October 20, 2015

Leo Estrada, Chair
Academic Senate

Re:  Presidential Policy on Sexual Harassment and Sexual Violence

Dear Leo,

At its meeting on October 16, 2015, the Graduate Council discussed the proposed revisions to the Presidential Policy on Sexual Violence and Sexual Harassment.

With the graduate student in mind, council members were concerned that the revised policy did not provide sufficient clarification on the role of the graduate student as “responsible employees” and that this general description did not capture the various reporting relationships that a graduate student may have with an undergraduate student (or, in some cases, with another graduate student). Members felt that policy could a) define better the role of the graduate student as “responsible employee” and b) be more prescriptive and provide better instructions for handling reports of sexual violence and sexual harassment.

The policy fails to acknowledge the position of the graduate student within the university, the hierarchy of which often disempowers graduate students from filing complaints against faculty for fear of retribution or retaliation. While on paper the graduate student is bound by policy to report such egregious instances, there is also an innate bond between the student and his/her mentor that could make reporting difficult.

There are also several different types of students at the university, some of whom may not be matriculated UCLA students (i.e., visiting graduate researchers, volunteers, visiting students, summer students) or official employees (fellows and trainees), to whom this policy does not explicitly apply. Conversely, members were not clear whether the policy transcended the University of California and applied to students participating in study abroad programs.

There was also some confusion expressed about what constitutes a report and whether informal exchanges between a graduate student and an undergraduate student would constitute something official, versus something more casual. Are graduate students legally obligated to report such allegations if the relationship is informal but, at one time, may have been formal?

Council members were unanimous in their assessment that such issues – especially those that fall into a gray area – should be presented in their entirety as part of TA training. Absent from this, however, are research appointments and the common interactions between graduate students and undergraduate students in a laboratory/research setting. While this may be an issue that must be handled at the campus level, council members felt it important enough to register in this response.
Thank you for the opportunity to opine on this important policy. If you have any questions, please feel free to contact me via the council’s analyst, Kyle Cunningham, at kcunningham@senate.ucla.edu.

Best Regards,

Ioanna Kakoulli
Chair, Graduate Council

cc: Serge Chenkerian, MSO, Academic Senate
    Kyle Cunningham, Committee Analyst, Graduate Council
    Linda Mohr, CAO, Academic Senate