



**UC DAVIS:**  
**Committed to a positive and inclusive  
campus culture**

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**Vice Provost – Academic Affairs**

**September 2022**



# Faculty Code of Conduct (APM 015)

[http://www.ucop.edu/academic-personnel-programs/\\_files/apm/apm-015.pdf](http://www.ucop.edu/academic-personnel-programs/_files/apm/apm-015.pdf)

- **Part I** – Professional rights of faculty
- **Part II** – Professional rights and conduct of faculty
  - ethical principles
  - types of unacceptable faculty conduct
  - expectations focus on the relationship of faculty to: teaching & students, scholarship, the University, colleagues, & the community
- **Part III** – Enforcement process applicable to unacceptable faculty behavior

## Academic Affairs

Serving the Professional Academic Community at UC Davis

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# Academic Affairs

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## Academic Personnel Manual

### Table of Contents

Universitywide policies listed below begin with "APM." UC Davis policies and procedures begin with "UCD" and are highlighted below. Not all Universitywide policies have UCD procedures. Universitywide policies are issued by the Office of the President and apply to all campuses and laboratories. UCD procedures are developed by Academic Affairs and issued by the Offices of the Chancellor and Provost and apply only to UCD, which includes all units under the jurisdiction of UC Davis, located in Davis, Sacramento, and all off-site locations.

Throughout these policies, the term "Chancellor" refers to the Chancellor and/or the Chancellor's designee. Responsibilities that cannot be redelegated by the Chancellor are stated explicitly within the policy.

Select a link to view the specific section:

[I. General University Policy Regarding Academic Appointees](#)

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#### I. General University Policy Regarding Academic Appointees

[APM 005](#) Privileges and Duties of Members of the Faculty

[APM 010](#) Academic Freedom

[APM 015](#) The Faculty Code of Conduct

[UCD-015, Procedures for Faculty Misconduct Allegations](#)

[Exhibit A, Examples of Unacceptable Faculty Conduct](#)

[Exhibit B, Allegations of Misconduct Request for Review](#)

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# **APM 015 Part 1:**

## **Professional Rights of Faculty**

- **Academic freedom**
  - free inquiry and exchange of ideas
  - right to present controversial materials
  - freedom of expression
  - freedom to address institutional policy/action
- **Participation in the governance of the University**
  - course content/manner of instruction
  - setting admissions and degree requirements
  - appointment and promotion of faculty
  - selection of chairs and administrators
  - discipline
  - establishing norms for teaching
  - departmental governance and voting

## **APM 015 Part II: Provides examples of unacceptable behavior in the following areas:**

- **Teaching and Interactions with students**
- **Scholarship**
- **University**
- **Colleagues**
- **Community**



# Example: Teaching and Students

- Failure to meet teaching responsibilities (e.g., arbitrary denial of access to instruction; failure to hold class, office hours, scheduled exams; demonstrably unfair evaluation)
- Persistent insertion of material unrelated to the subject matter into the classroom that is inconsistent with the course content approved by the Committee on Courses and Instruction
- Discrimination or harassment
- Violating UC Policy prohibiting Sexual Violence/Sexual Harassment in relation to students
- Abetting disruption, interference, or intimidation in classroom
- Having a romantic or sexual relationship with a student for whom you have, or should reasonably expect to have in the future, academic responsibility



# Examples: Scholarship

Violation of canons of intellectual honesty, such as research misconduct or *intentional* misappropriation of the writings, research, and findings of others

## Research misconduct

- Plagiarism
- Falsification of data, findings



## Examples: University

- *Intentional* disruption of University functions/activities
- Incitement of others to disobey University rules
- Unauthorized use of University resources/facilities on a significant scale for personal, commercial, political, or religious purposes
- Discrimination, harassment of colleagues/staff
- *Serious* violation of University policies governing professional conduct of faculty including:
  - research, outside professional activities, conflicts of commitment, clinical practices, animal or human subjects, violence in the workplace, and whistleblower protections



## Examples: Colleagues

- Evaluating colleagues by criteria not directly reflective of professional performance
- Breaching established rules governing confidentiality in personnel procedures
- Discrimination, including harassment, for arbitrary or personal reasons
- Violation of Sexual Violence/Sexual Harassment Policy in relations to any member of the University Community



## Examples: Community

- Intentional misrepresentation of one's personal views as a statement of position of the University or any of its agencies
  - e.g., personal positions on political candidates or ballot issues represent protected speech, but must not be presented as the university position
- Commission of a criminal act that has led to conviction in a court of law and that clearly demonstrates unfitness to continue as a member of the faculty



# **APM 015 Part III:**

## **Faculty misconduct inquiry/investigation**

At UC Davis, the process for review of allegations of violations of APM 015 is outlined in **APM UCD 015**:

1. Informal inquiry/investigation
2. If reasonable basis exists, a formal investigation is initiated
  - Faculty reviewer is appointed in most cases
  - Faculty member being investigated is informed
  - Complainant is informed
  - May result in administrative or disciplinary action



# Some investigations are led by the office of Chief Compliance Officer Wendi Delmendo

- Examples:
  - Sexual harassment / sexual violence (Title IX)
  - Discrimination / harassment against protected groups
  - Whistleblower complaints about policy violations & retaliation against whistleblowers

In cases involving faculty members or other career academics, the compliance office collaborates with Academic Affairs.



# **Systemwide Procedures for Investigating Allegations of Sexual Violence/Sexual Harassment (SV/SH)**

- Title IX Officer charges investigations into allegations of SV/SH by Faculty.
- No Faculty Reviewer is used in SVSH investigations
- If Title IX report substantiates SVSH policy, the Vice Provost convenes a meeting of the UC Davis Peer Review Committee (PRC) to review the report and make recommendations for appropriate discipline and/or non-disciplinary resolution.
- The PRC is made up of faculty specifically trained on policies and issues related to SVSH.



## Abusive Conduct/Bullying in the Workplace

<b>Academic Officer:</b>	Vice Provost - Academic Personnel and Programs
<b>Academic Office:</b>	APP - Academic Personnel and Programs
<b>Staff Officer:</b>	VP – Systemwide Human Resources
<b>Staff Office:</b>	SHR – Systemwide Human Resources Policy
<b>Issuance Date:</b>	<del>TBD</del> <u>January 1, 2023</u>
<b>Effective Date:</b>	<u>January 1, 2023</u>
<b>Last Review Date:</b>	NA
<b>Scope:</b>	This policy on Abusive Conduct/Bullying (“policy”) applies to all University employees, unpaid interns, <u>and third parties</u> <del>volunteers, and independent contractors</del> . The policy applies at all University campuses, the Lawrence Berkeley National Laboratory, Medical Centers, the Office of the President, and Agriculture and Natural Resources.

# DRAFT UCOP Policy Abusive Conduct in the Workplace (expected 1/1/2023)

Abusive Conduct, as defined in Section II of this policy, may include but is not limited to the following types of conduct:

- ☐ Use of abusive and/or **insulting language** (written, electronic or verbal)
- ☐ Spreading **false information misinformation and malicious rumors**
- ☐ Behavior, language, or gestures that **frighten, humiliate, belittle, or degrade**, including criticism or feedback that is delivered with **yelling, screaming, threats or (including implicit threats), or insults**
- ☐ Encouraging others to act, singly or in a group, **to intimidate or harass** other individuals
- ☐ Making **inappropriate comments about a person's appearance, lifestyle, family, culture, country of origin, visa status, religious/spiritual/philosophical beliefs, or political views in a manner not covered**
- ☐ Teasing or making someone the brunt of **pranks or practical jokes**
- ☐ Inappropriately **interfering with a person's personal property or work equipment**
- ☐ **Circulating inappropriate photos, videos, or information via e-mail, social media, or other means**

# **DRAFT UCOP Policy Abusive Conduct** **in the Workplace (expected 1/1/2023)**

- Making **unwanted physical contact or inappropriately encroaching on another individual's personal space**, in ways that would cause discomfort and unease, in a manner not covered by the University's Sexual Violence and Sexual Harassment policy
- Purposefully **excluding, isolating, or marginalizing a person from normal work activities** for non-legitimate business purposes
- Repeatedly **demanding of an individual that the individual do tasks or take actions that are inconsistent with that individual's job**, are not that individual's responsibility, for which the employee does not have authority, or repeatedly refusing to take "no" for an answer when the individual is within the individual's right to decline a demand; pressuring an individual to provide information that the individual is not authorized to release (or may not even possess)
- Making **inappropriate threats to block a person's academic or other advancement, opportunities, or continued employment at the University**
- **Sabotaging or undermining a person's work performance**

Abusive Conduct does not include exercising appropriate supervision of employees or carrying out instruction, grading, assessment, and evaluation. It does not include performance management or providing appropriate feedback.

# Staying out of trouble isn't hard

The following examples I am going to tell you about are **all** based on actual occurrences at UC Davis. Each year the list grows.

**Please take this advice very seriously.** There have been times when careers here have been destroyed by engaging in the activities I am about to tell you about. And it continues to happen.

# Staying out of trouble isn't hard

- Do not touch other people (except to shake hands in a professional context)
- Do not stand too close to other people
- Do not drink or serve alcohol around students
- Always observe boundaries – you are in a position of power over others
- If you anticipate contentious conversations, consider meeting in public places
- “It’s my culture” or “it wasn’t my intention” or “I had too much to drink” or “I was high” are not acceptable excuses, and will not work
- Be highly cautious about making remarks about peoples’ appearances – what you intend to be a compliment may be received as unwelcome or insulting

# Staying out of trouble isn't hard

- Do not give personal gifts to students
- If you feel you have been wronged, seek help – never retaliate
- Only use social media for your personal use – do not post about any form of university business unless it is already in the public domain
- Be very cautious about the use of “emojis” – they may be interpreted in ways you never intended
- Do not invite students to vacation homes, to go into hot tubs, or other compromising places
- Do not invite students to your home unless it is a group activity
- Do not text or post photographs anywhere of yourself to students or co-workers
- Do not take photographs of others without their permission

# Staying out of trouble isn't hard

- Do not tell jokes or make comments that could be perceived by others as offensive
- If you are responsible (or will be) for academic supervision of a student, a personal relationship of a romantic or sexual nature, *even if consensual*, is *never* appropriate – so *never* do it
- Do not try to befriend students, *especially* those who are troubled - instead, refer them to resources and professionals on campus
- Do not discuss your personal, private, or sex life with students
- If you socialize with students, always do it in groups
- Keep the door to your office open when you meet students
- Do not correspond with students via social media – use university email
- If any "red flags" go off, pay attention to them. If you have to wonder if something is appropriate, you probably shouldn't do it

# UC Davis Principles of Community

- We affirm:
  - The dignity inherent in all of us
  - The right to freedom of expression
  - Our commitment to the highest standards of civility and decency towards each other
- We set forth ideals and expectations for campus interactions, including:
  - treating others with courtesy, sensitivity, and respect
  - finding effective means to disagree, to persuade, and to inform through rational discussion

<http://principles.ucdavis.edu>

- Living the Principles of Community (e-learning):  
[http://sdps.ucdavis.edu/course\\_catalog/communication/living\\_p\\_o\\_c\\_online.html](http://sdps.ucdavis.edu/course_catalog/communication/living_p_o_c_online.html)





# Office of Campus Community Relations

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## The Principles of Community

### The Principles of Community

What Are the Principles of Community?

"LIVING THE PRINCIPLES OF COMMUNITY" Online Course

Principles of Community Reaffirmed

Translations of the Principles of Community Reaffirmed

**Prologue:** UC Davis is a diverse community comprised of individuals having many perspectives and identities. We come from a multitude of backgrounds and experiences, with distinct needs and goals. We recognize that to create an inclusive and intellectually vibrant community, we must understand and value both our individual differences and our common ground. The UC Davis Principles of Community is an aspirational statement that embodies this commitment, and reflects the ideals we seek to uphold.

### *Principles of Community*

The University of California, Davis, is first and foremost an institution of learning, teaching, research and public service. UC Davis reflects and is committed to serving the needs of a global society comprising all people and a multiplicity of identities. The university expects that every member of our community acknowledge, value, and practice the following guiding principles.

We affirm the dignity inherent in all of us, and we strive to maintain a climate of equity and justice demonstrated by respect for one another. We acknowledge that our society carries within it historical and deep-rooted injustices and biases. Therefore, we endeavor to foster mutual understanding and respect among the many parts of our whole.

### UC DAVIS PRINCIPLES OF COMMUNITY

**UC DAVIS**  
UNIVERSITY OF CALIFORNIA

Principles of Community



# Collegiality

- In general, a *collegial* faculty member is one who adheres to the Principles of Community and shares workload and responsibility
- Collegiality is highly valued at this university, as it makes departments and the campus run smoothly, and improves campus climate for all
- However, a lack of collegiality *per se* is not considered in the merit and promotion process **unless** it is documented by the department and dean, and can be shown to have affected one or more of:
  - Research/other creative scholarly activities
  - Service
  - Teaching/mentorship

**Thank  
you!**

