



## Committee on Privilege and Tenure

March 4, 2016

To: Jose Wudka  
Chair, Riverside Division Academic Senate

Fr: Stefano Lonardi  
Chair, Committee on Privilege and Tenure

Re: Systemwide Review of Joint Committee Report (2/17/16)

The Committee on Privilege and Tenure at UC Riverside has been asked to provide feedback on the report by the Joint Committee of the Administration and the Academic Senate that reviewed how UC campuses manage disciplinary actions in cases of sexual violence, sexual assault or sexual harassment. In general, we agree that the current policies are clearly written, reasonable, and consistent with the relevant APMs. We also agree with the recommendations provided by the Joint Committee (including the proposed amendments to the APM), but we respectfully request the Joint Committee to provide some clarifications.

Comments on Page 1: the Joint Committee has identified several important questions related to the interface between of the Title IX investigation and the Administrative investigation (carried out for the purpose of a disciplinary action). These questions are:

"Does the Title IX Officer determine whether a Faculty Code of Conduct policy violation has occurred? Does the Title IX Office recommend discipline?"

If so, to whom? What role does the Title IX Officer have after the Title IX report is issued and before a disciplinary hearing occurs?"

What is the interface between initial investigations of alleged SVSH by Title IX Officers and investigations that take place during subsequent disciplinary hearings?" The Joint Committee recommends that "the Chancellors or designees, Title IX Officers, and Senate leaders consider answering these questions as part of an overall review of campus procedures." We believe that the answer to these questions should not be left to individual campuses, but consistent UC-wide policies should be developed to clarify the role of these investigations to (1) reduce the number of times witnesses are questioned about the facts related to alleged sexual violence, sexual assault or sexual harassment, (2) clarify the

relevance of the Title IX findings in the Administrative and P&T disciplinary process, considering the different evidence standards.

Comments on Recommendation A.2.b (page 2) which states "Consider including Senate faculty and/or other non-Title IX Officers to augment teams at the time of the Title IX investigation."

This recommendation needs to be expanded to provide guidelines on the process in which faculty will be chosen to augment the investigative team. How will be faculty be selected? Can these faculty be any Senate Member or members of P&T and/or Charges?

Comments on Recommendation A.2.d (page 3) which states "In cases where subsequent investigations are conducted by those outside of the Title IX Office, campuses should ensure that those conducting the investigations receive the training required by law and policy."

We suggest to include that the Administration should also ensure that individuals carrying out the investigations should have the credential required by law and policy.