to all undergraduate students.

V. STUDENTS AS OFF-CAMPUS CITIZENS

A. Off-Campus Conduct of Individual Students

In their off-campus life, students are generally not under University control, nor should the University be held responsible for the off-campus activities or personal conduct of individual students. Nevertheless, the University expects a level of maturity appropriate for University students. When off-campus conduct or behavior of an individual is believed to warrant corrective action by the University, the rights of the individual shall be safeguarded in accordance with the procedures described in the Judicial Code.

- B. No disciplinary action shall be taken by the University against a student for engaging in off-campus political activities provided the student does not claim without authorization to speak or act in the name of the University or one of its student organizations. For their part, students should observe the same kind of self-discipline that their teachers accept when they speak as citizens and not as representatives of their educational institution.⁷

When students choose to participate in political activities that result in police action, it is an infringement of their liberty for the University to punish such activity. Students who violate a local ordinance or any law which they consider to be morally wrong, risk the legal penalties prescribed by civil authorities. In this connection it is incumbent on the University to refrain from administrative decisions which would violate the student's academic freedom. The same principle should apply to the admission of a student who has been expelled from another college.

C. Student Records

As per the Family Educational Right to Privacy Act of 1974, the University should have a carefully considered policy as to the information which should be part of a student's permanent educational record and as to the conditions of its disclosure. To minimize the risk of improper disclosure, academic and disciplinary records should be separate, and the conditions of access to each should be set forth in an explicit policy statement. Transcripts of academic records should contain only information about academic status. Information from disciplinary or counseling files should not be available to unauthorized persons on campus, or to any person off campus without the express consent of the

⁷ Cf. AAUP, 1940 Statement of Principles on Academic Freedom and Tenure, "Academic Freedom," (c).

student involved except under legal compulsion or in cases where the safety of persons or property is invol12 TETQl 0 0 1 486.82 51.984 Tm0 g0 G[(r)6(e)4(v.69 a6ls)-2(ion o)-1ords should be k2