

UCSB Graduate Student Association Graduate Student Bill of Rights

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Preamble

Upon enrollment, all graduate students shall be informed of the following rights and responsibilities and shall be free from reprisal for exercising them.

This document consists of 15 Articles, each representing a fundamental Graduate Student Right to which each and every graduate student is entitled.

Terminology

For the purpose of this document, the terms below are defined as follows.

Academic Adviser - A graduate student's official adviser(s), responsible for the student's, guidance, mentorship, or supervision.

Academic Colleague - Members of the academic community with whom a student may interact. Academic Colleagues include, but are not limited to:

- other graduate students
- post-doctoral fellows
- faculty
- academic advisers
- committee members
- administrators
- administrative staff

Graduate Student - A graduate academic and/or professional student enrolled in a post-bachelor's degree program

Major - The student's concentration of study, which may be referred to as a discipline, field of inquiry, program of study, or a university department (such as "Sociology," "Global Studies," or "Physics," etc.)

Reasonable - as applicable: (a) Within the scope of current university, state and federal policies, regulations and laws; (b) within program requirements and expectations of coursework, working hours, working and research scope; (c) with consideration to the full scope of student responsibilities; (d) with equity across departments and University of California campuses; (e) within commonsense ethical and moral bounds.

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University - The University of California.

Unreasonable - not "reasonable" as specified above.

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I: Fair Treatment

Article I Summary: A graduate student has the right to be treated fairly and collegially, and to be considered as an academic colleague in a scholarly community upon accepting admission to a graduate program.

Section A. In accordance with applicable Federal and State law and University policy, graduate

students have the right to study and work in an environment free of discrimination, exploitation, intimidation, and harassment on the basis of race, color, national origin, religion, sex, gender identity, pregnancy, physical or mental disability, medical condition (cancer-related or genetic characteristics), genetic information (including family medical history), ancestry, marital status, age, sexual orientation, citizenship, or service in the uniformed services (as defined by the Uniformed Services Employment and Reemployment Rights Act of 1994).

i. Students will not be expected to violate their religious beliefs while under University enrollment.

Section B. Graduate students have the right to work and study in an environment absent of discrimination for having dependents, including, but not limited to, children, partners, or parents.

Section C. Graduate students have the right, within reason, to confidentiality, respect, and professional treatment by their academic colleagues.

i. Discussion of the student among academic colleagues will be of a professional nature, will be limited to the student's academic performance, and will not be made in a discriminatory or derogatory manner.

Section D. Graduate students have the right to academic free speech, both as students and as graduate student instructors within the academic setting and will not be penalized for their ideas.

i. They are free as other citizens to express their views and to participate in the political processes of the academic community and the community at large.

II: Specific Degree Requirements

Article II Summary: A graduate student has the right to specific and concrete written requirements for achieving an advanced degree.

Section A. Theses and dissertation requirements, as well as program emphases, will be clearly communicated orally and in writing upon admission to the graduate program.

- i. They will be made publicly available and easily accessible to all.

Section B. Students who are grandfathered to older requirements will have continued access to information about them through the preservation of historical policy records which will be kept publicly available and easily accessible for students for a minimum of ten years.

- i. All changes to the requirements will be made publicly available and easily accessible before they go into effect. Notification will be given to all students to whom the changes apply in advance of their effective date and before any contractual agreement is made between the student and the department.

- ii. No changes in degree requirements will affect students who have previously been accepted under earlier terms of requirements except at the student's option.

Section C. Prospective and currently enrolled graduate students have a right to know the "normative time to degree" and the "average time to degree" within a specific graduate program and/or emphasis.

- i. Prospective and currently enrolled graduate students have a right to know the attrition rate for their program and/or emphasis and the predominant reasons for lack of program completion except in instances where confidentiality is threatened. Student access to statistical information on graduate programs should not interfere with the privacy rights of other students.

Section D. Graduate students will be guaranteed the right to graduate upon successful fulfillment of the program requirements.

III: Adviser and Committee Relations

Article III Summary: The graduate student's relationship with their adviser/chair and committee is an important working partnership critical to the career of the graduate student. It merits the collegial and professional mentorship of the student by the adviser/chair, committee members, and other academic colleagues.

Section A. Graduate students have the right to accurate information when selecting an academic adviser and other members of their committee.

Section B. Graduate students have the right to clearly written expectations about their duties and responsibilities to their advisers and committees. They have the right to clearly written criteria for fulfilling expected milestones toward completion of their degree.

Section C. Students have the right to expect the full support and cooperation of their advisers/chair, committee members, and other academic colleagues. Advisers and committee members will make a good faith effort to fully support and mentor graduate students in order to help them complete their program of study within an acceptable period of time.

i. In the event that the graduate student encounters resistance due to ideological hostilities, over-enrollment, or personality conflicts with their advisers or committee members, the student has the right to change those who are unsupportive in order to restore equilibrium to the committee and maintain continued progress toward completion of the student's advanced degree.

ii. Advisers or committee members who create a hostile work environment or otherwise engage in unprofessional or unethical conduct with regards to the graduate student are subject to full disciplinary measures of the university upon complaint by the student.

iii. Graduate students should not be held responsible for interpersonal conflicts between competing professors on their committees, nor should the subjective personality conflicts of professors have any bearing on the assessment of student work.

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Section D. Graduate students reserve the right to change their academic adviser and/or committee members when necessary.

i. When students change academic advisers and/or committee members, the normative time to degree deadlines will be extended to reflect the extra time needed to find another adviser or committee member(s). Students should be granted a minimum of three additional quarters to search for and process the paperwork necessary for bringing on new committee members and/or advisers/chairs.

ii. The graduate student's academic record will not be stigmatized for non-academic problems arising with advisers and committee members.

iii. A student who chooses to change academic advisers has the right to be free of retaliation from both the adviser, other academic colleagues, and affiliated administrative staff. The student's home department and the Graduate Division will make every effort to help the student continue their advanced degree program unimpeded.

iv. In the event that competing professors effectively pull a student's committee apart, the student will be granted the additional time needed to find new committee members and/or advisers with no stigma attached to their academic record.

v. If a graduate student's academic adviser departs from the institution once the student's work is under way (whether by choice, layoff, or an unforeseeable event), the program will provide the student with alternative supervision, external to the institution if necessary.

vi. Any intent to discontinue an advisor/chair/mentor relationship with a graduate student must be preceded by a written warning within a reasonable period of time.

IV: Fair and Unbiased Evaluations, Feedback, and Guidance

Article IV Summary: A graduate student has the right to receive fair, objective and unbiased evaluations based on criteria that are fully understood by the student and graduate adviser.

Section A. Students are entitled to regular feedback and guidance concerning their academic performance and progress for completing their advanced degree.

Section B. They have a right to be judged by the faculty of their department in accordance with fair procedures in matters of employment, promotion, and academic performance solely on the basis of graduate students' professional qualifications and professional conduct.

Section C. Graduate students should receive regular feedback and guidance concerning their academic performance through a mutually agreeable schedule of conferences with their advisor/chair/mentor.

i. Evaluations will be factual and specific and will be shared with the graduate student within a reasonable period of time.

ii. All evaluations and progress reports should be in writing including qualifying and comprehensive examinations.

Section D. In the event of major examination failure or unsatisfactory performance, reasoning for such assessment will be provided to the graduate student in a clear, written evaluation.

i. Students should always be provided clear criteria for what constitutes failing grades or failure to meet time to degree deadlines.

ii. Clear criteria explaining punitive measure such as warning, monitoring or probationary status must be clearly specified and agreed upon by all involved parties when negotiating the student's academic progress plan.

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iii. Since academic warning, monitoring and probation can actually *harm* a student's ability to complete their degree program through the enforcement of punishments that eliminate eligibility for employment, scholarships, and financial aid, all such obstacles shall be phased out and replaced with supportive measures conducive to student retention and graduation.

Section E. Time to degree deadlines will be automatically extended when adviser or committee members call for significant revisions to the writing of the thesis or dissertation.

v. Time to degree deadlines will be automatically extended in the event of changes in advisers and/or changes to the student's committee.

vi. Time to degree deadlines will not be manipulated by the adviser or committee in an attempt to enforce arbitrary disciplinary measures on the student.

Section F. Any intent to dismiss a student from a graduate program for academic reasons must be preceded by specific, written performance evaluation well in advance of actual dismissal, with a clear and specific opportunity to remedy those reasons within agreed upon timetables.

Section G. There will be a fair and timely appeals process by which a graduate student can challenge biased grading and unjust attempts at dismissal from the university.

i. Graduate students who challenge their grades or who are under threat of dismissal will be clearly informed of their due process rights under university arbitration policy.

ii. Graduate students have a right to challenge their term grades if those grades are based upon criteria other than course performance or student merit.

iii. Graduate student will have recourse to representation by a Graduate Student Advocate to assist them in negotiating the bureaucracy of the university appeals process.

i. Graduate students have a right to be free of reprisals for exercising these rights.

Section F. Graduate students have the right to access to their academic file, excluding any materials to which they have explicitly and in writing waived access rights (such as letters of recommendation).

V: Credit and Recognition

Article V Summary: A graduate student has the right to be informed about their rights to any intellectual property they create. They have the right to receive credit and recognition for intellectual and research development.

Section A. Graduate students will receive due authorship credit and recognition for publications involving the student's work.

i. First authorship or co-authorship credit and recognition will be given as appropriate to the level of contribution by the student as described by the Collaborative Institutional Training Initiative. The student should receive first authorship for publications which are comprised primarily of the creative research and writing of the student when consistent with the conventions of their field.

Section B. A graduate student will receive due credit and recognition for curriculum developed by the student.

Section C. A graduate student will receive due credit and recognition for innovations and intellectual ideas developed by the student.

VI: Right of Refusal

Article VI Summary: A graduate student has the right to refuse to perform tasks, without penalty, retribution, or prejudice, if those tasks are not pertinent to their academic or professional development program.

Section A. Graduate students have the right to refuse to perform tasks that are not closely related to their academic programs or professional development.

- i. Graduate students will not be coerced into performing unreasonable tasks.

Section B. Graduate students will not be exploited to the personal advantage of faculty members, university staff, administrators, or other academic colleagues.

- i. In the event that a graduate student becomes exploited by a faculty member, university staff, administrators or other academic colleagues, they have the right to the redress of the grievance through university arbitration.

- ii. Graduate students have the right to representation by the Graduate Student Advocate

- iii. University faculty, staff, administrators, or academic colleagues found guilty of exploitation will be subject to the full disciplinary measures of the university.

Section C. Graduate students will be granted reasonable time frames to complete tasks that are requested of them.

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VII: A Welcoming and Diverse Atmosphere

Article VII Summary: A graduate student has the right to participate in an academic atmosphere that is welcoming and encouraging of diversity.

Section A. Diversity includes, but is not limited to, personal and academic opinion, origin, nationality, gender, race, religion, sexual orientation, disability and medical condition.

Section B. International students will be treated equally to other students (with the exception of out of state fees and where it may be in conflict with state or federal law) and allowed the same opportunities within the purview of the university.

VIII: A Safe University Environment

Article VIII Summary: A graduate student has the right to be provided a safe university environment.

Section A. A safe environment protects a student's mental and physical well-being.

Section B. A safe environment includes, but is not limited to:

- i. safety from crime;
- ii. safety from harassment and discrimination;
- iii. Safety in research and learning space that complies with federal, state and university laws and regulations regarding environmental and occupational standards.

IX: Right to Information of Resources

Article IX Summary: A graduate student has the right to be informed in writing of the availability of ongoing financial and resource support within their departments and/or emphasis. In the event that a department is unable to provide agreed upon financial and resource support to the student, there should be campus-wide contingency funds to help students complete their degree programs.

Section A. Departments will provide current and prospective graduate students with an accurate description of the availability and the likelihood of ongoing financial and resource support within their programs and at the university.

i. Students will be provided a thorough description of the requirement and qualifications necessary for academic employment, training and financial support within their departments and/or emphases at the university.

ii. Once offered to the student, financial aid, scholarships, grants, stipends, TA-ships, or other forms of awards may not be rescinded by the university.

Section B. Graduate students who also hold positions as employees of the university deserve to be protected by the same rights as other public sector employees.

i. Graduate students should be provided with appropriate office, study, and lab space.

X: Reasonable On-Campus Housing Policies

Article X Summary: A graduate student has the right to have reasonable on-campus housing policies, where on-campus housing is available.

Section A. Graduate students have the right to be informed of policies and procedures for on-campus housing, including information on availability, wait time, and limitations on residence time and eligibility.

Section B. Graduate students have the right to representation in the planning and governance of on-campus housing in which they live.

i. They also have the right to representation in the planning and governance of off-campus housing through the university liaison offices working in the surrounding community.

XI: Representation and Political Engagement

Article XI Summary: A graduate student has the right to participate in representation and political engagement.

Section A. Graduate students have the right to express their views and to participate in the political processes of the academic community and the community at large.

i. Graduate students have the right to be free of retaliation for expressing their political views

ii. In the event that a student's political views and actions impose upon the rights of others, university policy governing hate crimes and harassment will take precedence.

Section B. The graduate student population reserves the right to form and maintain an independent governing body.

Section C. Graduate students will have representatives on all campus-wide administrative committees that affect graduate students, with voting privileges where appropriate according to the guidelines of shared governance.

i. The recognized graduate student representative body has the right to be notified of vacancies in committees within a reasonable time.

ii. The recognized graduate student representative body will be given written charges and responsibilities of these committees once a year and when they are modified.

iii. The recognized graduate student representative body will be informed when new committees are formed.

Section D. Where appropriate, all departments and graduate programs will include graduate student representatives in the decision-making process, which include, but are not limited to, determination of policies, standards, and admissions.

XII: Access to Adequate Career Resources and Training

Article XII Summary: A graduate student has the right to have access to adequate career resources and training for career objectives.

Section A. Graduate students will have access to career services targeted specifically to the post-graduate school job market.

- i. These services will pertain to academic as well as non-academic professions.

Section B. Teaching assistants and teaching associates have a right to appropriate pedagogical training. This includes but is not limited to:

- i. Implementing a structured training program by graduate programs for their teaching assistants and teaching associates.

- ii. Outlining the expectations of a graduate student teacher, and the ways in which those expectations can be achieved, and the ensuring of fair and accurate evaluations of TA's.

Section C. Teaching Assistants and teaching associates will be given clear and reasonable work expectations.

- i. Students will not be expected to work more hours than is consistent with fair labor practices or standards of the department.

- iii. Graduate students have the right to refuse to perform tasks that are not closely related to their academic programs or professional development.

XIII: Health Insurance and Health Care Services

Article XIII Summary: A graduate student has the right to have access to health insurance and health care services.

Section A. The university will provide access to a university health insurance plan and health care services.

Section B. The university health insurance plan will meet the following minimum requirements:

- i. Be competitive with other locally available plans in terms of cost and coverage.
- ii. Include access to dependent care.
- iii. Include comprehensive mental health coverage.
- iv. Access to health care services will be available at any University of California campus, under conditions that apply to students registered on that campus.

Section C. A student has the right to choose between accepting the university's health insurance or an alternative plan of choice.

XIV: Formal and Unbiased Arbitration Process

Article XIV Summary: A graduate student has the right to have access to a formal and unbiased arbitration process in order to redress grievances and appeal academic sanctions.

Section A. Official grievance procedures and informal complaint procedures will be clearly defined at the Graduate Division and at the department or graduate program level. These procedures will be presented to graduate students at the time of entry into their field of discipline.

Section B. Graduate students have the right to arbitration if the rights outlined in this document or in university policy are infringed.

Section C. Graduate students have the right to arbitration before actions are taken against them.

Section D. Graduate student has the right to representation by the Office of the Graduate Student Advocate who will serve as a public defender for the interests of graduate students.

Section E. When a formal hearing is required, a graduate student has a right to the following minimum procedural standards to ensure a fair hearing.

- i. The right to a prompt and fair hearing
- ii. The right to representation by the Graduate Student Advocate
- iii. the right to present all relevant evidence to the arbitrators with the assistance of the Graduate Student Advocate
- iv. the opportunity to present documents and witnesses and to confront and cross-examine witnesses presented by the University. No inference, however, shall be drawn from the silence of the accused.

v. The right to a record of the hearing, an expeditious written decision based upon the preponderance of evidence, which shall be accompanied by a written summary of the findings of the facts.

vi. The University shall bear the burden of proof in all proceedings.

Section E. If the conflict has not been resolved by the above methods, the graduate student has the right to further appeals processes consistent with campus policy.

XV: Responsibilities

A Graduate Student has the Responsibility to:

1. Adhere to all University policies and procedures.
2. Conduct themselves in a manner befitting academic colleagues in all activities related to the university.
3. Devote an appropriate amount of time and effort toward the advanced degree within normative time, except when special circumstances apply.
4. Uphold ethical norms in research and scholarship and provide accurate and honest reporting of research results, research methodology, and scholarship.
5. Proactively participate in the faculty mentor and graduate student relationship.
6. Uphold the University's mission statement.

Notes and Revisions to this Document

This document was first developed by the UC Student Association (UCSA) Graduate and Professional Student Committee in the 2010-2011 UC Academic Year and was approved May 8, 2011.

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