

Regents Policy: Principles Against Intolerance

- a. The mission of the University is to promote discovery and create and disseminate knowledge, to expand opportunities for all, and to educate a civil populace and the next generation of leaders. The University therefore strives to foster an environment in which all are included, all are given an equal opportunity to learn and explore, in which differences as well as commonalities are celebrated, and in which dissenting viewpoints are not only tolerated but encouraged. Acts of hatred and other intolerant conduct, as well as acts of discrimination that demean our differences, are antithetical to the values of the University and serve to undermine its purpose.
- b. University policy prohibits discrimination based on race, color, national origin, religion, sex, gender, gender expression, 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, service in the uniformed services, or the intersection of any of these factors. Prohibited discrimination arising from historical biases, stereotypes and prejudices jeopardizes the research, teaching and service mission of the University. This mission is best served when members of the University community collaborate to foster an equal learning environment for all, in which all members of the community are welcomed and confident of their physical safety.
- c. Human history encompasses many periods in which biased, stereotypical or prejudiced discourse, left unchallenged and uncontested, has led to enormous tragedy. In a community of learners, teachers, and knowledge-seekers, the University is best served when its leaders challenge speech and action reflecting bias, stereotypes, and/or intolerance. Anti-Semitism and other forms of discrimination have no place in the University. The Regents call on University leaders actively to challenge anti-Semitism and other forms of discrimination when and wherever they emerge within the University community.
- d. Freedom of expression and freedom of inquiry are paramount in a public research university and form the bedrock on which our mission of discovery is founded. The University will vigorously defend the principles of the First

Amendment and academic freedom against any efforts to subvert or abridge them.

- e. Each member of the University community is entitled to speak, to be heard, and to be engaged based on the merits of their views, and unburdened by historical biases, stereotypes and prejudices. Discourse that reflects such biases, stereotypes or prejudice can undermine the equal and welcoming learning environment that the University of California strives to foster. The University seeks to educate members of the community to recognize, understand and avoid biases, stereotypes and prejudices.
- f. Regardless of whether one has a legal right to speak in a manner that reflects bias, stereotypes, prejudice and intolerance, each member of the University community is expected to consider his or her responsibilities as well as his or her rights. Intellectual and creative expression that is intended to shock has a place in our community. Nevertheless, mutual respect and civility within debate and dialogue advance the mission of the University, advance each of us as learners and teachers, and advance a democratic society.
- g. Candidates for University leadership positions are entitled to consideration based on their stated views and actions, and in a manner consistent with the University's nondiscrimination policy. Efforts to discredit such candidates based on bias or stereotyping should not go unchallenged.
- h. Actions that physically or otherwise interfere with the ability of an individual or group to assemble, speak, and share or hear the opinions of others (within time place and manner restrictions adopted by the University) impair the mission and intellectual life of the University and will not be tolerated.
- i. Harassment, threats, assaults, vandalism, and destruction of property, as defined by University policy, will not be tolerated within the University community. Where investigation establishes that such unlawful conduct was targeted at an individual or individuals based on discrimination prohibited by University policy, University administrators should consider discipline that includes enhanced sanctions. In addition to discipline and consistent with the University's mission to educate members of our community, University administrators should use all available tools, including restorative justice

techniques, to address such unlawful conduct, in order to foster learning and mutual respect.

- j. The Regents call on University leaders to apply these Principles Against Intolerance and all other University policies directed to discrimination and intolerance to the full extent permissible under law. University leaders should assure that they have processes in place to respond promptly, and at the highest levels of the University, when appropriate, when intolerant and/or discriminatory acts occur. Such response should include consideration of support for members of the community directly affected by such acts.

Appendix A

- Regents Policy (RP) 1111: Policy on Statement of Ethical Values and Standards of Ethical Conduct calls on all members of the University to conduct ourselves in a manner that reflects fair dealing, individual responsibility and accountability, and respect for others.
<http://regents.universityofcalifornia.edu/governance/policies/1111.html>
- RP 3303: Policy on Employee and Student Protections Related to Student Press and Student Free Speech Rights provides that students shall not be subject to discipline on the basis of protected speech but notes several reserved areas of University authority, including to establish and enforce non-discrimination policies.
<http://regents.universityofcalifornia.edu/governance/policies/3303.html>
- Several provisions of the Policies Applying to Campus Activities, Organizations and Students (PACAOS) establish expectations for the conduct of students as members of the University community and provide for discipline of students; especially relevant grounds for discipline include:
 - 102.04 addressing damage to property of University or others on University premises
 - 102.08 addressing physical abuse, assault and threats of violence
 - 102.09 addressing harassment so severe and pervasive as to substantially impair a person's access to University programs effectively denying equal access
 - 102.09 also provides for enhanced sanctions where harassment is motivated on the basis of various protected characteristics including, among others, race, national origin, citizenship, sex, religion, sexual orientation, et al (see also 104.90)
 - 102.10 addresses stalking behavior making a credible threat of intent to cause a person to fear for his or her safety where it alarms, torments or terrorizes an individual and serves no legitimate purpose (such as self-defense) (also 102.24)
 - 102.13 addresses obstruction of teaching, research, administration, disciplinary procedures or other University activities
 - 102.14 addresses disorderly conduct
 - 102.15 addresses disturbance of the peace and unlawful assembly

- 104.10 authorizes Chancellors to discipline for violation of University policies and campus regulations even where conduct does not also violate law
- 105.00 provides for following types of student discipline: warning/censure, probation, loss of privileges and exclusion from activities, exclusion from areas of campus or University functions, suspension, dismissal, restitution, revocation of awarding of degree and also provides for interim suspension during an investigation and/or conduct proceeding
See: <http://policy.ucop.edu/doc/2710530/PACAOS-100>

- Policies governing staff are found in the Personnel Policies for Staff Members (PPSM), especially PPSM 12 re nondiscrimination and PPSM 62 re corrective action.
<http://policy.ucop.edu/doc/4000376/NondiscrimAffirmAct>

General University Policy regarding academic appointees is found in the Academic Personnel Manual (APM).

- APM-010, the University's policy on academic freedom.
<http://www.ucop.edu/academic-personnel-programs/files/apm/apm-010.pdf>
- APM-015, the Faculty Code of Conduct, was approved by the Academic Senate and establishes ethical principles, rights and responsibilities for faculty to define and support academic freedom; it also defines unacceptable conduct by faculty.
<http://www.ucop.edu/academic-personnel-programs/files/apm/apm-015.pdf>
- APM-016 sets University policy on faculty conduct and the administration of discipline.
<http://ucop.edu/academic-personnel-programs/files/apm/apm-016.pdf>