

4 February 2003

Dear Academic Senate colleagues:

Please read the proposed APM policy on faculty-student sexual relationships that was adopted by UC Privilege & Tenure Committee and endorsed unanimously (with minor revision) by Academic Council at its meeting on January 29, 2003 (draft below). The amendment to APM 015, if adopted by the UC administration and the UC Board of Regents, would make it a violation of the Faculty Code of Conduct for a faculty member to engage in a romantic or sexual relationship with a student for whom he or she has academic responsibility or should expect to have such responsibility.

There is significant interest on the Board of Regents in our developing such a policy. Attached for your review are a variety of policies from other universities which suggest that the proposal from the Academic Council is quite mainstream vis-à-vis comparable institutions.

Please send any comments about this proposal either to me at gayle.binion@ucop.edu, or to your Divisional Council representative by March 1, 2003. Many thanks....

Gayle Binion
Chair, Academic Council
and Academic Assembly

Proposed Additions to APM 015—Faculty-Student Relations

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

(proposed new language underlined)

A. Teaching and Students

Ethical Principles. “As teachers, the professors encourage the free pursuit of learning of their students. They hold before them the best scholarly standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to assure that their evaluations of students reflects each student’s true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.” (AAUP Statement, 1966; Revised, 1987) In this section, the term student refers to all individuals under the academic supervision of faculty.

The integrity of the faculty-student relationship is the foundation of the University's educational mission. This relationship vests considerable trust in the faculty member, who, in turn, bears authority and accountability as mentor, educator, and evaluator. The unequal institutional power inherent in this relationship heightens the vulnerability of the student and the potential for coercion. The pedagogical relationship between faculty member and student must be protected from influences or activities that can interfere with learning consistent with the goals and ideals of the University. Whenever a faculty member is responsible for academic supervision of a student, a personal relationship between them of a romantic or sexual nature, even if consensual, is inappropriate. Any such relationship jeopardizes the integrity of the educational process. *

Types of unacceptable conduct:

1. Failure to meet the responsibilities of instruction, including:
 - (a) arbitrary denial of access to instruction;
 - (b) significant intrusion of material unrelated to the course;
 - (c) significant failure to adhere, without legitimate reason, to the rules of the faculty in the conduct of courses, to meet class, to keep office hours, or to hold examinations as scheduled;
 - (d) evaluation of student work by criteria not directly reflective of course performance;
 - (e) undue and unexcused delay in evaluating student work.
2. Discrimination, including harassment, against a student on political grounds, or for reasons of race, religion, sex, sexual orientation, ethnic origin, national origin, ancestry, marital status, medical condition, status as a covered veteran or, within the limits imposed by law or University regulations, because of age or citizenship or for other arbitrary or personal reasons.
3. Violation of the University policy, including the pertinent guidelines, applying to nondiscrimination against students on the basis of disability.
4. Use of the position or powers of a faculty member to coerce the judgment or conscience of a student or to cause harm to a student for arbitrary or personal reasons.
5. Participating in or deliberately abetting disruption, interference, or intimidation in the classroom.

6. Engaging in a romantic or sexual relationship with any student for whom a faculty member has, or should expect to have in the future, academic instructional, evaluative, or supervisory responsibility.
7. Academic supervision of any student with whom a faculty member has a sexual or romantic relationship.

* This section is modeled on the Yale University Faculty Handbook, XI.B. "Teacher-Student Consensual Relations." (http://www.yale.edu/provost/handbook/handbook_xi_other_university_policies_a.html#T3)

Selected University Policies on Faculty-Student Relationships:

The College of William and Mary

<http://www.wm.edu/administration/provost/relation.php>

Yale University

http://www.yale.edu/provost/handbook/handbook_xi_other_university_policies_a.html#T3

Duke University

<http://www.duke.edu/web/equity/Consensual%20Relationship%20Policy.pdf>

Stanford University

http://www.stanford.edu/dept/pres-provost/SexHarass/ConsRelUpdate6_02.html

Harvard Medical School and Harvard Dental School

<http://www.hms.harvard.edu/ombuds/complain.html>

University of Iowa

<http://www.uiowa.edu/~vpss/policies/i.html#I>

University of Michigan

<http://www.umich.edu/~provost/handbook/11/11.3.html>

University of North Carolina

[http://www.northcarolina.edu/legal/policymanual/300.4.1.1\[g\].pdf](http://www.northcarolina.edu/legal/policymanual/300.4.1.1[g].pdf)

University of Arizona

<http://info-center.ccit.arizona.edu/~policy/personal.shtml>