

**Graduate Student Employment Handbook
For
Teaching Assistants and Associates In**

**Office of Graduate Studies
University of California, Davis**

June, 2003



**Graduate Student Employment Handbook
For
Teaching Assistants and Associates In**

**Office of Graduate Studies
University of California, Davis**

June, 2003

Preface

This document was originally included as Chapter 7 of the TA Handbook, published by the Teaching Resources Center. To better serve the needs of Teaching Assistants and Associates In, this chapter was excerpted from the original document, updated and published as a separate document by the Office of Graduate Studies in Fall, 2000. It has been updated for Fall 2003.

Over the years, many offices at the University of California, Davis have contributed to the development of this document. These offices include the Teaching Resources Center, the Office of Student Judicial Affairs, the Office of Environmental Safety and Health, the Financial Aid Office, the Sexual Harassment Education Program, the Office of the General Counsel, the Graduate Studies Association (GSA), and the Associated Graduate Student Employees (AGSE/UAW).

Many of the policies and procedures in this handbook were written and approved before the contract between the University of California and the AGSE/UAW, the union for TAs, Readers, Tutors and Associates In, went into effect. In the event that these policies conflict with the contract, the language of the contract supersedes the language in this handbook. A copy of the contract, in the form of an Adobe PDF file, can be found at <http://gradstudies.ucdavis.edu/facstaff/contract.pdf>.

Contents

I. Administration of Graduate Studies.....	1
Davis Campus Organization	1
The Graduate Council	1
The Office of Graduate Studies	1
Departments and Graduate Groups	1
The Graduate Student Association	1
AGSE/UAW	2
II. Policies and Duties Governing TA Appointments	2
What is a Teaching Assistant, and what is an Associate In?	2
Announcement of Available Positions	3
Criteria for Appointment.....	3
Appointment Requirements for International Teaching Assistants	4
Term of Appointment.....	4
Responsibilities of Appointment	5
Selection, Supervision and Review.....	5
Service Period and Pay Period	6
Fee Remission	6
Fee Deferrals (Payroll Deduction of Fees)	6
Nonresident Tuition Fellowships (NRTFs)	7
TA Loan Fund.....	7
Removal (Moving) Expenses.....	7
TA Tax Status.....	7
Fair Share	7
III: Training Guidelines.....	8
Office of the President.....	8
Graduate Council.....	8
Equal Opportunity	8
Standards of Conduct	8
IV: Sexual Harassment	9
Sexual Harassment in the Workplace	9
Sexual Harassment in a University Setting.....	10
Institutional Obligation	11
Liability	11
Tips for TAs on Preventing and Responding to Sexual Harassment Problems.....	11
UC Davis Sexual Harassment Advisors	12
V. Grievance Procedures for Student Issues.....	12
Grievances Involving Faculty Members and TAs	12
Grievances Involving Students and TAs.....	13
Grades	13
Discrimination	13
Faculty Misconduct Under the Faculty Code of Conduct.....	13
Access to and Disclosures from Student Records	14
Accommodation for Disabilities	14
Additional Information and Suggestions	14
Reporting Academic Misconduct	15
VI: Conclusion: The Value of Being a TA.....	16

I. Administration of Graduate Studies

Davis Campus Organization

The Davis campus, headed by Chancellor Larry Vanderhoef, consists of the undergraduate colleges of Agricultural and Environmental Sciences, Engineering, Letters and Science, and the Division of Biological Sciences. Professional studies are carried on in the schools of Law, Medicine, Veterinary Medicine, and the Graduate School of Management. The Office of Graduate Studies administers academic graduate programs for all schools and colleges. The Davis Division of the Academic Senate determines for this campus the conditions for certificates and degrees (subject to the approval of The Regents) and authorizes and supervises all courses of instruction at Davis.

The Graduate Council

General policies and procedures pertaining to graduate studies for the University of California are established by the Universitywide Committee on Graduate Affairs. The Graduate Council, a standing committee of the UC Davis Academic Senate, determines general policy on graduate affairs for the UCD campus, including setting graduate admission criteria for qualified applicants, as well as criteria for appointment of Teaching Assistants (TAs) and Graduate Student Researchers (GSRs).

The Office of Graduate Studies

The Office of Graduate Studies (752-0650), in cooperation with the Graduate Council, administers graduate programs at UC Davis. Its responsibilities are in four general areas: graduate recruitment, admissions, graduate student academic appointments and student support, and enrolled student services. Campus research is administered by the Office of Research (752-2075).

Departments and Graduate Groups

Specific graduate programs on the UC Davis campus are organized and administered either by departments or graduate groups. The departments are generally structured along broad disciplinary lines (e.g., psychology, political science, physics). Graduate groups, on the other hand, are typically interdisciplinary in nature and their faculty are usually housed in many different departments. The graduate groups provide additional variety in the graduate programs offered at UC Davis, especially in cross-disciplinary areas of study and research. At UC Davis, 58% of all graduate programs of study are group based and 42% are departmentally based. (In this handbook references to departmental or department chair responsibilities also are applicable to graduate groups that appoint teaching assistants.)

The Graduate Student Association

The Graduate Student Association (GSA) includes all students enrolled by the Office of Graduate Studies. The Executive Council of the GSA is composed of eight members: a chair for internal affairs, a vice chair for external affairs, and the chairs of six GSA committees. The council initiates and implements services for graduate students, represents student views to Academic Senate committees, and nominates students to administrative advisory committees.

The vice chair sits on the governing board for the UC Student Body President's Council, which is the governing board for the UC Student Lobby. The vice chair also represents graduate student views to the Office of the President and the Board of Regents. The chair presides over meetings and handles campus affairs.

The graduate students in each department or graduate group may form their own affiliated Graduate Student Associations (e.g., the English Graduate Student Association or EGSA). The GSA encourages the formation of these satellite groups and relies on them to identify students willing to serve on administrative advisory committees and to provide input on issues of interest to the graduate student body. Representatives from these departmental GSAs can vote at the GSA General Assembly meetings held three times each quarter. The General Assembly can overrule actions taken by the Executive Council.

The GSA office is located in Room 253 of the South Silo Building. Messages may be left at 752-6108 or on email at gsa@ucdavis.edu.

AGSE/UAW

The Association of Graduate Student Employees (AGSE), International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), AFL-CIO is recognized as the exclusive representative for matters within the scope of representation for all employees within the Academic Student Employee Unit as certified by the Public Employment Relations Board (PERB) in petition number SF-R-806-H (Davis).

The current contract between the University and AGSE/UAW went into effect on June 1, 2000, and is in effect until September 30, 2003. The contract can be viewed on the World Wide Web at <http://gradstudies.ucdavis.edu/facstaff/contract.pdf>. As this handbook goes to press, the University and the UAW are in the process of negotiating the terms of the successor contract.

II. Policies and Duties Governing TA Appointments

Unless specifically referenced in the collective bargaining agreement, basic policies governing the appointment and duties of teaching assistants (TAs) are found in the Academic Personnel Manual section on appointment and promotion of student teachers (Appendix II B, UC Davis edition of the Academic Policy Manual and APM-410 in the UCOP Academic Policy Manual) and in the Davis Graduate Council policy statement on Teaching Assistantships.

What is a Teaching Assistant, and what is an Associate In?

A TEACHING ASSISTANT (TA) is a full-time registered graduate student, chosen for excellent scholarship and teaching promise, serving an apprenticeship under the active tutelage and supervision of a regular faculty member.

A Teaching Assistant is not responsible for the instructional content of a course, for selection of student assignments, for planning of examinations, or for determining the term grade for students. Neither is the teaching assistant to be assigned responsibility for instructing the entire enrollment

of a course or for providing the entire instruction of a group of students enrolled in a course. The Teaching Assistant is responsible only for the conduct of recitation, laboratory, or quiz sections under the active direction and supervision of a regular member of the faculty to whom final responsibility for the course's entire instruction, including the performance of Teaching Assistants, has been assigned. Students appointed to the title Teaching Assistant receive a monthly stipend related to the percentage of appointment time.

The title ASSOCIATE IN_ is assigned to a graduate student of excellent scholarship and teaching promise, who is temporarily employed as the instructor of an entire lower division course or group of students in a lower division course. An Associate In_ should be competent to conduct instruction independently and without supervision.

Students appointed to the title Associate In_ receive a fixed monthly stipend related to the percentage of appointment time.

Announcement of Available Positions

By March 15 of each year, the University will begin publishing, on the Graduate Studies web site (<http://gradstudies.ucdavis.edu/facstaff/aselist03-04.htm>), the approximate number of ASE designated positions (Teaching Assistant, Associate In_, Reader and Tutor) which are projected, by departments, for the coming academic year. This is not a guarantee of a position in a department, but the departments' best estimates of need based upon past experience and future enrollment plans.

Advertisements for available teaching assistantships are advertised as open until filled. Advertisement of these openings are posted within departmental offices and on departmental web sites. Departments are also encouraged to submit advertisements of openings to the Office of Graduate Studies for central posting on its web site (<http://gradstudies.ucdavis.edu/continuing/continuing.htm>).

For further information regarding the announcement of available TAships, refer to Article 21, "Posting," of the collective bargaining agreement¹. This agreement can be found, on-line, as an Adobe PDF at: <http://gradstudies.ucdavis.edu/facstaff/contract.pdf>.

Criteria for Appointment

Each proposed appointment or reappointment as a Teaching Assistant is subject to verification by the hiring department that the following conditions have been met:

- Appointee must possess a bachelor's degree.
- Appointee must have a current minimum overall GPA of 3.0.
- Appointee may not be enrolled in the course in which he/she is a TA.
- Appointee should be registered as a graduate student in full-time residence. Appointment as a TA while on non-registered status (Filing Fee or PELP) is allowed for one quarter since matriculation. Appointments beyond this one quarter allowance require approval of a petition for exception to policy prior to the beginning of the appointment period.

¹"Agreement between The Regents of the University of California and the Association of Graduate Student Employees International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW) AFL-CIO," University of California, Davis Campus, June 1, 2000 to September 30, 2003.

Each department may have additional specific requirements which must also be satisfied.

Appointment Requirements for International Teaching Assistants

University policy requires international graduate students to take the SPEAK test of oral English proficiency before they begin duties as teaching assistants or associate-instructors. The SPEAK test requires no preparation, although it is recommended to become familiar with the test format prior to taking the test. The exam itself requires approximately 30 minutes. The testing procedure is explained and a sample test booklet is provided when the students pre-register. Exam scores are sent to departments for consideration in making TA hiring and assignment decisions, therefore the earlier the test is taken, the more useful it can be.

Waivers from the exam may be granted to international students from English-speaking countries (routinely) or to those who have strong English-speaking backgrounds (e.g., foreign students from non-English-speaking countries who have been educated extensively in English-speaking institutions). To apply for a waiver, the appointing department chair should submit a short written request to Graduate Admissions in the Office of Graduate Studies – not the Teaching Resources Center – requesting a SPEAK test waiver, identifying the student and explaining the justification for waiver. International students who complete the exam will be given “International TA PAN Attachment” vouchers that must be submitted to their department.

The Teaching Resources Center has scheduled dates for the SPEAK exam throughout the year to help international graduate students meet their SPEAK-test requirement. See <http://trc.ucdavis.edu/trc/Taprograms/ESLsched.html> for a list of current test dates. Students must pre-register in person for the exam at the Teaching Resources Center, 17 Wellman Hall. If you have questions regarding the SPEAK test, please contact the TRC (752-6050) or see <http://trc.ucdavis.edu>.

Term of Appointment

A TA appointment is for one academic year or less, and is self-terminating. The term of appointment will be specified in the appointment notification. Although students may be eligible for reappointment in succeeding years, they may only be appointed a maximum of 9 academic quarters (from the date of matriculation) prior to Advancement to Candidacy. After advancement, students may be appointed as TA/AI's up to the maximum of 15 quarters (including any quarters prior to advancement to candidacy). In no case may an individual be appointed to a Teaching Assistantship for more than 15 quarters from the date of matriculation without special approval of the Dean of Graduate Studies. Summer appointments are excluded from these limits.

Appointment to the title of Teaching Assistant may not exceed half-time (50%). This appointment in combination with other appointments within the University also cannot exceed half-time. Although the actual time spent on TA related duties often varies somewhat from week to week, graduate students appointed to half-time TAs should expect to devote on average twenty hours per week. This includes such duties as preparation, classroom and laboratory teaching, office consultation, grading, reading student papers, and so on. For more information regarding the workload of a TA, please consult Article 30, “Workload” of the collective bargaining agreement. This agreement can be found, on-line, as an Adobe PDF at: <http://gradstudies.ucdavis.edu/facstaff/contract.pdf>.

Responsibilities of Appointment

The TA is under the active direction and supervision of a regular member of the faculty to whom final responsibility for the course's entire instruction has been assigned.

Teaching Assistants may be given responsibility for:

- Preparing and delivering a lecture or lectures related to a given topic, as part of the course curriculum.
- Preparing individual exam questions.
- Conducting discussion, laboratory or quiz sections.

Teaching Assistants should not be responsible for:

- The instructional content of the entire course.
- Selection of student assignments for the entire course.
- Planning an entire examination.
- Determining the term grade for students.
- Instructing the entire enrollment of a course.
- Providing the entire instruction of a group of students enrolled in a course.

The selection, supervision and training of all TAs is an important responsibility of the department, and in particular of the department chairperson. Each TA will receive a written (either letter or e-mail) notification of appointment as soon as practicable after a hiring decision is made. This appointment notification will include, but not be limited to, the following information:

- Applicable appointment title
- Appointment percentage (or range of hours)
- Effective dates of employment
- Salary/wages, health and/or other applicable benefits or deductions
- Hiring unit and contact within the hiring unit
- Response requirements
- Statement that the position is covered by a collective bargaining agreement and the website of the contract.

Departments are to provide TAs with a written notice (letter or e-mail) of supplemental information. This supplemental notice will provide the following information:

- Faculty or supervisor you will report to
- The location where the work will take place, if known
- Class assignment, if applicable
- Specific duties that may be required

Other information, which may be deemed appropriate, may also be included in this notice. This notice will be provided prior to the commencement of a term or as soon as practicable, thereafter.

Faculty members supervising TAs may provide written evaluations of each TA's performance. These evaluations will be kept as part of the TA's departmental employment file and are to be used by the department when considering that TA for reappointment. Upon request, TAs may review their evaluations and their employment file under the terms and conditions of the collective bargaining agreement. TAs may submit written comments that will also become part of their employment file.

TAs with unsatisfactory teaching evaluations may be reappointed only as an exception.

For further information, please refer to the following articles of the collective bargaining agreement: Article 2, "Appointment Notification"; Article 9, "Employment File(s) and Evaluations"; and Article 11, "Grievance and Arbitration." The collective bargaining agreement may be accessed, on-line, as an Adobe PDF at: <http://gradstudies.ucdavis.edu/facstaff/contract.pdf>.

Service Period and Pay Period

It is important to understand that there is a difference between the dates of the service period and the dates of the pay period. The service period of a TA begins on the first day of the quarter and extends through the last day of the quarter. TAs are expected to be available to complete their duties throughout this period. TAs are paid in three equal installments per quarter. These installments are paid only after the appointment. Thus, if you are hired to teach for the Fall Quarter (which usually begins the last week of September and ends the second week in December), you will not receive a paycheck until November 1, and will continue to receive paychecks on December 1 and January 2. All three paychecks will be in equal amounts. For convenience of record keeping the pay period indicated on your IDOC (Internal Document, signed by the TA at time appointment is entered into PPS) for Fall quarter begins October 1 and ends December 30, for Winter quarter begins January 1 and ends March 30, and for Spring quarter begins April 1 and ends June 30. In summary Teaching Assistants are expected to be available and carry out their TA duties from the beginning through the end of the quarter. Exceptions should be approved by the supervising faculty prior to the beginning of the quarter of appointment.

Fee Remission

According to the terms of the collective bargaining agreement which expires on September 30, 2003, graduate students hired as TAs, Associates In, Readers or Tutors, at 25% or greater time receive 100% remission of their in-state educational and registration fees. Please note that these graduate students will still be responsible for paying for some local campus fees. For details, refer to Article 10, "Fee Remission" in the collective bargaining agreement. The collective bargaining agreement may be accessed, on-line, as an Adobe PDF at: <http://gradstudies.ucdavis.edu/facstaff/contract.pdf>.

Graduate students who are employed as TAs, Associates In, Readers or Tutors at 25% time or greater also receive Graduate Student Health Insurance Program (GSHIP) remission. For details, please refer to Article 13, "Health Benefits," in the collective bargaining agreement. The collective bargaining agreement may be accessed, on-line, as an Adobe PDF at: <http://gradstudies.ucdavis.edu/facstaff/contract.pdf>.

Fee Deferrals (Payroll Deduction of Fees)

After application of eligible fee remissions, TAs may sign up in the Student Aid Accounting Office to have any registration and educational fees due deducted from their first paycheck of each quarter. Students applying for a deferment must provide written employment verification from the department. The verification must indicate the title of the position, percentage of time appointed and appointment dates.

Nonresident Tuition Fellowships (NRTFs)

Unlike registration and education fees, nonresident tuition is not subject to fee deferrals, or remission. Fellowships paying nonresident tuition may be available through your graduate programs.

TA Loan Fund

The TA Loan Fund has been established to help TAs over the lean period between the day they start service and the date they receive their first paycheck. TAs may receive a loan against their first month's salary when they arrive on campus, or any time during the first quarter of their appointment. Repayment is made by payroll deduction either in a lump sum or in equal payments over a maximum of 6 months. The loans are interest-free if paid within 6 months, thereafter interest is charged at the rate of 1% per month on the unpaid balance of the loan.

The TA Loan Fund is administered by the Short Term Loan Office located in the Financial Aid Office, 752-2390. Applicants must schedule an appointment with this office to make arrangements for these loans.

Removal (Moving) Expenses

TAs who are appointed at 50% time for the full academic year and who come to Davis from outside California, may receive partial compensation for their moving expenses. Reimbursement, up to a maximum of \$440, is based on the approximate air miles from the point of origin to the Davis campus. Applications for reimbursement of moving expenses may be made to the Office of the Provost through the TA's department prior to the expenditure.

TA Tax Status

By law, the University is obliged to withhold taxes from TA stipends. The Office of Graduate Studies cannot give professional advice on tax or other legal matters, and the University will not be party to discussions with the Internal Revenue Service on behalf of any individual. This policy is described in detail in the Graduate Studies Handbook; see your graduate adviser or graduate program staff person for a copy or download it from <http://gradstudies.ucdavis.edu/dean/GAH.pdf>. You should contact your local office of the Internal Revenue Service or State Franchise Tax Board for more information or specific tax-related advice.

Fair Share

The University deducts either AGSE/UAW union dues or a "Fair Share" service fee on a monthly basis. If you elect to join the AGSE/UAW, your monthly union dues will automatically be deducted and remitted to the union. If you do not join the union, the University will deduct what is known as a "fair share fee." Pursuant to Section 3584(a) of the Government Code, the AGSE/UAW and the University have designated the following charities:

- American Cancer Society
- Habitat for Humanity
- Oxfam

to receive your fair share contribution. If you elect to withhold the fair share service fee, you also choose which of the three charities will receive your fair share.

III: Training Guidelines

Office of the President

Since 1974 the Office of the President of the University of California has actively promoted the formulation of campus programs for the orientation, training, and evaluation of Teaching Assistants. Guidelines for the development of campus programs suggest that:

- All TAs should receive training in instructional techniques appropriate to their disciplines.
- Both TAs and faculty should participate in the planning of TA training programs.
- The programs should emphasize activities in such a way that the teaching assignment of the TA becomes in effect an internship.
- The TA training program should include a component of evaluation of teaching. This evaluation should include self-evaluation, evaluation by the supervising faculty member(s), and evaluation by students in the courses taught by TAs.
- Training is part of the paid assignment.

Graduate Council

The Davis Graduate Council has adopted a TA Training Policy, which specifies that all departments appointing Teaching Assistants must provide a formal training program in university and college teaching. Each such program is reviewed for approval by the Program Review Committee of the Graduate Council and is to include a description of the systematic supervision, feedback, and evaluation the faculty provides for TAs.

All first-time Teaching Assistants at UC Davis are required to attend a campus-wide TA Orientation. This orientation introduces new TAs to teaching at UC Davis, what is expected of TAs, and what TAs can expect in terms of instructional support and TA training. In addition, individual departments offer specific training programs to acquaint TAs with departmental policies and practices. Departments that require attendance at a comprehensive orientation of their own may petition the Dean of the Office of Graduate Studies, in writing, for an exemption from the mandatory attendance requirement for the campus-wide orientation.

Equal Opportunity

The University of California is an equal opportunity institution, in terms of both employment and student admissions. Any violation of this standard is a violation of university policy and of state and federal law. This policy pertains to all aspects of the university community and applies equally to the hiring of Teaching Assistants as well as to how those TAs must deal with their students.

Standards of Conduct

Enrollment to attend UC Davis is voluntary and students who attend this campus assume an obligation to behave in a manner the University deems appropriate. Students are therefore accountable for upholding University standards, as well as civil and criminal laws. Behavior that threatens safety, violates personal rights, is criminal in nature, or is counter to the basic purpose of the University will not be tolerated.

Any student who is acting in a disruptive, abusive, or threatening manner should be asked to cease that behavior and may be told to leave a class setting by the instructor in charge of that section. If the student refuses to stop the offending behavior or refuses to leave the class then the instructor should request assistance from the University police (phone 911). Never attempt to confront a stu-

dent physically. The student's behavior may also be reported to Student Judicial Affairs (752-1128) and to your department. For further information, please refer to Section 290-09 of the UC Davis Policy and Procedure Manual (PPM 290-09), entitled "Violence in the Workplace."

IV: Sexual Harassment

Sexual harassment of faculty, students, or staff is prohibited by University policy. Retaliation toward an individual on the basis of his or her bringing forth a complaint of sexual harassment is also prohibited. The UCD community will take whatever steps are necessary to protect its faculty, staff, and students from sexual harassment. The University defines sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to or rejection of such conduct is:

- made either explicitly or implicitly a term or condition of instruction, employment, or participation in other University activity; or
- used as a basis for evaluation in making academic or personnel decisions; or
- unreasonably interfering with an individual's performance or creating an intimidating, hostile, or offensive University environment.

In determining whether the alleged conduct constitutes sexual harassment, consideration should be given to the record as a whole and to the totality of the circumstances, including the nature of the sexual advances and the context in which the alleged incidents occurred.

Certain behavior can be classified as harassment even if the relationship is voluntary in the sense that one was not coerced into participating. A central element in the definition of sexual harassment is that the behavior is unwelcome.

Anyone who feels that he or she is the victim of sexual harassment may discuss the matter confidentially by calling the Sexual Harassment Information Line (752-2255). Students (graduate or undergraduate) wishing to file a formal complaint of sexual harassment should contact the Student Activities & Judicial Affairs Office (752-1128). Be advised that if ANY identifying information is revealed (e.g. names of individuals, departments, or courses involved) then the University is legally obliged to investigate the situation. Therefore anyone wishing to make an informal inquiry or simply seek information should not disclose any identifying information about themselves or any other party.

If you feel that you have been a victim of sexual harassment in the workplace, you may avail yourself of either of two options.

Option 1: Once you have filed a grievance, you may elect to pursue the grievance through the normal procedures specified in Article 11, "Grievance and Arbitration," of the Collective Bargaining Agreement.

Option 2: You may elect to substitute the campus Sexual Harassment Complaint Resolution procedure for Step 2 of the procedure outlined in Article 11. You may elect, at any time, to resume the regular grievance procedure in place of the campus Sexual

Harassment Complaint Resolution Procedure.

For details, refer to Article 19, “Non-Discrimination in Employment,” Section B, “Sexual Harassment” and Section C, “Sexual Harassment Complaint Procedure” in the collective bargaining agreement (<http://gradstudies.ucdavis.edu/facstaff/contract.pdf>) for details. See also PPM 380-12.

Sexual Harassment in a University Setting

Federal and State law, as well as University of California policy, prohibits sexual harassment in an employment setting and in an educational setting. The law has carved out, as an area of special concern, potential problems in the professor-student relationship that would similarly pertain to TA-student relationships.

Courts recognize the special nature of the relationship which exists between students and university teachers. One court put it this way:

“[A professor’s] conduct is not to be viewed in the same context as would conduct of an ‘ordinary person on the street.’ Rather, it must be judged in the context of the relationship existing between a professor and his students within an academic environment. University professors occupy an important place in our society and have concomitant ethical obligations.” (Korf v. Ball State University)

The University of California Faculty Code of Conduct includes within the ethical principles to which faculty are to be held the principle that “As teachers, professors...demonstrate respect for the student as an individual, adhere to their proper role as intellectual guides and counselors... They avoid any exploitation of students for their private advantage...” Among the types of unacceptable faculty behavior is the “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.”

In November 1983, the Academic Assembly of the University of California adopted a resolution concluding, in part, that “a single and even mutually welcomed” advance to a student by an instructor “must be regarded by the academic community as a serious breach of professional ethics and proper standards of professional behavior.” Although the Resolution is limited to instructor relationships with current students, instructors should note that relationships initiated after the class or other academic role has ended may result in many of the same problems as would occur with current students. Instructors should be aware that relationships with students which appear to be consensual may, in fact, be unwelcome. In addition, even in cases of truly consensual relationships, other students may feel that they are disadvantaged or otherwise negatively affected by an instructor/student relationship. These “third party” sexual harassment complaints are recognized in the law.

Institutional Obligation

In addition to the above, the courts have determined that it is the University’s obligation to maintain an academic environment free from unprofessional conduct. This responsibility exists regardless of the subjective response of the student or students toward whom such conduct is directed.

“If an overt sexual advance to a student while acting as a professor is unprofes-

sional conduct that is so regardless of the subjective response of the student. Whether the student welcomes the advance, declines the offer, or is deeply affronted is extraneous. It is ...the right and duty of [the institution] to deter misconduct...independent of the wishes of the victim of the offense.” (Brown v. California State Personnel Board)

Liability

A sexual relationship between a faculty member and a student, even where it is believed that the relationship is consensual, may expose the faculty member and the University to significant liability. The potential liability for the faculty member may include monetary damages ordered by a court as a result of a lawsuit, monetary contribution as part of a settlement with a complainant, and disciplinary action in the form of censure, suspension without pay, demotion, or dismissal. The University of California Committee on Privilege and Tenure has recommended the dismissal of several members, both tenured and non-tenured. There have also been recommendations of suspensions without pay and censure.

Tips for TAs on Preventing and Responding to Sexual Harassment Problems

These tips suggested by UC Davis TAs, based upon their own experiences

You can prevent misunderstandings – and increase your own personal safety – if you:

- Schedule your office hours when you know others are likely to be in the building (generally M-F, 8-5).
- Stick to your office hours and ask students to make an appointment to see you.
- Do not give out your home number or address, and consider not listing them in the campus or community directory.
- Impose some limits on how much you share with your students about your personal life, outside interests, etc.
- Unless you're teaching a class where the course content is sexual by definition (human sexuality, reproductive biology, etc.), let students know in advance if an upcoming assignment, lecture, or class activity is sexual in nature. It may also help to explain to them why it's included in the course.

If you do experience a problem with a particular student:

- Document incidents or interactions which feel inappropriate to you. Brief notes to yourself about what happened, when and where are sufficient.
- Tell the instructor (if you're a TA).
- Consult with colleagues. Other TAs or instructors may have had similar experiences with the same student.
- If being alone with the student makes you feel uncomfortable, avoid being so.
- Call A-CALL (752-2255) to consult with the Sexual Harassment Education Program.

UCD Sexual Harassment Advisers (all members on this list are available to all campus constituents)

Sexual Harassment Education Program	Lisa Brodkey	752-9255
Office of Administration	Esther Columbel	752-0987
	Vickie Palec	752-0371
	Marion Randall	752-0164
Agricultural & Environmental Sciences	Rick Bostock	752-4269
Biological Sciences	Nanci Bristowe	752-4616
Offices of the Chancellor/Provost	Gina Anderson	754-9444
	Connie Melendy	752-9748
Engineering	Claire Daughtry	752-2850
	Bruce Hartsough	752-8331
Graduate School of Management	Kim Elsbach	752-0910
Graduate Studies	John Dixon	752-8476
	Alison Kent	752-9300
	Lisa Webb	752-2119
Letters & Science	Tracy Ligtenberg	752-0884
	Fred Wood	752-5898
Library	Leslie Young	752-3147
School of Medicine	Ed Dagang	752-7979
	Kristin Antona (916)	734-5087
Office of Research	Betsy Fischer	752-6082
	Stephanie Smith	754-5730
Student Affairs	Emily Galindo	752-2162
	Ellen Yoshimura	752-2418
University Extension	Debbra Irish	757-8854
School of Veterinary Medicine	Rance LeFebvre	752-2788
Vet Med Surgical/Radiology Dept.		752-3599
	Bonnie Mader	752-3602

V. Grievance Procedures for Student Issues

Grievances Involving Faculty Members and TAs

TAs and faculty members sometimes experience difficulties or conflicts. The collective bargaining agreement provides a mechanism for filing a grievance and seeking the resolution of grievances for TAs. You should refer to Article 11, "Grievance and Arbitration" of the collective bargaining agreement for details. The collective bargaining agreement may be accessed on-line as an Adobe PDF file at: <http://gradstudies.ucdavis.edu/facstaff/contract.pdf>.

Grievances Involving Students and TAs

Grades

If there is a question concerning the grade assigned for work in a class, the first step is for the student to meet with the instructor and request an explanation of the course grading policy and the computation of the grade. Under Academic Senate regulations, an instructor may not reassess a student's work or change the grade. With few exceptions, grades are final once they have been submitted by the instructor.

The exceptions are when a clerical error has been made or when a procedural error has affected the student's grade. (Procedural errors can include illegal discrimination or arbitrary or differential treatment). Clerical errors are usually resolved by means of a petition filed by the instructor.

If the student alleges procedural error (inappropriate grading policy, unauthorized rescheduling of exam, instructor's failure to follow own grading policy, etc.) he/she may petition the Academic Senate Committee on Grade Changes to review the matter. This Committee, like the instructor, has no authority to reassess student work, but if it can be established that a procedural error was made, the Committee does have the authority to alter the grade.

If the alleged procedural error involves a claim of illegal discrimination or violation of faculty responsibilities under the Faculty Code of Conduct, the Grade Change Committee may refer the matter for review by the Student-Faculty Relationships Committee (which can issue an advisory opinion only), or may direct the student to file a formal grievance under the applicable policy.

To file a petition with the Committee on Grade Changes, the student should file a written petition with the Registrar's Office or contact the Deputy of Grade Changes in the Registrar's Office (752-2973). To request review by the Student-Faculty Relationships Committee, the student should submit a written explanation of his/her concerns to the Academic Senate Office, addressed to the Student-Faculty Relationships Committee (752-2231).

Discrimination

If grading or other treatment is believed to be the result of illegal bias or discrimination, the student may seek informal assistance or may file a formal grievance under Policy and Procedural Manual (PPM) Section 280-05. If the student files a formal grievance, an investigator will be assigned by the appropriate Dean's or Vice Chancellor's office to interview the complainant, the respondent, and any witnesses, and prepare a written report for decision by the Dean or Vice Chancellor. Students may request an evidentiary hearing if they are dissatisfied with the decision. Contact the Office of Student Judicial Affairs (752-1128) for further information about this process.

Faculty Misconduct Under the Faculty Code of Conduct

Students who believe that they have been the victim of discrimination or faculty misconduct may file an administrative grievance with the University seeking relief from the alleged wrongful conduct. Students filing such a grievance have the burden of proving that discrimination or violation of the Faculty Code of Conduct has occurred and has caused harm to the student. Such a grievance is separate from any petition filed with the Grade Change Committee.

Students, staff, or faculty who believe a faculty member has violated the Faculty Code of Conduct, Academic Personnel Manual (APM) Section 015, may file a complaint with the Chancellor's office. The Chancellor's office may appoint an investigator, and/or may refer the matter to the Vice Provost for Academic Personnel and/or the Committee on Privilege and Tenure for action. Contact the Office of the Vice Provost for Academic Personnel (752-2072) for further information about this process.

Access to and Disclosures from Student Records

Under Policy and Procedure Manual (PPM) Section 320-21, students have the right to inspect and review records pertaining to themselves in their capacity as students, and to request corrections of records which are inaccurate. In addition, faculty and staff are limited in the kind of information, which they can disclose from student records. If questions or conflicts arise over access to or disclosure of information contained in student records, contact the Office of Student Judicial Affairs (752-1128). Copies of the Federal Family Educational Rights and Privacy Act (FERPA) of 1974 and UCD Policy and Procedure Manual section 320.21 may be consulted at the Reference Desk of Shields Library or the Office of Student Judicial Affairs, 463 Memorial Union.

Accommodation for Disabilities

Students who believe they have been the victims of discrimination on the basis of disability or that they have not received appropriate accommodation for their disability may seek informal assistance from the Student Disability Center (752-3184). For further information, contact the Student Disability Center. Students may file formal grievances for alleged discrimination on the basis of disability under Policy and Procedure Manual Sections 280-05 with the Office of Student Judicial Affairs (752-1128). Students should refer to UC policies Applying to Campus Activities, Organizations and Students, Section 140, "Guidelines Applying to Nondiscrimination on the Basis of Disability."

If you feel that you have been the victim of a discriminatory policy or practice or did not receive appropriate accommodation for a disability, in your role as an AGSE, you should refer to Article 19, "Non-Discrimination in Employment" in the collective bargaining agreement <http://gradstudies.ucdavis.edu/facstaff/contract.pdf> for details on seeking remedies through the grievance procedure.

Additional Information and Suggestions

As a TA, you should be aware that students may raise objections to instructor practices, including final exam scheduling for a date other than that set in the Class Schedule and Directory, sudden or arbitrary changes in course requirements, failure to accommodate disabilities, or discriminatory treatment of individuals or groups. Wherever possible, you are encouraged to discuss the matter with the complaining student, calmly and objectively. While instructors are normally given wide latitude in course content and structure, faculty do have certain responsibilities under the Faculty Code of Conduct and campus rules and policies, and need to be sensitive to student concerns if decisions or rules are perceived to be unfair or arbitrary. If there is a reason to feel such a discussion between the faculty and the student would be unproductive, or if the faculty member and student are unable to resolve their differences in an informal discussion, students should contact the department chair.

Before meeting with the instructor and/or department chair, students should prepare a written account of the issues, providing as many details and supporting documents as possible. If the issue does not relate to student records, disability, discrimination, faculty misconduct, or sexual harassment (for which formal grievance procedures exist), and is still unresolved after meeting with the instructor/department chair, the student may file a grievance with the Student-Faculty relationships Committee of the Academic Senate (752-2231). This advisory committee may make recommendations to an office that has authority to resolve the matter.

Because strict time limits apply to many of these formal processes, it is recommended that students and faculty consult advisory offices promptly.

Reporting Academic Misconduct

Academic honesty is essential to preserve the integrity and excellence of a UC Davis education. Under the UC Davis Code of Academic Conduct, faculty share responsibility for encouraging academic honesty. Academic Senate regulations require faculty to report violations because centralized reporting is essential for fair and impartial administration of the Code of Academic Conduct and to ensure that repeat offenders are identified and penalized accordingly.

WHEN

If you suspect academic misconduct, investigate the matter and, if possible, discuss it with the student(s) involved (unless you feel uncomfortable doing so). If the student denies responsibility and you are persuaded that there was indeed no academic misconduct, that ends the matter. If, however, the student admits the violation or if the student denies the misconduct but you retain your suspicion, refer the matter to Student Judicial Affairs.

HOW

To report suspected misconduct, write a brief memo giving your name, the class title and number, and a description of the circumstances giving rise to your suspicions. Enclose copies of any relevant documents (for example, exams, papers or the course syllabus). Keep originals and/or copies of any supporting documents in a secure location.

WHERE

Suspected academic misconduct should be reported to the Office of Student Judicial Affairs, 3200 Dutton Hall (752-1128), which has responsibility for administering student discipline on campus. All disciplinary action taken by the Office of Student Judicial Affairs or any hearing body operates by delegation from the Chancellor.

WHAT HAPPENS

Once a written report is received, the student is informed by letter of the referral and instructed to make an appointment with Student Judicial Affairs. Neither you nor any student witness will become involved in a formal hearing unless you so choose. In the vast majority of cases, the student admits the violation and the case is resolved informally by an agreement between the referring party, the student and Student Judicial Affairs.

WHAT DISCIPLINE IS IMPOSED?

If the student admits the violation, the informal process includes sanctions, usually ranging from disciplinary probation to dismissal. Although most first offenses do not result in the

student's removal from the University, first-time offenders may be suspended or dismissed if there are aggravating circumstances, such as conspiracy or premeditation. For repeat offenders, suspension or dismissal is imposed. Suspension and dismissal are noted on transcripts, and such disciplinary records are retained permanently. Less severe disciplinary action does not appear on transcripts, but the disciplinary files are maintained for up to five years. All disciplinary records are confidential. The discipline imposed is designed to help the student learn from the experience. Students are often referred to campus resources such as the Learning Skills Center and Counseling Center to help ensure that they do not repeat their misconduct.

WHAT IF THE STUDENT DENIES THE VIOLATION?

If the student denies the violation, you may choose to have the matter decided by a formal hearing. You will be consulted before any decision is made to dismiss a case or refer it for hearing. Only a small number of cases require formal hearings before student-faculty panels that determine whether there is enough evidence to find that a violation occurred and recommend sanctions.

WHAT ABOUT THE STUDENT'S GRADE?

Under Academic Senate Regulation 550, the instructor may assign a grade of "0" or "F" to the examination or assignment on which cheating, plagiarism, or other academic dishonesty occurred. If the student admits a violation of the Code of Academic Conduct not involving dishonesty (e.g. talking during an exam but not sharing answers), the faculty member may assign an appropriate grade penalty. No grade penalty may be imposed, however, until a student admits misconduct or is found in violation after a hearing. While a disciplinary matter is pending, do not report a final grade for the accused student. Instead, leave the grade column blank, and write "Evaluation Incomplete" in the Memoranda section. This is not a regular "I" or incomplete grade, and it tells the Registrar's Office not to expect a grade for the student until the disciplinary matter has been resolved.

VI: Conclusion: The Value of Being a TA

In addition to being a source of income and a way of defraying the costs of graduate school, being a TA is an important part of the professional development of a graduate student. As a teaching assistant, you have the opportunity for "hands on" learning pedagogy and pedagogical skills, just as the research assistant learns lab work "hands on." Serving as a TA is an important professional development activity. It gives you the opportunity to add both pedagogical skills and good classroom methods to your professional repertoire.

Over the next decade, the need for college faculty in California and the rest of the United States is going to grow dramatically. Your experience as a TA will be an important contribution to your first full-time faculty position. If you desire more training opportunities, the Teaching Resource Center provides workshops, seminars, and one-on-one assistance.