

## **A Resolution Regarding Revisions to Sexual Harassment and Sexual Assault Investigation and Adjudication Policies at UCLA**

WHEREAS the University of California has extensively revised its UC wide Sexual Violence and Sexual Harassment (SVSH) Policy in January, 2016;<sup>1</sup>

WHEREAS a new position of Title IX coordinator for the entire UC system was created in February, 2017;

WHEREAS new policy recommendations issued by the UC President Office include the formation of a campus Peer Review Committee to review investigation reports and advise the chancellor on recommended discipline,<sup>2</sup> and WHEREAS it is not yet known who will be the members of this committee, to be established by July 1, 2017, what its exact responsibilities will be, and whether it will solely include tenured faculty members evaluating the investigations of their own;<sup>3</sup>

WHEREAS these new policies emerge in light of mounting evidence of a system-wide failure to adequately address sexual harassment and violence committed by faculty members and senior administrators across the UC system. This point has been validated several times in the past few years, in a series of widely publicized cases in which the university failed to properly sanction sexual harassers;<sup>4</sup>

WHEREAS in many of the recent cases of SVSH at the UCs the accused was removed from campus only by virtue of external public pressure (as in the case of Geoffrey Marcy at UC Berkeley), special orders by UC president Janet Napolitano (Graham Fleming and Sujit Choudhry at UC Berkeley), or the intervention of an external investigation firm (as in the case of Rob Lathan at UCR);

WHEREAS despite the renewed efforts on the part of the UC system to address the problem of sexual violence and abuse on campus, there persists a very justifiable lack of trust between the campus community, the Title IX office, and the administrative bodies in charge of adjudication processes, since they have repeatedly proven to prioritize the interests of the university rather than that of survivors;

WHEREAS such trust, which is necessary for the flourishing of a safe and productive campus environment, can only be built through greater transparency, openness, and community involvement in deciding and overseeing SVSH policy and sanctions;

WHEREAS the new SVSH policy was established without input from campus groups substantially affected by it, for example the Student Workers Union, which negotiates the working conditions of all graduate student employees, including teaching assistants, readers, and tutors;

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<sup>1</sup> <http://policy.ucop.edu/doc/4000385/SVSH>

<sup>2</sup> <http://sexualviolence.universityofcalifornia.edu/files/documents/implementation-of-svsh-recommendations.pdf>

<sup>3</sup> Information based on conversation with Vice Chancellor Jerry Kang and the UC Title IX officer Kathleen Salvaty on January 31, 2017.

<sup>4</sup> These include Gabriel Piterberg at UCLA, Sujit Choudhry, Geoffrey Marcy, and Graham Fleming at UC Berkeley, and University of California Regent Norman J. Pattiz.

THEREFORE BE IT RESOLVED that the UCLA Undergraduate Student Association Council (USAC) calls on the UCLA administration to make a clear and demonstrable statement that abuse of power and repeated sexual harassment will not be tolerated in our campus community.

THEREFORE BE IT RESOLVED that the UCLA Undergraduate Student Association Council (USAC) calls on all bodies involved in investigation and adjudication of SVSH allegations, namely the UCLA Title IX office, the overseeing Office of Equity, Diversity and Inclusion, the Office of Academic Personnel, the Office of the Dean of Students, and Campus Human Resources, to officially recognize that abuse of power (by faculty, administrators, staff, or students) is an aggravating factor that cannot be ignored in both investigation and adjudication policies.

THEREFORE BE IT RESOLVED that the UCLA Undergraduate Student Association Council (USAC) encourages the UCLA Title IX office, and the overseeing Office of Equity, Diversity and Inclusion, to compose a new and clearer policy outlining the manner survivors are to be informed of the development and outcomes of any investigation into their complaint, and are to be part of any settlement agreement involving the accused.

THEREFORE BE IT FURTHER RESOLVED that the the UCLA Undergraduate Student Association Council (USAC) calls for the creation of a representative body to include members from all constituent parts of our campus (undergraduate students, graduate students and student employees, tenured and non-tenured faculty, staff, administration, and postdocs) to identify problems and recommend changes to the UC SVSH policy at UCLA and to contribute to the establishment of disciplinary sanctions and trauma-informed remedies;

THEREFORE BE IT FURTHER RESOLVED that the above mentioned body would have the power to review the investigation process once it is complete (regardless of its outcome), to oversee the adjudication processes, and to critically intervene in cases in which it deems that the university administration has failed to respond adequately to SVSH allegations;

FINALLY, BE IT RESOLVED that the body described above will not simply be an advisory committee, but an official body accountable to the entire UCLA community and in turn ensuring the accountability of SVSH investigation, adjudication, and sanction procedures.