November 15, 2021

Robert Horwitz, Chair, Academic Council
1111 Franklin Street, 12th Floor
Oakland, CA 94607-5200

RE: Proposed Revised Presidential Policy on Sexual Violence and Sexual Harassment

Dear Robert,

The Riverside Executive Council discussed Proposed Revised Presidential Policy on Sexual Violence and Sexual Harassment on November 8, 2021 and I write to provide the attached consultative feedback from local committees as well as Executive Council’s comments below.

Council members expressed alarm about learning that UC – and other universities - is currently unable to find an insurer who can assess risk regarding sexual misconduct in order to provide coverage. Other members highlighted the importance of ensuring alignment and reconciliation between the important intersection between the APM and other UC policies.

Sincerely yours,

/s/ Jason
Jason Stajich
Professor of Bioinformatics and Chair of the Riverside Division

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

October 20, 2021

TO: Jason Stajich, Chair
   Riverside Division

FR: Richard Stouthamer
   Chair, Committee on Charges

Re: [Systemwide Review] Proposed Revisions to Policy: Revised Presidential Policy on Sexual Violence and Sexual Harassment

The Committee on Charges reviewed the proposed revisions to the Presidential Policy on Sexual Violence and Sexual Harassment at its meeting on October 20, 2021. The Committee determined this to be outside its purview and therefore chose not to opine.
October 25, 2021

To: Jason Stajich, Chair  
   Riverside Division

Fr: James Tobias, Chair  
   Committee on Privilege & Tenure

Re: [Systemwide Review] Proposed Revisions to Policy: Revised Presidential Policy on Sexual Violence and Sexual Harassment

The UCR Academic Senate Committee on Privilege and Tenure has reviewed changes proposed to UC’s policies on sexual violence, sexual harassment, and sexual exploitation, and clarifying prohibited conduct in response to the 2020 passage of California SB 493.

(For convenience, in this memorandum we abbreviate the area of policy in question as SVSH even though the draft revisions add details adding sexual exploitation to the types of prohibited conduct.)

Comment by committee members indicates that the policy revisions proposed in the document are largely clear, detailed, and thorough.

Our discussion also reflected concern among committee members to the effect that UC SVSH policy remains less specific than it should be in regards to reporting requirements. Thus, while UC employees including Senate faculty are required to report potential prohibited conduct, some members feel that additional policy detail could be helpful to encourage accurate and timely reporting. Members noted that when reporting of alleged violations happens only after significant periods of time, the extent of unnecessary damage caused by delays in reporting is compounded - in human and institutional costs alike. Too, as an Academic Senate committee charged with hearing cases of disciplinary violations or grievance, we think that it is fair to express concern about whether the clear time requirements for bringing charges and implementing hearings may work against clear reporting capabilities in SVSH cases in which reporting may be delayed or even simply too-long neglected. We state this concern for the record even though the language being proposed in this draft revision does not explicitly address requirements for timeliness of reporting.

Relatedly, we do note that the proposed revisions in the version of SVSH policy under review provides clarity that members of the clergy will be classified as "confidential resources," and that as such, they are required to inform a complainant about Title IX resources. While this clarification
may be helpful, we do not see that the legislation to which this document seeks to conform UC policy actually requires clergy to be classed as “confidential resources.”

Given that underreporting of prohibited conduct continues to be observed in and beyond the UC, given the human and institutional costs that accrue with delayed reporting, and given that the role of clergy members involved in pastoral care on UC campuses does not seem to be significantly different than care required by other UC employees such as academic or faculty advisors charged with monitoring degree progress or mentoring academic work, we question whether the status of “confidential resources” should in fact be granted to anyone not specifically charged with responsibilities associated with CARE and thus capable of accessing appropriate (that is, professionally trained and funded) UC resources when responding to reports of SVSH.

We thus would like to know what provisions of SB 493 require that members of the clergy employed in the UC be granted the privilege of “confidential resource,” and whether members of the clergy working in the UC shouldn’t simply be subject to the same reporting requirements as are faculty or other staff routinely charged with advisory or mentoring roles.

Finally, we suggest that for accuracy, perhaps “SVSH” policy should be referred to as “SVSHSE” policy in UC documents, in order to reflect the new language proposed in this document that specifically prohibits sexual exploitation.

Beyond these concerns, the committee finds the proposed changes acceptable.
September 28, 2021

To: Jason Stajich, Ph.D., Chair, Academic Senate, UCR Division

From: Declan McCole, Ph.D., Chair, Faculty Executive Committee, UCR School of Medicine

Subject: Response to [Systemwide Review] (Proposed Revisions to Policy) Revised Presidential Policy on Sexual Violence and Sexual Harassment

Dear Jason,

The SOM Faculty Executive Committee has reviewed the Proposed Revisions to the Presidential Policy on Sexual Violence and Sexual Harassment. We approve of the proposed revisions and have no additional comments.

Yours sincerely,

Declan F. McCole, Ph.D.
Chair, Faculty Executive Committee School of Medicine