



SYSTEMWIDE TITLE IX OFFICE

OFFICE OF THE PRESIDENT
1111 Franklin Street,
Oakland, California 94607-5200

September 17, 2018

CHANCELLORS
ACADEMIC COUNCIL CHAIR ROBERT MAY
LABORATORY DIRECTOR MICHAEL WITHERELL
ANR VICE PRESIDENT GLENDA HUMISTON

RE: Systemwide Review of Revised Presidential Policy on Sexual Violence and Sexual Harassment

Dear Colleagues:

Attached for Systemwide Formal Review are proposed revisions to the Presidential Policy on Sexual Violence and Sexual Harassment ("SVSH Policy").

Earlier this year, the SVSH Policy was distributed for Management Consultation. In response we received significant feedback – over 500 comments – from faculty, staff, and students from across the system. We greatly appreciated these comments and considered all of them carefully in consultation with our colleagues in the Office of General Counsel. Throughout the review process, we also consulted with the local Title IX officers and their campus partners, colleagues in the Office of the President, and members of the Title IX Student Advisory Board.

We have revised the SVSH Policy to address critical concerns identified through this review process. In addition, we have made changes required by the Department of Education's Office for Civil Rights ("OCR") in its February 2018 resolution agreement with UC Berkeley (available here: <http://compliance.response.berkeley.edu/ocrreport.shtml>), and recommended by the California State Auditor in its June 2018 report on UC's response to SVSH complaints (available here: <https://www.bsa.ca.gov/pdfs/reports/2017-125.pdf>).

I call your attention to the following key revisions:

- A fuller explanation of what the policy covers, such as acts committed by and against third parties, and how the Title IX offices will evaluate reports to decide whether to initiate a resolution process;
- Changes to the definitions of conduct prohibited by the policy, including sexual assault, relationship violence, and retaliation;
- Enumeration of the specific procedures UC will use to investigate and adjudicate reports;
- A more detailed description of the informal (Alternative Resolution) process, and parties' rights in that process;
- Addition of a 30 to 60 day timeframe for Alternative Resolution, and extension of the timeframe for the Formal Investigation process from 60 days to 90 days;
- Provision for the Title IX officer to initiate investigations despite the absence of an identifiable, individual respondent or, alternatively, the lack of a specific complainant;

- Revisions to the Frequently Asked Questions, including the removal of certain questions; and
- References in several places to guidelines developed by the Systemwide Title IX Office. CSA recommended that we better define and codify some of our policy-related practices, and agreed that could be done in separate guidelines, if referenced in the policy.

I am pleased to send you this draft policy, which is now ready for final vetting. We once again request your assistance in disseminating the SVSH Policy to your respective campus representatives for their review. The OCR resolution agreement requires that we submit the revised SVSH Policy to OCR for its approval by February 28, 2019. So that we may meet this timeline, kindly submit any feedback you collect from your campus partners to Evelyn Cheng, Systemwide Title IX Program Coordinator (evelyn.cheng@ucop.edu) no later than **Monday, December 17, 2018**.

You are welcome to contact me at 510-987-9161 or suzanne.taylor@ucop.edu with questions. I am grateful for your partnership with this important undertaking.

Systemwide Review

Systemwide Review is a public review distributed to the Chancellors, the Director, Lawrence Berkeley National Laboratory, the Chair of the Academic Council, and the Vice President of Agriculture and Natural Resources requesting that they inform the general University community, affected employees, and union membership about policy proposals. Systemwide Review also includes a mandatory, three-month full Senate review. Employees should be afforded the opportunity to review and comment on the draft policy. Attached is a Model Communication which may be used to inform non-exclusively represented employees about these proposals. The Labor Relations Office at the Office of the President is responsible for informing the bargaining units representing union membership about policy proposals.

Kind Regards,



Suzanne Taylor
Interim Systemwide Title IX Coordinator

Attachments: Presidential Policy Sexual Violence and Sexual Harassment (redline and clean copy)
Model Communication

cc: President Napolitano
Provost and Executive Vice President Brown
Executive Vice Chancellors/Provosts
President's Advisory Group
Vice President Duckett
Vice President Ellis

Vice President Holmes-Sullivan

Vice Provost Carlson

Vice Provost Gullatt

Deputy General Counsel Woodall

Vice Chancellors/Vice Provosts of Academic Personnel/Academic Affairs

Academic Personnel Directors

Chief of Staff Nava

Deputy Compliance Officer Executive Director Myjer

Executive Director Baxter

Executive Director Peterson

Executive Director Chester

Director Hairston

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Manager Steinhoff

Manager Jordan

Manager Crosson