

FAQs: Investigation and Adjudication Models for Cases Involving Faculty and Staff

How do the systemwide investigation and adjudication models for faculty and staff work?

The models lay out the processes by which the university responds to allegations of sexual violence or sexual harassment involving faculty and non-faculty employees.

Under the UC Sexual Violence and Sexual Harassment Policy (SVSH Policy), the campus Title IX office conducts a fair, thorough and impartial investigation to determine if the SVSH Policy was violated. Both the person who filed the complaint (complainant) and the person responding to allegations (respondent) are notified of the investigation's findings and have the opportunity to submit a response.

If the investigation determines that the respondent violated the SVSH Policy, the process for resolution, including discipline, is as follows:

For faculty: The chancellor or his/her designee will consult with the location's Peer Review Committee to advise on an appropriate resolution, including any disciplinary action. The Peer Review Committee helps ensure that resolutions in these cases are consistent, that appropriate action is taken to prevent and correct behavior that violates university policy, and that any discipline matches the seriousness of the violation. After consulting with the Peer Review Committee, the chancellor or his/her designee makes a determination on how to proceed, which may include filing a notice of charges with proposed sanction with the Academic Senate Privilege and Tenure Committee. In all cases, both the complainant and respondent are notified of the terms of the resolution, including any discipline.

You can read the [faculty model, which includes a flowchart, here](#).

For staff: The respondent's supervisor will propose disciplinary or other action to the chancellor's designee(s). The chancellor's designee will review for approval the proposed disciplinary action. The designee helps ensure that resolutions in these cases are consistent, that appropriate action is taken to prevent and correct behavior that violates university policy, and that any discipline matches the seriousness of the violation. Upon approval by the chancellor's designee, the respondent's supervisor will implement the action, including any discipline. Both the complainant and respondent are notified of the action, including any discipline.

You can read the [staff model, which includes a flowchart, here](#).

Why is the faculty model different from the staff model?

The investigation procedures for faculty and staff are the same, but the process for deciding discipline differs.

Faculty are subject to the Faculty Code of Conduct, and the UC model of shared governance gives faculty a role in advising the administration regarding appropriate discipline for other faculty members. There is no equivalent in the staff context, and disciplinary decisions have generally been made by the respondent's supervisor.

Although the models differ between faculty and staff, both models set forth a fair and thorough process to promptly investigate and resolve reports of sexual violence and sexual harassment. Both models also provide for a deliberative disciplinary process to ensure that resolutions are consistent, that appropriate action is taken to prevent and correct behavior that violates university policy, and that any discipline matches the seriousness of the offenses. In both models, the chancellor or his/her designee(s) has a key role in determining what the disciplinary decision will be.

Both the faculty and staff models were developed after extensive consultation. The faculty model incorporates recommendations the president accepted from the Joint Committee of the Administration and Academic Senate, and the staff model incorporates recommendations the president accepted from the Committee on Sexual Violence Sexual Harassment Disciplinary Process for UC Personnel other than Faculty. Both committees had diverse membership, and solicited input and participation from a broad group of stakeholders. The frameworks are intended to address concerns raised by students, as well as by faculty and staff.

How long does the investigation and adjudication process take?

The Title IX office aims to complete its investigation within 60 business days. In cases where an investigation has found a violation of the SVSH Policy, the university will make its subsequent decision regarding discipline within 40 business days. The Title IX officer may grant an extension for good cause on investigations, and the chancellor may grant an extension for good cause in the disciplinary process. In both cases, written notice of an extension must be given to the complainant and respondent, stating the reason for the extension and the new timeline.

Will my name be kept confidential if I am a complainant or a respondent in an investigation?

Generally, the complainant and respondent will be notified of each other's identity, in order to conduct a fair investigation. The university will make every effort to protect the privacy of both the complainant and the respondent to the extent permitted by law and UC policy.

How will UC ensure a fair process for both the complainant and the respondent?

Both the complainant and respondent will have equal opportunities to meet with the investigator, submit information and identify witnesses who may have relevant information during the investigation. Once the investigation is completed, both individuals will have the opportunity to respond to the investigation's findings and express what outcome, including any sanction, they would like to see. The decision on discipline is generally made by the chancellor or his/her designee(s).

If I have filed a complaint, will I be kept informed of the investigation's findings and any decisions on sanctions?

Yes. The Title IX Office will inform you of the outcome of the investigation. If the investigation finds a violation of the university's SVSH Policy, you will also be notified about how the matter is resolved, including any disciplinary action taken.

Do I get a say in what discipline should be given?

Both the complainant and the respondent have the opportunity to respond to the investigation's findings and express what outcome, including sanction, they wish to see. The decision on discipline is generally made by the chancellor or the person(s) designated by the chancellor.

If I need support or services during the investigation and adjudication process, who can I ask?

UC provides resources to help both complainants and respondents understand the UC's investigation and adjudication process and get support as needed. Complainants can contact the confidential campus CARE Advocate Office. Respondents can contact their campus Respondent Services Coordinator.

How will UC ensure these new models are working well?

UC's Systemwide Title IX Office is providing training and guidance to those on the campuses implementing the models to ensure consistency. UC will evaluate and assess these models over time to ensure they are effective.

Where can I find UC's policy on Sexual Harassment and Sexual Violence?

You can find UC's policies and codes of conduct on the university's systemwide Sexual Violence Prevention and Response website: <http://sexualviolence.universityofcalifornia.edu/policies/index.html>.