



CHAIR, ACADEMIC SENATE
RIVERSIDE DIVISION
UNIVERSITY OFFICE BUILDING, RM 225

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October 26, 2015

Dan Hare, Chair, Academic Council
1111 Franklin Street, 12 Floor
Oakland, CA 94607-5200

RE: Review of Proposed Revisions to Presidential Policy on Sexual Violence and Sexual Harassment

Dear Dan,

The UCR Executive Council discussed the final version of the UC policy for sexual violence and harassment during its Oct. 26 meeting. Though Council did not have specific comments, it did endorse the concerns raised by the following reviewing committees:

- The Committee on Privilege and Tenure (P&T) noted that section V.A.4.c states that the title IX investigation will replace any fact finding by P&T, in apparent contradiction to Senate bylaws (though 'fact-finding' is not found in the regulations, [SR335.B.2](#) describes these actions in all but name). In addition this same section allows for the report to be reactivated as a means to appeal by the complainant, but 'reactivated' is unspecified. Finally, though section V.A.5 states that the title IX report may be used as evidence in related disciplinary and grievance cases, it is unclear whether P&T can conduct a fact-finding process if the report is *not* so used.
- Committee on Charges noted that the proposed policy may have issues balancing mandatory reporting requirements and victims' rights; and that the policy would benefit from a clearer definition of harassment.
- Finally, the Committee on Diversity and Equal Opportunity noted that the word 'injury' appears to have been omitted from the concluding sentences in sections II.B.b.i and II.B.b.ii.

I attach to this memorandum the full responses from these committees.

The UCR Division appreciates the opportunity to comment.

Sincerely yours,

A handwritten signature in black ink that reads "J Wudka".

Jose Wudka
Professor of Physics & Astronomy and Chair of the Riverside Division

CC: Hilary Baxter, Executive Director of the Academic Senate
Cherysa Cortez, Executive Director of UCR Academic Senate Office

 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.

UC RIVERSIDE UNIVERSITY OF CALIFORNIA | **Academic Senate**
Committee on Charges

October 21, 2015

To: Jose Wudka
Chair, Riverside Division Academic Senate

Fr: Benjamin Liu
Chair, Committee on Charges 

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


The Charges Committee has reviewed the proposed revisions to the Presidential Policy on Sexual Violence and Sexual Harassment and has no specific suggestions to add. However, some Committee members did express concern about mandatory reporting interfering with victim's willingness to come forward. While others would like to see more specific definitions of harassment whether sexual or otherwise.

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

UC RIVERSIDE UNIVERSITY OF CALIFORNIA | **Academic Senate**
COMMITTEE ON DIVERSITY & EQUAL OPPORTUNITY

October 22, 2015

To: Jose Wudka, Chair
Riverside Division of the Academic Senate

From: Manuela Martins-Green, Chair 
Committee on Diversity & Equal Opportunity

Re: Proposed Revisions to Presidential Policy on Sexual Violence and Sexual Harassment

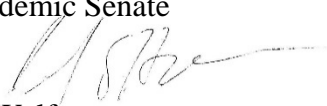
At its meeting on October 22, 2015, the Committee on Diversity and Equal Opportunity discussed the proposed revisions to the Presidential Policy on Sexual Violence and Sexual Harassment. The Committee felt the revisions to the policy provided a more thorough and well organized document. By a vote of +8-0-0, the Committee approved the policy as written with a minor change to section b. Relationship Violence under subcategories i. Dating Violence and ii. Domestic Violence to include the word “injury” where it seems to have been inadvertently omitted from the concluding sentences.



COMMITTEE ON FACULTY WELFARE

October 21, 2015

To: Jose Wudka
Riverside Division Academic Senate

From: Jennifer Hughes, Chair 
Committee on Faculty Welfare

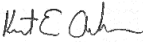
Re: Proposed Revisions to Presidential Policy on Sexual Violence and Sexual Harassment

At its meeting on October 20, 2015, the Committee on Faculty Welfare discussed the proposed revisions to the Presidential Policy on Sexual Violence and Sexual Harassment. The Committee felt the revisions provide a sharper document and by a vote of +8-0-0, unanimously support the changes. However in light of the recent harassment issues apparent at UC Berkley, the Committee noted the ongoing need for clear and subsequent guidance on procedures to follow at the campus level for cases of noncompliance.



October 21, 2015

To: Jose Wudka, Chair
Riverside Division

From: Kurt Anderson, Chair 
Committee on International Education

Re: Proposed Revisions to Presidential Policy on Sexual Violence and Sexual Harassment

The Committee on International Education reviewed the proposed revisions to the Presidential Policy on Sexual Violence and Sexual Harassment by email. The Committee is supportive of the revised changes.