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TO: Dylan Rodriguez, Chair
UCR Academic Senate

FROM: Margaret A. Nash, Chair
GSOE Executive Committee

DATE: October 3, 2018

SUBJ: UC Policy on Sexual Violence and Sexual Harassment

The Executive Committee of the GSOE met yesterday and discussed the UC Policy on Sexual Violence and Sexual Harassment. We appreciate the thought and effort that went into revising the UC's Policy on Sexual Violence and Sexual Harassment. We believe the revisions are excellent.

We do have two areas of concern:

1) The informal Alternative Resolution process – While we agree that it is important to have such a process, we have concern about what safeguards will be put in place to ensure that the Complainant is not in any way coerced to go this route. Given that many incidences of sexual harassment involve relationships where there is a large power differential, the very same forces that might inhibit someone from filing a complaint may also impact a person's agreement to an informal Alternative Resolution.

We encourage UCOP to ensure that Title IX Coordinators, who would be responsible for guiding the Alternative Resolution process, are well trained in understanding subtle forms of coercion, so that they will be less likely to engage in any or to be a party to any such coercion.

We also would like to see regular and transparent reporting of how many reported cases end up being resolved through the informal alternative process. If a campus resolves virtually all cases this way, or, on the other extreme, if a campus resolves virtually no cases this way, this could indicate a problem. This data needs to be available and to be analyzed by someone apart from any given campus' Title IX office.

2) We understand that it is very difficult for someone who has experienced sexual violence or sexual harassment to come forward. We know that only a small

percentage of incidences of violence or harassment are ever brought to the attention of authorities (police or campus administration). Given that, we would like to see a policy that addresses this issue. One of many reasons that victims don't come forward is because of a belief that nothing will happen. This belief is borne out by statistics as well as by a national culture in which people who engage in these behaviors continue to be in prominent and powerful positions.

Therefore, we urge the UC to add provisions in this policy for a system of reporting outcomes that will make clear that there are consequences for sexual violence and harassment. This should in no way be about naming anyone, either Complainant or Respondent, but should be about reporting the number of annual incidents and their dispositions. For instance, an annual report might say there were 5 cases of sexual harassment reported, of which 3 were resolved in mediation, 1 case was resolved with disciplinary action, and 1 case was dismissed. This information would be disseminated to everyone in one report annually. In this way, everyone in the campus community would see that the university takes these incidents seriously. In addition, UCOP could look for patterns to make sure that campuses are adjudicating cases fairly. For instance, if one campus dismissed all of its reported cases over a five year period, while another campus took the most severe disciplinary action in all of its reported cases, we could imagine both such campuses needing additional help with what proper adjudication means. In other words, we are asking for transparency.

Thank you for the opportunity to respond to this policy revision.

