

Summary of changes proposed for the AFR, Fall 2013- Spring 2014

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Background: The University Committee on Student Affairs (UCSA) initiated a review of the Academic Freedom for Students at Michigan State University (AFR) in the Spring of 2013. In the Fall of 2013, UCSA created a subcommittee to work through the proposed changes and to bring back a draft of the revised document. This subcommittee comprised two undergraduates, one graduate student, one faculty, one Student Affairs staff member, and the Ombudsperson. They also invited a representative from the General Counsel's Office and a member of the University Committee on Undergraduate Education (UCUE) to participate on the subcommittee. The subcommittee worked through the fall semester and presented a draft document to UCSA at their December 6, 2013 meeting. Minor editing for completeness, clarity, and consistency with other documents was done throughout the document. These editorial changes are noted in the markup version of the document, but are not listed below. This document summarizes the substantive changes that have been proposed for the new version of the AFR.

Title Change: We propose a title change for this document from *Academic Freedom for Students at Michigan State University* to ***Michigan State University Student Rights and Responsibilities (SRR)***. This change makes the title more accurately descriptive of the actual purpose and content of the document. It also makes it consistent with its sister-documents; *Graduate Student Rights and Responsibilities (GSRR)*, *Medical Student Rights and Responsibilities (MSRR)*, and the forthcoming *Law Student Rights and Responsibilities (LSRR)*.

Foreword: There were no changes proposed for the Foreword.

Article 1 (Student Rights and Responsibilities): The title of Article 1 was changed to ***Guiding Values and Principles*** to more accurately reflect the content of this article.

Article 2 (Academic Rights and Responsibilities): In section III.A. the first responsibility of a student was slightly expanded to read:

A. The student is responsible for learning and demonstrating mastery of the content and skills of a course of study, while participating actively in the course's intellectual community, according to standards of performance established by the faculty.

Article 3 (Student Records): Section VIII was amended to specify which sorts of documents require the identity of the creator of the record.

Article 4 (Non-academic Hearing Board Structures): In addition to several minor changes, the following substantive changes were made...

In Section I.A. language was added to include representatives from RHA on the nominating committee and language was removed requiring hearing board nominees from "other campuses." These changes reflect changes in the nominating practice that have evolved over the past years.

In Sections I.B. and I.C. language was added to allow the Provost to make appointments to the hearing boards if they are not filled in the normal way. This allows the work of these boards to go forward in a timely way (especially in the summer).

In Section I.C. staff members were added to the Student-Faculty Hearing Board and it was renamed the “Student-Faculty-Staff Hearing Board” in Section III. This change represents a needed expansion of the board so that staff members can participate in the process.

In Section I.E. additional requirements for the Code of Operations for each hearing board were added in an effort to facilitate their work.

In Section II.A. the Owen Graduate Association and the University Apartments Council of Residents have been removed from the list of groups that can have their own hearing boards. They are now covered by the Residence Hall Association and (in practice) have been for many years.

In Section IV.A. staff have been added to the University Student Appeals Board.

In several sections of this Article, language has been added to clarify that cases of academic misconduct are governed by a different Article.

Article 5 (Adjudication of Non-Academic Cases): In Section I.A. language has been added to encourage students to resolve their disputes in informal ways before going into the formal hearing process. Similar language has been inserted throughout this section, emphasizing the purpose of this section -- conflict resolution and education, not adjudication and punishment.

Also in this section, there are several minor adjustments to both the process and timing of hearings – all designed to make hearings simpler and faster.

In Section I.H.5. “Other Sanctions” has been changed to “The student may be required to complete an educational program or activity or comply with the reasonable conditions of a behavioral contract.” Section I.H.6 has been added to the list of sanctions to allow disenrollment from a particular course if appropriate. Both of these changes have the goal of allowing hearing bodies to tailor specific sanctions that most closely fit the infraction.

In Section II (Non-academic student grievances) language has been added to encourage informal resolution of disputes. Language has also been added to acknowledge that the method of submitting such grievances continues to evolve as technology improves and that students should submit their grievances in the currently appropriate way (“per established protocol”).

In section II.C.2. the criteria for deciding on conflict of interest challenges has been clarified. In section D the sanctions were modified to be consistent with the previous section.

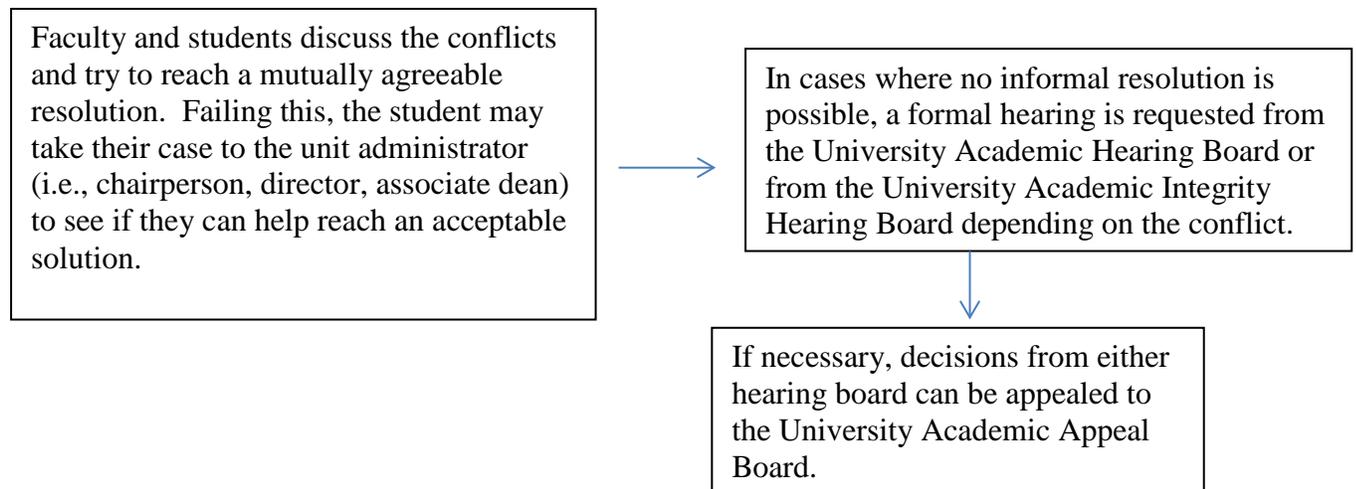
Especially in this Article, but throughout this entire document, much of the material that was previously given in footnotes was moved to Article 11 – Definitions and Acronyms. This was done to improve readability and ease of use.

Article 6: Academic Hearing Board Structures. Major changes are proposed for this section. These changes address the shortcomings and failures of the Academic Hearing system that have become painfully apparent since the last AFR revision. In brief, the hearing system in place for academic issues was slow to function (students waiting for weeks or months for the resolution of their cases), the hearing boards often did not have approved and current hearing procedures to govern their operation, and the hearing board members were inadequately trained and prepared to do their duty. A more complete analysis of the shortcomings of the system currently in place can be found in the document “Rationale for Revising the AFR – Student Perspective” available upon request from the Ombudsperson.

The major change proposed in this section is the creation of a new university-level hearing board called the *University Academic Hearing Board*. This board will hear all cases of undergraduate academic rights disputes EXCEPT for cases involving academic dishonesty. It will have an equal number of student and faculty members (not fewer than two of each) and one faculty chair who will only vote to break a tie.

Departments, Schools, and Colleges still have primary responsibility for resolving conflicts with undergraduate students within their respective units. These administrative units and their faculty and students are explicitly encouraged to use every reasonable means to resolve their conflicts and disputes BEFORE resorting to the hearing boards and processes described in this and the next Article. Hearings should be considered a last resort, to be engaged only after the prospects of an informal resolution of the issues have been exhausted. Under these conditions students, faculty, or administrators can then request that their case be heard before the appropriate university-level hearing board. Hearings are no longer conducted in the units or colleges for undergraduate students.

If these changes are approved, the conflict resolution process will look like this...



Article 7: Adjudication of Academic Cases. Language has been inserted to strongly encourage students, faculty, and administrators to work at the local level to resolve the inevitable conflicts that arise between students and faculty. Only after such efforts have been exhausted will formal hearings be scheduled.

Language has been added to govern the actions of the three hearing boards. Little has changed for the two existing boards (i.e., University Academic Integrity Hearing Board and University Academic Appeal Board). The operation of the new board (i.e., University Academic Hearing Board) is modeled after the UAIHB.

Language has been added to ensure that hearing board members receive appropriate training before being allowed to serve on a board.

The list of available sanctions has been modified to include “disenrollment from a course” as an alternative. “Other” in the sanction section has been defined as “The student may be required to complete an educational program or activity or comply with the reasonable conditions of a behavioral contract.” This makes this section more consistent with the parallel section in Article 5.

Minor changes have been made throughout the Article to improve readability and clarity. Some changes have been introduced to streamline the hearing process so that students will receive a more timely resolution to their grievance. As in other Articles, some material that used to be presented in footnotes has been moved into Article 11 “Definitions and Acronyms”.

Article 8: Regulations, Policies, and Rulings: Names of organizations and titles of offices have been updated.

Article 9: Independent and University-Supported Student Publications: Section II. E has been updated to allow for individuals to publish and distribute material anonymously. Only University-funded material must identify the “campus unit responsible for its preparation and distribution.” Section II. G. has been simplified, giving on-campus living units the power to “decide what policies shall be formulated for distribution of publications within that living unit.”

Article 10: Office of the Ombudsperson: No changes were made to this Article.

Article 11: Definitions and Acronyms: The title of this Article was changed to include acronyms. Many new definitions have been added to this list. Several of these replace material that was formerly (awkwardly) presented in footnotes.

Article 12: Procedures for Amending and Revising This Document: Names of university groups were updated.