

## **COMMITTEE ON PRIVILEGE AND TENURE Annual Report 2002-2003**

### **To the Academic Senate, Santa Cruz Division**

The Committee on Privilege and Tenure met regularly during the academic year and the Chair attended the systemwide UCP&T meetings. Sub-committees met to investigate and report on particular cases. We held no formal hearings.

### **Policy and Procedure Changes**

#### Whistleblower and Whistleblower Protection

The University of California has instituted procedures and policies that conform to the state's Whistleblower and Whistleblower Protection Acts. P&T will request that the campus bylaws be in conformance with systemwide. The following is a summary of the changes in systemwide Senate Bylaws 335, concerning grievance procedures:

1. If when a grievance is taken to a P&T advisor and that advisor finds that the grievance contains allegations of improper governmental activities and/or allegations of retaliation for reporting improper governmental activities, the P&T advisor shall inform the grievant of his or her right to make a protected disclosure of allegations of improper governmental activities and/or allegations of retaliation for reporting improper governmental activities to the Locally Designated Official (LDO) pursuant to the Whistleblower Policy and the Whistleblower Protection Policy. P&T advisors also shall inform grievants that any such allegations that are part of a grievance brought to the Privilege and Tenure Committee will be reported to the LDO in accordance with the Whistleblower Policy and the Whistleblower Protection Policy.

A list of P&T advisors can be found at <http://senate.ucsc.edu/p&t/ptav0203.htm>. At present, the Locally Designated Official (LDO) for the Santa Cruz campus is Professor Emeritus Richard Wasserstrom.

2. If P&T receives a grievance that includes allegations of improper governmental activities and/or allegations of retaliation for reporting improper governmental activities, P&T shall report those allegations to the LDO in accordance with the Whistleblower Policy and/or the Whistleblower Protection Policy.

#### Faculty-Student Relationships Policy (APM 015)

The University of California Faculty Code of Conduct has been amended by the addition of specific language regarding sexual relationships between faculty and students. This revised version of the faculty-student relationships policy was endorsed by the Academic Council on April 23, the Assembly of the Academic Senate on May 28, and the Board of Regents on July 17, 2003. The following discusses the changes to the Academic Personnel Manual Section 015, the Faculty Code of Conduct, Part II – Professional Responsibilities, Ethical Principles, and Unacceptable Faculty Conduct, Section A. Teaching and Students.

1. An addition to the ethical principles governing faculty behavior regarding teaching and students, which states that whenever a faculty member is responsible for academic supervision of a student, a romantic or sexual relationship, even if consensual, is inappropriate and jeopardizes the integrity of the educational process.
2. The addition of two examples of unacceptable conduct regarding faculty-student relationships. One of these examples prohibits a faculty member from entering into a romantic or sexual relationship with a student for whom the faculty member has academic responsibility or should reasonably expect to have such responsibility. The other example prohibits a faculty member from exercising academic responsibility for any student with whom the faculty member has a romantic or sexual relationship.

#### Time Limit for Filing Cases

The Committee would like to remind Senate members of changes in policy enacted in May 2001, according to which no grievance may be considered if more than three years have passed since the grievant knew or should have known about the violation of his/her rights and privileges and the resulting injury. Similarly, no disciplinary action may commence if more than three years have passed between the time when the Chancellor or Chancellor's designee knew or should have known about the alleged violation of the Code of Conduct, and the delivery of the notice of proposed disciplinary action.

Respectfully Submitted,

COMMITTEE ON PRIVILEGE AND TENURE

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