

October 9, 2017

TO: Susan Cochran, Chair
Daniel Bussel, Working Group Member
Alistair Cochran, Working Group Member
Clyde Spillenger, Working Group Member --

RE: Working Group to Review and Revise Appendix XII

We are pleased that you have agreed to serve on the Academic Senate's Working Group to review and revise Appendix XII (hereafter Appendix XII Working Group). The Working Group is an ad hoc committee appointed to review Appendix XII and make necessary revisions to bring it into full compliance with mandates from the office of the UC President (UCOP) on how Title IX-related violations of the Faculty Code of Conduct are to be handled. Specifically, the Appendix XII Working Group is charged as follows:

I. Authority

The Appendix XII Working Group is an ad hoc committee of the Academic Senate which serves as the faculty voice concerning policies and procedures on faculty conduct and the administration of discipline.

II. Appointment

The Appendix XII Working Group shall be convened for the remainder of the 2017-18 academic year. The Chair of the Academic Senate shall appoint the chair and members of the Working Group.

III. Charge to the Appendix XII Working Group:

The campus has undergone a number of changes, many mandated by the office of the UC President, in how possible Title IX-related violations of the Faculty Code of Conduct are to be handled (all relevant documents will be made available before the first meeting of the Working Group). One of the most significant changes is that investigative responsibility for Sexual Violence and Sexual Harassment (SVSH) complaints, which was previously conducted jointly by the Title IX Office and the Committee on Charges, but is now the sole responsibility of the Title IX office. Further, the procedural process now includes a Chancellor's Peer Review Committee and there are mandated time limits for investigating and resolving SVSH complaints. These mandated changes require the Senate to review and update parts of Appendix XII (Faculty Conduct and Administration of Discipline) to bring it into compliance with current policy. The Working Group is therefore charged to:

- a. Review all relevant documents from UCOP regarding how Title IX cases are to be evaluated.
- b. In light of the mandates emanating from these documents, review and revise the relevant sections of Appendix XII of the Academic Senate. Appendix XII was last revised in June 2013. Consider fully the current practices on campus for handling Title IX matters, as well as the procedural involvement of the new Chancellor's Peer Review Committee in advising on potential sanctions for Title IX-related violations of the Faculty Code of Conduct.

- c. Recommend specific changes to the language of Appendix XII that reconcile it with mandates from UCOP regarding the procedures for handling cases involving SVSH. We are particularly concerned with clarifying the role of the Charges Committee under the mandated procedures.
- d. When last revised in June 2013, the language of Appendix XII suggested that cases involving discrimination (e.g., due to race, religion, sex, sexual orientation, gender identity, ethnic or national origin) be treated the same way as cases involving SVSH. However, recent mandates from the UCOP do not specifically address policies and procedures for handling cases of alleged faculty misconduct due to discrimination. Please clarify the language in Appendix XII regarding the Academic Senate's role in cases involving discrimination, particularly during the investigation stage and the role of the Charges Committee.
- e. In a separate report, provide a clear rationale for any changes to Appendix XII. The report should reflect our willingness to revise our policies and procedures as needed to reasonably accommodate to new mandates from UCOP, but at the same time affirming the rights and responsibilities of the Academic Senate in matters of Faculty Code of Conduct and the administration of discipline.

III. Meeting Frequency

The Working Group should meet as frequently as specific tasks require. Revisions to Appendix XII will ultimately require full review by Senate councils and committees and by the Executive Board, as well as a vote by the Legislative Assembly at its Spring 2018 meeting. I therefore ask that the Working Group make every effort to complete its deliberations and suggested revisions to Appendix XII by the end of Fall Quarter: December 15, 2017. Keeping to this timeline will assure that we complete the task of revising Appendix XII within the current academic year.

Sincerely,



Sandra Graham

Chair, UCLA Academic Senate

cc: Joseph Bristow, Vice Chair/Chair Elect, Academic Senate
Linda Mohr, Chief Administrative Officer, Academic Senate
Marian Olivas, Policy Analyst, Academic Senate Office