COMMITTEE ON EDUCATIONAL POLICY
July 18, 2013

TO THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

AMENDMENT OF REGENTS POLICY 7401: THE FACULTY CODE OF CONDUCT AND THE POLICY ON FACULTY CONDUCT AND THE ADMINISTRATION OF DISCIPLINE

The Committee recommends that Regents Policy 7401: The Faculty Code of Conduct and the Policy on Faculty Conduct and the Administration of Discipline be amended as shown in Attachments 1 and 2.


Additional policies regarding the scope and application of the Faculty Code of Conduct and the University's policies on faculty conduct and the administration of discipline are set forth in APM - 015, the Faculty Code of Conduct, and APM - 016, the University Policy on Faculty Conduct and the Administration of Discipline.
Deletions shown by strikeouts, additions by underscore.

The Faculty Code of Conduct – APM – 015

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Part I – Professional Rights of Faculty

In support of the University’s central functions as an institution of higher learning, a major responsibility of the administration is to protect and encourage the faculty in its teaching, learning, research, and public service. The authority to discipline faculty members in appropriate cases derives from the shared recognition by the faculty and the administration that the purpose of discipline is to preserve conditions hospitable to these pursuits. Such conditions, as they relate to the faculty, include, for example:

1. free inquiry, and exchange of ideas;

2. the right to present controversial material relevant to a course of instruction;

3. enjoyment of constitutionally protected freedom of expression;

4. freedom to address any matter of institutional policy or action when acting as a member of the faculty whether or not as a member of an agency of institutional governance.

4-5. participation in the governance of the University, as provided in the Bylaws and Standing Orders of The Regents and the regulations of the University, including

(a) approval of course content and manner of instruction,

(b) establishment of requirements for matriculation and for degrees,

(c) appointment and promotion of faculty,

(d) selection of chairs of departments and certain academic administrators,

(e) discipline of members of the faculty, and the formulation of rules and procedures for discipline of students,

(f) establishment of norms for teaching responsibilities and for evaluation of both faculty and student achievement, and

(g) determination of the forms of departmental governance;
the right to be judged by one’s colleagues, in accordance with fair procedures and due process, in matters of promotion, tenure, and discipline, solely on the basis of the faculty members’ professional qualifications and professional conduct.

Part II. – Professional Responsibilities, Ethical Principles, and Unacceptable Faculty Conduct

A. Teaching and Students

Types of unacceptable conduct:

2. Discrimination, including harassment, against a student on political grounds, or for reasons of race, color, religion, sex, sexual orientation, gender, gender expression, gender identity, ethnic origin, national origin, ancestry, marital status, pregnancy, physical or mental disability, medical condition (cancer-related or genetic characteristics), genetic information (including family medical history), or service in the uniformed services as defined by the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), as well as state military and naval service, or, within the limits imposed by law or University regulations, because of age or citizenship or for other arbitrary or personal reasons.

C. The University

Types of unacceptable conduct:

5. Discrimination, including harassment, against University employees on political grounds, or for reasons of race, color, religion, sex, sexual orientation, gender, gender expression, gender identity, ethnic origin, national origin, ancestry, marital status, pregnancy, physical or mental disability, medical condition (cancer-related or genetic characteristics), genetic information (including family medical history), or service in the uniformed services as defined by the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), as well as state military and naval service, or, within the limits imposed by law or University regulations, because of age or citizenship or for other arbitrary or personal reasons.
D. Colleagues

Types of unacceptable conduct:

2. Discrimination, including harassment, against a faculty member on political grounds, or for reasons of race, color, religion, sex, sexual orientation, gender, gender expression, gender identity, ethnic origin, national origin, ancestry, marital status, pregnancy, physical or mental disability, medical condition (cancer-related or genetic characteristics), genetic information (including family medical history), or service in the uniformed services as defined by the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), as well as state military and naval service, or, within the limits imposed by law or University regulations, because of age or citizenship or for other arbitrary or personal reasons.