

Recommendations for Enhancing Policies and Procedures Related to Sexual Violence and Sexual Harassment Matters for Faculty, Non-Faculty Academic Personnel, and Staff

Note: These recommendations have been approved by President Napolitano and are in the process of being implemented systemwide.

- **Education and Training**
 - Continue systemwide training for all CARE advocates and confidential resources.
 - Conduct targeted educational outreach to ensure that all UC personnel who are not formally designated as confidential resources are aware of their responsibility to report allegations of sexual violence or sexual harassment to the Title IX Office.
 - Conduct broad outreach and education to ensure that the chancellors and their designees are aware of their discretion to take interim administrative measures short of disciplinary action to protect complainants and the campus community pending the outcome of an investigation. Ensure that administrators, faculty, and campus Committees on Privilege and Tenure are aware of a faculty respondent's right to grieve an involuntary leave, including the proposed or elapsed period of leave, and have the grievance handled, per policy on an expedited basis.
 - Increase outreach about the Sexual Violence and Sexual Harassment (SVSH) Policy prohibition on retaliation for reporting or participating in an investigation of alleged sexual violence or sexual harassment.
 - Train and educate faculty, other academic appointees, graduate and undergraduate students, and academic administrators about provisions related to commencing an investigation with respect to the timing of a report of an alleged violation.
 - Align sexual violence and sexual harassment training compliance with systemwide protocols to be developed for all mandated training.
 - Explore development of additional systemwide sexual violence and sexual harassment awareness and prevention training components to address populations with particular needs (e.g., modules for non-English speakers, shift-differentials, and those lacking computers or computer skills).

- **Investigation, Adjudication, and Sanction Process – Faculty**
 - Develop a methodology to provide for a single investigation in sexual violence and sexual harassment cases. Develop a pool of investigators, both locally and systemwide, which could include trained faculty or emeriti faculty, campus investigators, or external investigators.
 - Provide additional training for all investigators.
 - Require the Title IX officers at each campus to inform the chancellor whenever the Title IX office begins an investigation of a faculty respondent and to provide the chancellor with updates regarding the progress of such cases.
 - Provide all parties, at the beginning of a formal investigation, with a clear, written description of the Title IX and faculty discipline processes and notice of their rights related to the process.
 - Establish clear time frames so that the investigation takes no longer than three months and the adjudication takes no longer than two months, unless there are exceptional circumstances.
 - Ensure that the complainant and the respondent each has an equal opportunity to meet with the investigator, submit information, and identify witnesses who may have

relevant information. If the investigator does not consider evidence presented by a party, the rationale for this decision should be explained in the investigation report.

- Develop consistent report-writing practices across the system, including on the elements that should be included in each Title IX investigation report.
 - After completion of the investigation report, provide an opportunity for both the complainant and the respondent to comment on the final report, with any such comments appended to the report and submitted to the chancellor or their designee.
 - Develop a campus Peer Review Committee, similar to the Systemwide Peer Review Committee, to review the final report and advise the chancellor on recommended discipline. File charges, if any, with Privilege and Tenure within two months of receiving the final Title IX investigation report.
 - Provide both the complainant and the respondent with the opportunity to speak to the chancellor or their designee after the chancellor or their designee has received the Title IX report and before engaging the Peer Review Committee and filing charges.
 - Require the chancellor's designee and/or the Title IX Officer to provide updates to the complainant and the respondent during the investigation and discipline processes.
 - Inform complainants of all Title IX, Administration, and Privilege and Tenure outcomes, including alternative resolutions, early resolutions, and disciplinary proceedings.
 - Develop support and appropriate methodology for the Committees on Privilege and Tenure (or their equivalents) to have the capacity to meet throughout the year.
 - Instruct academic personnel and academic affairs offices to retain records of discipline imposed on faculty and early resolution agreements for an indefinite timeframe.
 - Convene chancellors or their designees, Title IX Officers, and Senate leaders to perform an overall review of campus procedures to clarify roles and responsibilities in determining policy violations, recommendations for discipline, the roles of each office after a Title IX investigation has concluded, and how each office interacts after an IX investigation has concluded.
- **Investigation, Adjudication, and Sanction Process – Staff and Non-Faculty Academic Personnel**
 - Require that sexual violence or sexual harassment investigations be conducted only by the Title IX office (and/or UC police when appropriate).
 - Establish clear time frames so that the investigation takes no longer than three months and the adjudication takes no longer than two months, unless there are exceptional circumstances.
 - Provide additional training for all investigators.
 - Develop consistent report-writing practices across the system, including on the elements that should be included in each Title IX investigation report.
 - Create an addendum to the Sexual Violence and Sexual Harassment (SVSH) Policy that provides timelines and other information related to the grievance process for staff and non-faculty academic personnel.
 - Expand guidelines for interim measures in sexual violence or sexual harassment cases involving UC personnel, customized for each employee population (e.g., non-faculty academic personnel and represented and non-represented personnel).
 - Have the chancellor appoint a designee to review and approve all SVSH-related sanctions and disciplinary actions for staff and non-faculty academic personnel.
 - Require a respondent's supervisor to forward any course of action to resolve a sexual violence or sexual harassment case to the chancellor's designee for review and approval. Both the respondent's supervisor and the chancellor's designee must review

the investigation report before approving the resolution. Provide best practice ranges of sanctioning and disciplinary actions, customized for each employee population, to serve as an advisory guide for the chancellors' designees and supervisors.

- Ensure each location has in place a Case Management Team (CMT) to review personnel cases.
- Improve consistency in language and congruency between the Sexual Violence and Sexual Harassment (SVSH) Policy and all related academic personnel and other human resources policies, where relevant.
- **Changes to Policy**
 - For faculty, clarify guidance in the Academic Personnel Manual related to the distinction between suspension without pay and involuntary leave (with and without pay) and other provisions related to involuntary paid leave.
 - For faculty, revise the Academic Personnel Manual and relevant Senate bylaw to align their elements governing provisions related to commencing an investigation with respect to the timing of a report of an alleged violation.
 - For faculty, revise the Academic Personnel Manual to add explicit language prohibiting sexual violence, as reflected in the University's Sexual Violence and Sexual Harassment (SVSH) Policy.
 - For staff/non-faculty academic personnel, determine how to best handle cases involving certain populations such as volunteer academic appointees.
 - For all, determine how to best handle appeals of cases involving complainants and respondents who come from different personnel groups.
- **Resources to Support SVSH Prevention and Response**
 - Designate, at each campus, at least one confidential resource for all UC personnel, and locate this resource in a place that is accessible and ensures privacy.
 - Provide respondent services.
 - Provide resources to UC employees who are at off-site or international locations and are involved in SVSH cases.
- **Data Reporting**
 - Develop a standard format for reporting quantitative sexual violence and sexual harassment-related data for all UC personnel and a system for tracking this data.
 - Identify what type of qualitative sexual violence and sexual harassment-related data would be useful, and develop a process for collection of this data.
 - Regularly report this data to UCOP, and post aggregated annual data on the UCOP website.