

 UNIVERSITY OF CALIFORNIA
UC RIVERSIDE | **Academic Senate**
Committee on Privilege & Tenure

October 21, 2015

To: Jose Wudka
Chair, Riverside Division Academic Senate

Fr: Stefano Lonardi
Chair, Committee on Privilege and Tenure

Re: Systemwide Review of the Proposed Revisions to the Presidential Policy
on Sexual Violence and Sexual Harassment

The Committee on Privilege and Tenure has reviewed the proposed revisions to the Presidential Policy on Sexual Violence and Sexual Harassment and is in overall support of the revisions. However, some Committee members expressed concern over the broadness of some policy language, specifically in Section 4.c (page 12, titled "Grievance Procedures for Employees").

Section 4.c reads that if there is a grievance filed on the same matter as a Title IX complaint, the Title IX investigation "will substitute for fact-finding provided under any other report or grievance process." This statement seems to imply that P&T would have to accept the findings of a Title IX investigation. Per Senate Bylaws that govern the P&T process, a Hearing Committee can conduct its own fact-finding and form their own opinion based on the testimonies and the documentary evidence. Moreover, on page 13, Section 5, the policy then reads "The Report may be used as evidence in related disciplinary and grievance proceedings." In this context, the Policy now implies that the Title IX investigation would not be mandated in a separate grievance process. What happens in the event that a Title IX report is not brought into a P&T proceeding? Is the Committee then free to conduct its own fact-finding like it normally would?

Additionally, the last sentence of Section 4.c reads "After completion of the process under this Policy, the report that had been filed via the alternative report process may be reactivated but only as a means of appeal by the Complainant." This statement is unclear. The Committee would like more clarification on what "reactivated" means in this instance and what implication this has on a potential P&T grievance process.

As this section of Policy currently reads, it does seem to imply that the P&T grievance process could be affected and thus, the Committee would like to see further clarification on these statements.

We appreciate the opportunity to review and opine on this systemwide matter.