

Executive Board

Academic Senate and Administration Joint Task Force on Investigatory and Judiciary Processes Final Report

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February 10, 2023

Darnell Hunt
Executive Vice Chancellor and Provost

Re: Academic Senate and Administration Joint Task Force on Investigatory and Judiciary Processes Final Report

Dear Executive Vice Chancellor and Provost Hunt,

At the January 26, 2023, meeting of the Executive Board, members discussed the Academic Senate and Administration Joint Task Force on Investigatory and Judiciary Processes Final [Report](#) (Report) and feedback from UCLA Academic Senate (Senate) committees and councils.

Members voted unanimously to elevate the first and seventh recommendations in the Report, request clarification as to how the report can be integrated with the new university policy on abusive conduct, and recommend that Administration think about intersectionality and how that can lead to issues falling through the cracks.

One motivation for the joint task force was the lack of clarity on campus about the various investigatory and judiciary processes. Senate committee feedback focused on promoting additional access and clarity. Given the important shared value of transparency of processes and outcomes, members emphasized the following Report recommendations that would enhance campus credibility and trust:

1. The Administration and the Academic Senate should appoint a joint task force to build on the work of this Task Force. The need for clearer communications and guidance for those navigating investigatory and judiciary processes is significant, and the report also recommends gathering information concerning the perspective on the campus investigatory and judiciary system held by other stakeholders, such as complainants (and would-be complainants).
7. All units and departments should be required to maintain documentation of their processes for handling inquiries and to make that documentation reasonably accessible to the community they serve.

In addition, members noted the newly issued (and unfunded) university abusive conduct policy. They suggested weaving the campus implementation of the abusive conduct policy into the next steps that result from the Report.

We urge you to review the enclosed committee letters.

Members would appreciate a reply that summarizes the Administration's plans in response to the Report's findings and recommendations.

Sincerely,



Jessica Cattelino
Chair
UCLA Academic Senate

Encl.

Cc: Erika Chau, Assistant Vice Chancellor, Academic Personnel
April de Stefano, Executive Director, UCLA Academic Senate
Andrea Kasko, Vice Chair/Chair Elect, UCLA Academic Senate
Michael Levine, Vice Chancellor for Academic Personnel
Emily Rose, Assistant Provost, Chief of Staff to the EVCP
Anna Spain Bradley, Vice Chancellor for Equity, Diversity, and Inclusion
Shane White, Immediate Past Chair, UCLA Academic Senate

January 23, 2023

To: Jessica Cattelino, Chair
Academic Senate

From: Norweeta Milburn, Chair
Committee on Charges

Re: Joint Task Force (JTF) Report on Investigatory and Judicial Processes

The majority of the Charges Committee members have reviewed the JTF Report on Investigatory and Judicial Processes. In general, members are impressed with how much the task force accomplished in the short time allotted to them. The perspective of the report seems very balanced between Administration and faculty perspectives, but staff concerns need to be given greater emphasis as this work goes forward. The Committee members focused most of their comments on prioritizing the report's recommendations, but also offered other observations.

With some variation in perspective, members gave high priority to some form of implementing the recommendations. A centralized "Joint Faculty-Administration Committee" would be able to carry out the four tasks listed in Recommendation #5 (p. 22). One member, however, feared that trying to centralize and coordinate reporting might cause contentions between units with a more "legalistic" orientation and those units that are more academically oriented. With that reservation, the Committee agrees that a central office where a certain number of staff were trained to accept complaints, inquiries, etc. and know precisely where/how to direct complaints should mitigate the lack of clarity expressed by many survey participants. Where complaints are of an intersectional nature, such a mode of dealing with it would be even more effective, otherwise one is very likely going to be running from pillar to post.

Standardizing and aligning policies with authorized processes could also help resolve/stop any department or school carrying out "extrapolicy" investigations. According to the report, "Campus Human Resources noted that some departments or academic units have undertaken investigations without trained investigators" (p. 16). This seems sufficiently concerning that the Charges Committee believes it bears further review.

The Charges Committee is occasionally asked about conduct processes for non-Senate faculty. This was also noted in the report: "A common observation among survey participants was that it is unclear what office is supposed to address complaints from staff or students concerning the conduct of non-Senate faculty (NSF) and trainees, such as graduate students or postdoctoral students, who are also employees" (p. 19). This should be the subject of future clarifications.

Any investigatory or judicial process on campus should be mindful of the overall mission of the University. One of the main tenets of the Faculty Code of Conduct is that all matters related to conduct should have "significant faculty involvement" (Faculty Code of Conduct, Preamble). "[A]ppropriate procedures should be developed to involve the faculty in participating in the investigation of allegations of misconduct" (Faculty Code of Conduct, III.B.3). Charges members agree with the report that "investigations by compliance units can benefit from a richer understanding of the academic or clinical contexts from which complaints emerge . . . any improvements to the compliance landscape need to

include a careful consideration of the need for academic and disciplinary expertise” (p. 19). Recommendation #8 (p. 23) might best advance conversations for how to develop practices that better incorporate academic and disciplinary expertise: “A committee comprised of both Senate faculty and Administration officers should be formed to meet periodically to discuss the competing goals and possible conflicts between the university’s academic and teaching mission and the laws and policies governing faculty conduct. The goal of such a committee is to make faculty representatives and compliance officers aware of each other’s perspectives on questions of faculty conduct, so as to attain common ground on contested issues.” This recommendation, in fact, aligns with the admonition of the Faculty Code of Conduct Part III: “The Assembly of the Academic Senate recommends that each Division, in cooperation with the campus administration, develop and periodically re-examine procedures dealing with the investigation of allegations of faculty misconduct and the conduct of disciplinary proceedings.”

A follow up Task Force should also be a priority as long as it does not impede proceeding with implementing recommendations already identified. For example, this task force explicitly did not collect data on the timeliness of investigations because the definition was “very unit-specific and therefore beyond the scope of this Task Force” (p. 25). Even so, the report identified the length of various types of investigations as one of the key frustrations expressed in the narrative responses (V.C, p. 20). Because a long investigation can inflict its own type of harm and stress on the individuals involved as well as their academic units, Charges urges further unit-specific work on how to decrease time as well as ameliorate the impact of a long investigation on the constituents who seek the services offered by compliance units. Charges also observes that if those units with authority over strictly legal issues were able to differentiate allegations at an earlier phase, they might be able to more efficiently focus on those claims that were strictly legal (and therefore under their authority), and refer out claims that only involve violations of the various internal codes of conduct (and therefore not under their authority).

Transparent budgetary review (Recommendations #2, 3) is another essential component of the next task force. Evaluation of efficiencies should be an important element of that review. Another area that needs further research is that the results (p. 12) appear to show that staff make up a high number of the complainants in all offices. The report does not address whether this is due to the staff being more subject to improper actions, or whether staff are more likely to be the individuals making official reports on behalf of others. One Charges member considers this a likely result of staff power differentials vis-à-vis faculty. Whatever prevention efforts follow this study, more effort should be made to protect staff, especially in a time where staff retention is an operational issue; and maintaining faculty rights and authority should remain in the foreground as well.

The Committee expects to discuss these comments further during their meeting on January 26, 2023 and will update you if they have additional comments. The Committee also looks forward to continuing engagement in the next steps.

cc: April de Stefano, Academic Senate Executive Director
/mmo

January 20, 2023

To: Jessica Cattelino, Chair
Academic Senate

From: Sandra Graham, Chair 
Committee on Privilege and Tenure

Re: Joint Task Force on Judicial and Investigatory Processes Report

Dear Chair Cattelino,

At its meeting on January 19, 2023, the Committee on Privilege and Tenure (P&T Committee) had an opportunity to discuss the report by the Joint Task Force on Judicial and Investigatory Processes. The P&T Committee focused on the recommendations in the report.

Overall, the report showed how much there is to know about judicial and investigatory processes, for campus faculty, staff, and students who may need or have to interact with these services. Even “those [survey participants] with oversight over a particular category of constituent, reported receiving inquiries from and about multiple categories of constituents” (p. 11). The report noted that “[s]urvey participants and the department chairs or designees with whom we spoke evinced, on the whole, a sincere commitment to making their investigatory processes transparent, efficient, and effective for the populations they serve” (p. 18). P&T Committee members therefore consider it critical that the work done to date by this task force be put to use and pushed forward, especially given the willingness and interest in the endeavor that the task force found.

While continued study is advisable (Recommendation #1, p. 22), the P&T Committee advises that priority be placed on the recommendation to appoint a joint Senate-Administration committee as soon as is feasible to begin to implement the recommendations made in the report so that the work done to date does not get set aside (Recommendation #5, pp. 22-23). The need for a centralized “where to go” resource (#5a) should be first on the to-do list. Not only did it seem to have been a common thread in the survey responses (IV.F “Redundancy and Uncertainty,” pp. 16-17; V.B “Routing,” p. 19), the implementation of the new “Abusive Conduct” policy is certain to invite even more inquiries in all types of units. It is imperative that this implementation committee be a cross-collaboration in order for Administration to understand how policies and procedures play out “on the ground” with the intended constituents: faculty, staff, and students (as well as unit leaders).¹ Another theme in the report across the discussion and recommendations, was a lack of uniformity in terms of how investigative bodies maintain records and standardize terminology (V.B “Routing,” p. 19; V.F “Limitation of Data,” p. 21; VII.

¹ This could potentially be combined with Recommendation #8 (p. 23) to discuss “competing goals and possible conflicts between the university’s academic and teaching mission and the laws and policies governing faculty conduct.”

Charge Two, p. 24). As the implementation committee works on cataloging policies, the committee should evaluate procedures and policies for uniformity of process and definitions.

P&T has observed firsthand the need for direct training of chairs and deans, who must oversee many of the referrals to proper resources. Members therefore urge that this implementation committee have the staff support to create the recommended catalog of policies (#5b) as well as to implement the training as recommended in #5c (and requested by many survey participants).

In addition to launching an implementation committee as soon as possible, the P&T Committee agreed that with limited overall resources, a robust and transparent analysis of budgets, goals, resources, and outcomes for each of the “subject-specific” and “constituent-specific” offices is critical (Recommendations #2 and 3, p. 22). Since there are always limited resources, how are these entities spending their allotted budgets? How much of their budgets is dedicated to each of the areas of prevention, training, and investigations? How many staff FTE are dedicated to judicial-specific functions? What do they consider to be their goals and measurable outcomes? Uniformity of definitions and of process will also improve this analysis.

The P&T Committee affirms and has serious concerns about a fact noted in the report that “[d]espite the absence of a university policy that accords investigatory authority to academic units, at least two academic units noted having their own documented intake and/or investigatory processes, and another indicated needing resources to develop one” (p. 16). Faculty and other constituents have the right to due process—and due process begins with documented procedures. Recommendation #4—to transfer investigations in academic units to policy- or constituent-compliance units—therefore resonated strongly with P&T as an imperative action.²

There were many other observations and thoughtful comments in the report that bear consideration, particularly by the individual survey participants. The P&T Committee urges the Administration to ask for feedback on the report and recommendations from the survey participants doing the work on the ground.

Lastly, the P&T Committee discussed that while some participants suggested that increased reporting of and sense of discrimination issues might be due to the increased visibility of and comfort with reporting (See V.B “Changes in types of inquiries,” p. 10), it would be a mistake to dismiss the increase without further consideration and calibration of what exactly is being reported. There may be more reporting, but there also seems to be more pushback from faculty who want to think everything is fine. This surfaced in the report in several places. “[S]ome survey participants suggested there was a need to clarify the institutional responsibility if an individual experiences discrimination or a failure to accommodate a disability due to institutional and structural failures rather than to the actions of a single individual. For individuals alleging this kind of systemic wrongdoing, the problem may not just be “I’m not sure where to go,” but “there is nowhere to go” (p. 19). To this end, the P&T Committee strongly supports Recommendation 5.d.iii “Compliance units within the Civil Rights Office should explore protocols for decoupling investigations of systemic discrimination within academic units and departments from the complaints against individuals that may prompt them, to reduce delays in determining the rights and liabilities of the individual parties (p. 23).”

P&T Committee members conduct disciplinary hearings. However, but the bulk of committee work is with faculty grievances and finding remedies and preventative measures for various possible violations of rights. The JTF Report noted that the survey asked about, but did not focus on, grievances or

² For confidentiality reasons, details are provided in Appendix A, which will be shared directly with the Senate Leadership, who can then share at their discretion.

prevention. Nonetheless, “[a]t least 25% of survey participants noted receiving inquiries that were general grievances rather than directed at a particular individual. This percentage rose to 40% for survey participants with authority over a particular constituent group (e.g. faculty, staff, or students)” (IV.C “Survey Results,” p. 12). The P&T Committee aligns with the several participants who “commented on the need for early remedies and actions that might prevent misconduct or harm” and urges a deeper conversation about preventative and remedial measures that could go beyond training videos.

Thank you for the opportunity to review and comment on this report.

cc: Members of the Committee on Privilege and Tenure
Marian M. Olivas, Principal Project Analyst

January 12, 2023

Jessica Cattelino, Chair
Academic Senate

**Re: Academic Senate and Administration Joint Task Force on Investigatory and Judiciary Processes
Final Report**

Dear Chair Cattelino,

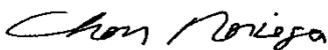
At its meeting on January 10, 2023, the Council on Academic Personnel (CAP) had an opportunity to discuss the final report from the Academic Senate and Administration Joint Task Force on Investigatory and Judiciary Processes.

Members commented that the “summary of the task force’s process” is too vague. For example, the report does not specify how many surveys were completed and used in the report data and does not specify how long survey recipients had to gather and submit their data. Due to the incomplete description of its methodology, members found it difficult to review or analyze the results.

Members recommended for the subsequent joint task force and/or committee to better define disciplinary procedures against faculty, especially in incidents where there are conflicts between faculty conduct policies and the University’s academic and teaching mission, and when there are differences between the standards of evidence used between Administration and the Senate when adjudicating complaints.

Thank you for the opportunity to review and comment. If you have any questions for us, please do not hesitate to contact me at cnoriega@ucla.edu or via the Council’s analyst, Lori Ishimaru, at lishimaru@senate.ucla.edu.

Sincerely,



Chon Noriega, Chair
Council on Academic Personnel

cc: April de Stefano, Executive Director, Academic Senate
Lori Ishimaru, Senior Policy Analyst, Academic Senate
Andrea Kasko, Vice Chair/Chair-Elect, Academic Senate
Shane White, Immediate Past Chair, Academic Senate
Members of the Council on Academic Personnel

January 11, 2023

To: Jessica Cattelino, Chair
Academic Senate

From: Phillip Bonacich, Chair
Faculty Welfare Committee

**Re: Academic Senate and Administration Joint Task Force on Investigatory and Judiciary Processes
Final Report**

Dear Chair Cattelino,

At its meeting on January 10, 2023, the Faculty Welfare Committee (FWC) discussed the Academic Senate and Administration Joint Task Force Investigatory and Judiciary Processes Final Report. Members found the report to be non-controversial. Having no complaints with the final report as written the committee declines to provide further comment.

Thank you for the opportunity to review. If you have additional questions, please do not hesitate to contact me at bonacich@soc.ucla.edu or via the Committee analyst, Renee Rouzan-Kay, at rrouzankay@senate.ucla.edu.

cc: Andrea Kasko, Vice Chair/ Chair Elect, Academic Senate
Shane White, Immediate Past Chair, Academic Senate
April de Stefano, Executive Director, Academic Senate
Renee Rouzan-Kay, Senior Policy Analyst, Faculty Welfare Committee
Members of the Faculty Welfare Committee

UCLA MEMORANDUM

FACULTY EXECUTIVE COMMITTEE
College of Letters and Science

A265 Murphy Hall
Box 951571
Los Angeles, California 90095

To: Investigative and Administration Joint Task Force, UCLA

Fr: Erin Debenport, Chair, College Faculty Executive Committee
Efrain Kristal, Interim Vice Chair, College Faculty Executive Committee

Date: January 19, 2023

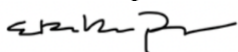
Re: **Response to Academic Senate and Administration Joint Task Force Final Report on Investigatory and Judiciary Processes**

The College Faculty Executive Committee (FEC) at UCLA appreciates the opportunity to comment on the proposed amendments to the Final Report on Investigatory and Judiciary Processes. The policy was sent out to all members, and this response consolidates three main ideas that were shared.

1. In response to Item 6 under recommendations, "All units and departments that receive at least ten (10) inquiries in an academic year should be required to provide an annual report to the Academic Senate and to the Chancellor (or to include in its annual report a section) that provides a quantitative and qualitative summary of its handling of the year's inquiries" – members asked if there should be an adjustment made based on the size of the unit. For example, if related to employment, then number of employees would be relevant; if related to students, then number of majors or student credit hours, etc., would be relevant. However, the labor of providing an annual report seems burdensome given how overworked department chairs are. Additionally, this recommendation can only reasonably go into effect once 5b from the same section has been agreed on and promulgated: "[that the Joint Committee] Develop a comprehensive written catalogue of the governing policies that are applied by each compliance office, respectively, that can serve as a guide to units and departments in making referrals and responding to inquiries."
2. Members expressed some hesitation to introduce any new requirements, however good, unless an existing one is removed given that staffing resources are not increasing.
3. Members commented on the high percentage of respondents who reported discrimination based on race, gender, and disability, stating that there is currently – or will soon be – a need to have a larger discussion around grading grievances.

As always, our membership appreciates the consultative process and welcomes the opportunity to participate in the discussion of important matters like this. You are welcome to contact us with questions.

Erin Debenport, Chair



Efrain Kristal, Interim Vice Chair



UCLA

Academic Senate and Administration
Joint Task Force
on
Investigatory and Judiciary Processes

FINAL REPORT

October 2022

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Academic Senate and Administration

Joint Task Force on Investigatory and Judiciary Processes

Final Report

I. INTRODUCTION

In September 2021, leadership of the Academic Senate and the Administration authorized the creation of a Joint Task Force on Investigatory and Judiciary Processes at UCLA (“Task Force”), to be composed of members of the Academic Senate and individuals within the administration with responsibilities relating to compliance.¹ The Task Force was charged with conducting the “first step in a multi-phase UCLA effort” by:

- (1) identifying, inventorying, and mapping all UCLA-based investigatory and judiciary processes;
- (2) aggregating associated data;
- (3) inventorying and documenting the current allocation of resources for UCLA investigatory and judiciary processes and associated offices;
- (4) identifying areas of overlap, redundancy, and gaps;
- (5) identifying any structural challenges that limit the effectiveness, timeliness, or clarity of investigatory and judiciary processes; and
- (6) identifying relevant federal and state laws and university regulations that may affect the investigatory and judiciary processes.

In March 2022, the full Task Force issued an interim report describing its activities to date and offering some tentative recommendations based on the data collected to that point. This final report (“Report”) is principally the work of Co-Chair Clyde Spillenger and the Academic Senate staff, as well as the Task Force members who conducted the interviews of department chairs and offered suggestions on the final drafts. This smaller workgroup has created the overview of the inquiry and compliance landscape based on the Task Force’s work (see Figure 1), set out the Full Survey results in tables and graphs (Appendix C),² and produced the analysis of the Full Results report. Several substantive recommendations are included in this Report. Future phases of this multi-phase UCLA effort are expected to address stakeholder experiences and needs, policy recommendations, and implementation plans.

1 The announced charge to the Task Force is reproduced as Appendix A. Michael Levine, then Vice Chancellor for Academic Personnel (VCAP), was named Co-Chair of the Task Force, along with Clyde Spillenger, Professor of Law and member of the UCLA Academic Senate’s Committee on Privilege and Tenure. When Vice Chancellor Levine stepped down in order to take the position of Interim Executive Vice Chancellor and Provost, his role as Co-Chair of the Task Force was filled by Kathleen Komar, Interim Vice Provost for Academic Personnel. Michael Levine resumed his duties as Co-Chair of the Task Force after returning to the VCAP position in August 2022. Other members of the Task Force were Chandra Bhatnagar, Assistant Vice Chancellor for Civil Rights, Office of Equity, Diversity & Inclusion; Medell Briggs-Malonson, Chief of Health, Equity and Diversity, UCLA Health; Karis Chi, Senior Counsel, UCLA Legal Affairs; Sandra Graham, Distinguished Professor, Presidential Chair in Education and Diversity; Moira Inkelas, Professor, Department of Health Policy and Management; Sheryl Kataoka, Professor Emeritus, Department of Psychiatry & Biobehavioral Sciences; Vilma Ortiz, Professor, Department of Sociology; and Jasmine Rush, Interim Dean of Students, UCLA Student Affairs. The Task Force met as a group (via Zoom) several times during Fall 2021 and Winter 2022. Essential staff support has been provided by Dr. April de Stefano, Executive Director of the UCLA Academic Senate; Ryan Adserias, Chief of Staff to Vice Chancellor for Equity, Diversity, and Inclusion Anna Spain Bradley; and Marian McKenna Olivas, Principal Policy Analyst, UCLA Academic Senate. Carlisa Simon, a graduate student (now a postdoctoral research associate at the University of Maryland), assisted with the preliminary data analysis and creation of charts.

2 Appendix C has been removed from this version of the Report to preserve confidentiality. A complete version of the Report with appendices and citations is on file with the Academic Senate and with the Office of Diversity, Equity, and Inclusion.

The Task Force’s conclusions and analysis are based on two principal sources of information: (1) a survey instrument distributed to a broad array of campus offices and units, and (2) the experience and expertise of Task Force members. Because the Task Force was charged, in part, with capturing how “investigatory and judiciary processes” are “working on the ground,” the survey instrument developed by Task Force members was distributed to as many offices or units, including the College and professional schools, as could be identified as having, or likely to have, a role at some point on the continuum from an inquiry to an investigation, finding, and/or adjudication. The survey results were supplemented by interviews with a select group of department chairs or their designees. The results of this research comprise both quantitative and qualitative information and partially address some of the future goals of gathering stakeholder experiences and needs and making recommendations for improvement, while indicating that other aspects of the Task Force charge will be better addressed in future phases.

II. BRIEF OVERVIEW

The network of formal and informal investigative processes extant on campus is quite extensive, and nearly every office on campus handles at least initial inquiries about compliance. Survey participants did not report significant redundancies in the system in the sense of two offices regularly handling substantially the same types of inquiries, although there were some reports of discrete redundancy. Survey participants identified a number of “gaps” in the system for particular types of alleged misconduct affecting particular categories of complainants. Although compliance units have a generally clear understanding of their own processes, academic units and departments experience greater uncertainty concerning treatment of inquiries brought to them.

The challenges identified by the Task Force primarily revolve around:

- (1) uncertainties concerning the handling of specific types of situations experienced by those who play roles in investigative processes;
- (2) the length of time required to complete certain types of investigations; and
- (3) the need for greater resources in particular offices to facilitate thorough and timely handling of inquiries as well as formal and informal investigative processes and related tasks.

At the end of this Report, the Task Force offers a compilation of recommendations for actions that can help improve processes on campus for handling inquiries of various sorts, as well as ameliorate some of the identified concerns and challenges.



III. SUMMARY OF THE TASK FORCE'S PROCESS

In the early stages of its process, the Task Force determined that, in order to gather data to “identify, inventory, and map all UCLA-based investigatory and judiciary processes,” it would be necessary to consider all entry points to an investigative process and all possible formal and informal pathways through a given investigative process. Because such terms as “complaint,” “grievance,” and “report” are variously used depending on the office, the survey developed the umbrella term “inquiry” as its unit of analysis, and defined it as follows:

An inquiry is a communication reporting a violation of a rule or regulation of the campus or university. Depending on the unit or office, on the terminology employed by that unit or office, and on the degree of formality of the unit’s procedures, this may take the form of a report, a complaint, a grievance, or other type of communication. (See Appendix B.)

Using this capacious definition, we cast our net broadly in identifying survey participants.³ Investigatory processes at UCLA range from the informal to the highly formalized, from units or offices that receive a few inquiries a year to those that handle thousands, concerning matters that range from parking violations to violations of civil rights. We did not systematically exclude any of these processes from our survey (although there may exist investigatory processes on campus that we were unable to catch). Although the survey provided participants with the definition of “inquiry” given above to guide them, the fact remains that terminology and practice vary from unit to unit.

In devising questions for the survey, the Task Force had to balance a number of factors. While we were interested in obtaining meaningful quantitative data about the functioning of campus investigatory and adjudicatory processes, it was clear that many offices were unequipped to provide precise data in short order on any but the most rudimentary questions. In addition, since every unit on campus is a potential entry point for inquiries about compliance, many initial inquiries may come to offices with little to no infrastructure dedicated to compliance. In fact, the lack of institutional resources for the provision of detailed information about inquiries and the uneven quality of pre-existing recordkeeping are two of the Task Force’s most significant findings. The survey instrument also had to be brief enough not to overwhelm recipients and to encourage participation. We consequently limited ourselves to basic questions of both a quantitative and a qualitative nature, in order to generate some meaningful quantitative data while giving participants an opportunity to describe particular challenges they face and to make suggestions for improvements.

The survey instrument, reproduced as Appendix B, was therefore designed to elicit both numerical measures of various features of the investigatory processes on campus, and more free-form anecdotal assessments from survey participants. Participants were asked to indicate the number of inquiries they had received during the academic years 2018-2019, 2019-2020, and 2020-2021, and whether the breakdown of types of wrongdoing alleged in the inquiries (discrimination, research misconduct) had changed over the three years. They were asked also to identify the categories of individual (student, faculty, staff, etc.) represented among complainants and respondents, as well the types of actions (referral, investigation, adjudication, etc.) they took in response to inquiries. An additional series of qualitative questions asked participants to identify areas of overlaps, gaps, or confusion concerning investigatory processes at UCLA and gave participants the opportunity to suggest changes in the process and identify areas of uncertainty.

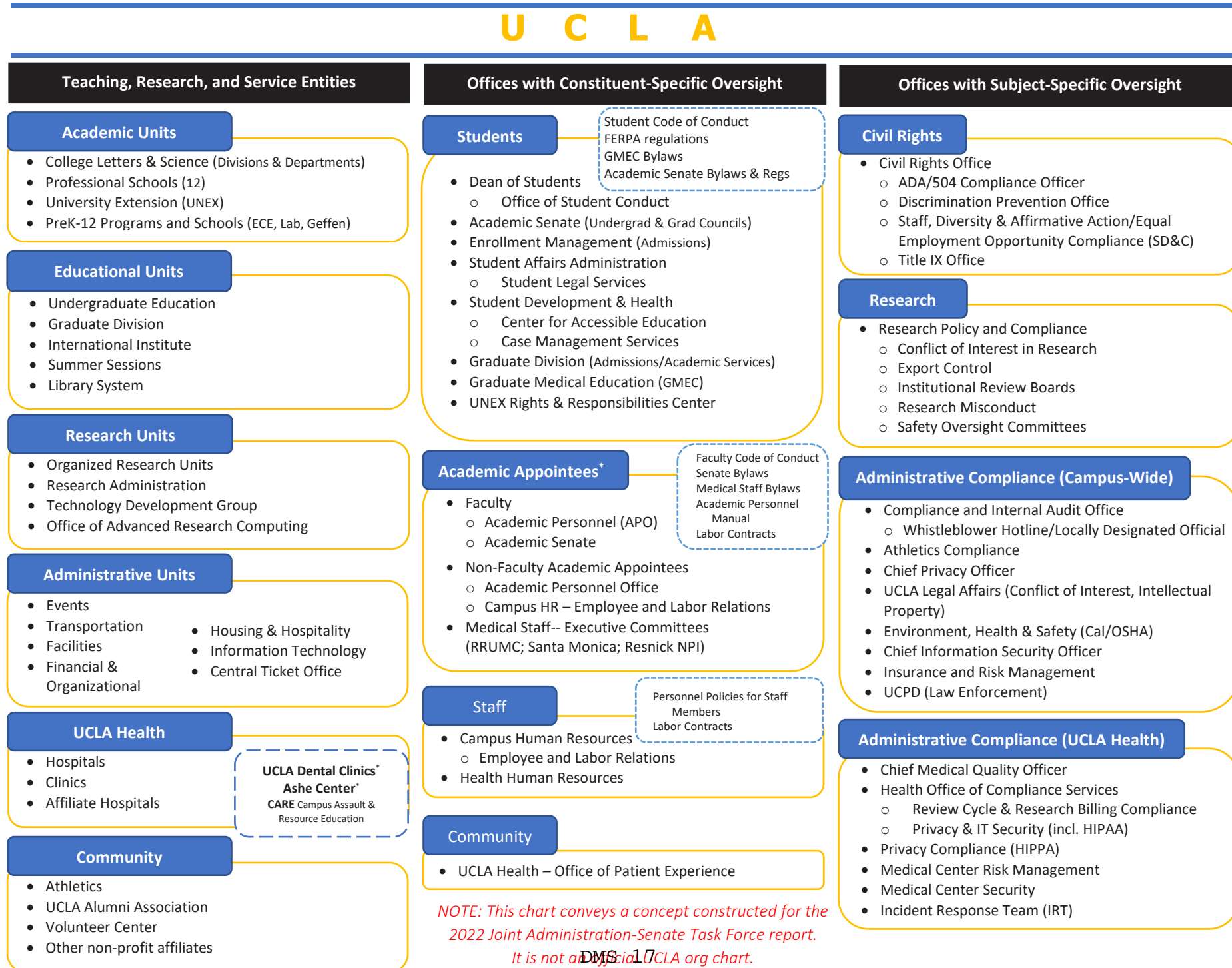
³ This Report uses the term “survey participants” or “participants,” rather than the term “respondent,” to refer to those responding to the survey to avoid confusion with the term “respondent” used later in the report to refer to those against whom a claim is brought.

We sent the survey to approximately 120 individuals, which in turn represent 33 administrative units and 18 academic areas (12 professional schools, four College divisions, UCLA Extension, and UCLA PreK-12 Programs and Schools). The response rate was high from most units that directly address areas of compliance, but less robust from administrative units, notably academic units that mostly handle inquiries as a secondary job function. In several cases, these survey respondents were also often new in their leadership roles, or did not have information about the individual departments in their unit. Academic departments are more likely to have experience with the initial inquiry phase than with later stages of an investigation, which are properly the province of compliance offices. The original survey instrument, which propounds questions relating to all phases of an investigation, was an imperfect match for this group. Instead, the Task Force sent a select list of department chairs a modified version of the survey and conducted interviews with them or their designees, in order to capture additional qualitative information. Several professional schools and academic units were represented in these interviews. This proved to be a rich source of additional information.

Overview of the Campus Compliance Apparatus. Figure 1 represents a birds-eye view of the compliance processes on the UCLA campus. The map in Figure 1 represents our effort to categorize the different units, offices, and departments on campus in order to understand the array of oversight responsibilities various offices undertake on the compliance continuum. It is not the only possible categorization, but it has proved useful to the Task Force in making sense of the landscape. The first column, “Teaching, Research, and Service Entities,” reflects the fact that the role of these entities in the compliance process usually occurs at the inquiry stage or more informal phase, since they do not have direct oversight over formal investigation or adjudication processes. The second column, “Offices with Constituent-Specific Oversight,” is defined by the particular category of individuals these offices are designed to serve. The third column, “Offices with Subject-Specific Oversight,” is roughly coextensive with what is thought of often as the campus’s “compliance” offices – offices that can receive complaints from a variety of groups, and that are charged with enforcement of particular categories of UC/UCLA rules, regulations and bylaws.



Figure 1



* See APM-110-4 (2). Academic Administrative Officers fall directly under the authority of the Chancellor. * UCLA Dental Clinics operate separately from UCLA Health. *The Ashe Health Center operates under the VC Student Affairs.

IV. SURVEY RESULTS

Survey questions attempted to capture the types and volume of inquiries, categories of complainants or grievants and respondents, and the range of actions taken in response to inquiries. It also included questions that allowed participants to enter longer narrative answers about the use of committees in their processes, their perspective on the effectiveness, redundancy and/or overlap of handling inquiries, how to improve referrals, and any general comments or suggestions. The results of the subsequent 10 departmental interviews, representing nine departments, are incorporated into these results where applicable.⁴

The survey asked participants to report the types of inquiries they had received during the survey period, whether they had “noticed any changes in the types of inquiries ... received during the past three years,” and to provide the total new inquiries received in each of the three years.⁵ Although for the most part units with specific subject oversight responsibility (e.g., research misconduct) received fewer types of inquiries, nearly all participants, regardless of the type of office, reported receiving multiple types of inquiries.

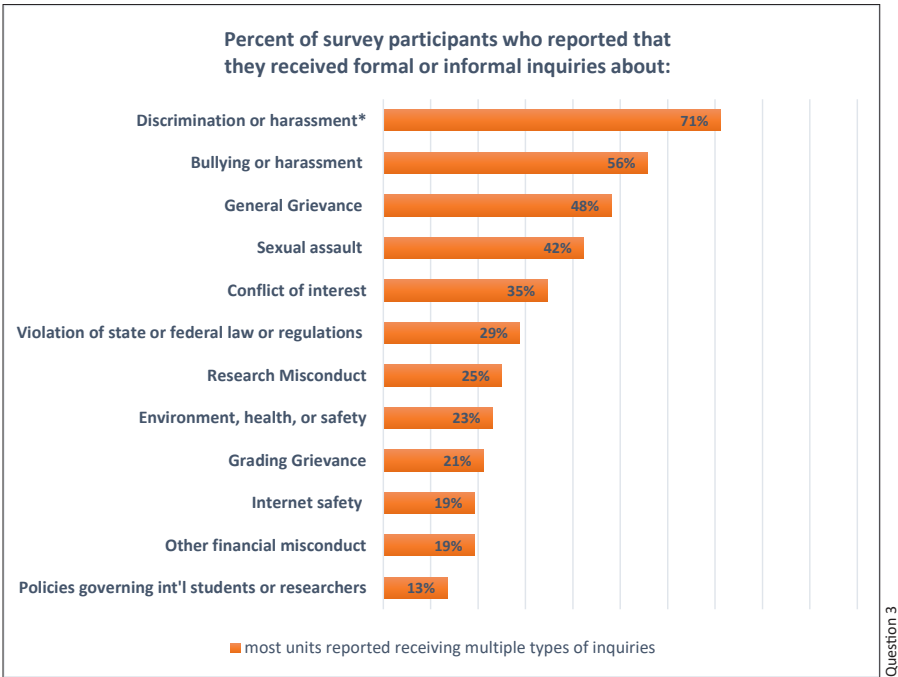


Figure 2

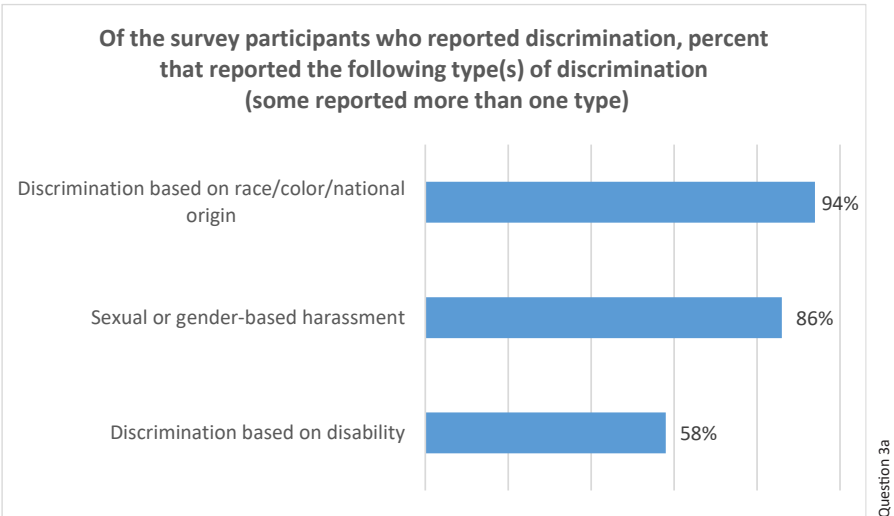


Figure 3

⁴ One department— actually, a professional school— had two interviews.

⁵ The questions proffered by the survey are available in Appendix B.

A. Changes in Types of Inquiries.

Not surprisingly, those survey participants with compliance responsibility over specific areas who reported changes in the types or volume of inquiries they handled reported changes related to their own area of oversight. These included “more authorship disputes,” “more questions related to foreign engagement and foreign influence,” “Conflicts of Interest and Privacy inquiries significantly increased from fiscal year 2020 – 2021,” “increase in the number of reports of disability discrimination.” Several, including those not directly responsible for compliance oversight, reported increases in “discrimination (gender, pregnancy, sexual orientation), sexual harassment and/or sexual assault.” Two survey participants reported increases related to COVID and COVID restrictions: “increase in health/safety complaints (e.g. COVID), particularly after March 2020” and “significant increase [since March 2020] in the number of reported cases of Domestic Violence.”

Nearly all survey participants whose units have oversight over specific constituents (e.g. staff, faculty, and students/trainees) reported an increase in inquiries. Most of these participants noted that the increases in allegations of discrimination and of bullying may be due to greater awareness of the governing policies, owing to more stringent reporting requirements and broader dissemination of policy provisions. One office specifically cautioned that an increase in reports may not necessarily correlate with an increase in the number of findings of responsibility.

Of the forty percent of the survey participants from the academic, research, or administrative units who reported changes in the types of inquiries received, many described the changes as related to allegations about discrimination and harassment in various forms, bullying, or increasingly complex matters with overlapping types of complainants or concerns under the oversight of more than one compliance unit. A few described increases in inquiries apparently correlated with remote learning, including disability-related concerns and reports of academic misconduct. Those department chairs with extensive experience in their roles noted an increase in concerns about racial inequality and racial

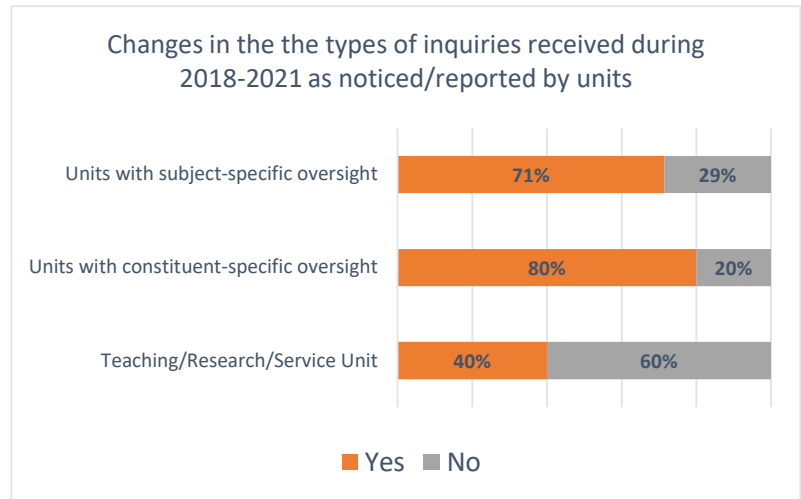


Figure 4

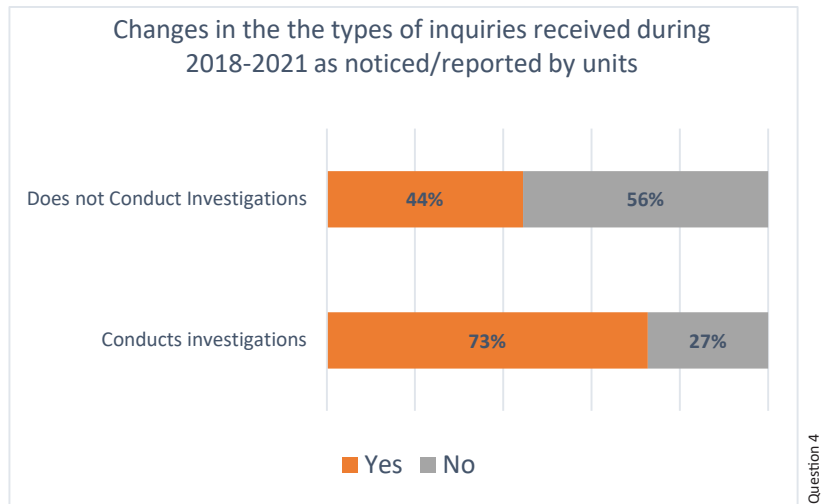


Figure 5

6 Appendices C and D (which summarize the responses of the survey participants), and individual citations to those appendices, have been removed from this version of the Report to preserve confidentiality. A complete version of the Report with appendices and citations is on file with the Academic Senate and with the Office of Diversity, Equity, and Inclusion.

harassment as well as general student and staff concerns about unequal treatment.⁷ Some stated they have not noticed a change in conduct complaints, with one noting that there appears to have been an increase in the number of students experiencing financial or psychological distress. A few survey or interview participants offered possible reasons for increases in inquiries:

- (1) faculty and students are more willing to report concerns;
- (2) students seem more empowered to bring their concerns directly to the department chair;
- (3) a less intimidating environment prevails within departments; and
- (4) greater opportunities and venues exist within departments for conversations about concerns that faculty or students may have.

In addition to noting changes in the types of inquiry over the three-year period, 34 survey participants provided data on the number of inquiries received for each of those three years.⁸ To maximize the responses to the survey, participants were permitted to provide rough estimates of inquiries received.

B. Increase in Volume of Inquiries. The raw numbers suggest that the total number of inquiries has increased over the 2018-2021 period. The survey participants reporting the highest raw numbers included the Title IX Office, its “parent” office the Civil Rights Office, the Office of Student Conduct, Campus Human Resources, and Health Compliance. This data should be taken with a note of caution as several participants reported difficulties in providing data, owing to a lack of staff or resources necessary to keep or retrieve data.⁹

In addition, because of the survey’s broad definition of “inquiry,” some units counted initial inquiries and others only counted actual cases – matters reaching a formal stage of investigation. The survey also did not ask units to report how many inquiries resulted in investigations and in findings of responsibility. Nonetheless, the generally high numbers and increases in inquiries aligns with the qualitative data reporting overall increases. Many units reported a higher number of concerns about discrimination as well as increased awareness about Title IX and discrimination policies.

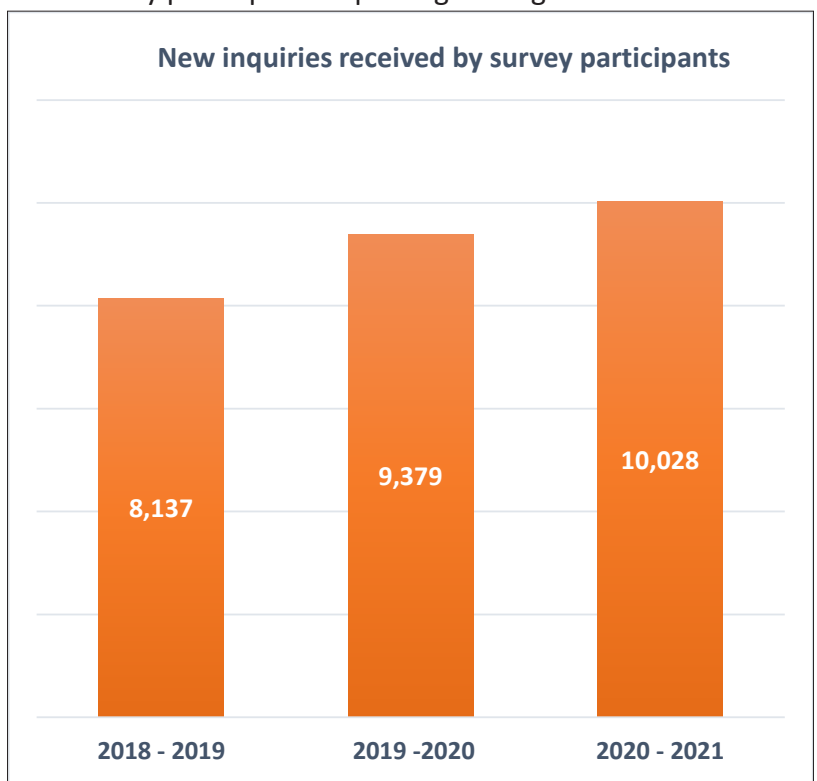


Figure 6

7 Department chairs who had only recently assumed their positions were unable to opine on changes in the inquiries they had received, while others believed that the emergence of COVID-19 and remote learning made it difficult to assess whether there had been such changes.

8 Although survey participants were provided the general definition of “inquiry” identified above, they were asked to provide the definition their office employed should it differ from the one provided by the survey. Most used a definition similar to that provided by the survey.

9 On difficulties in providing data: 19B (staff turnover); 11A (change of process); 29C (no staff to count inquiries); 17-6A; 6A; A1; 3A; 4A; 9A; 13A; 20B; 21B; 24B; 27B; 28C; 39C (units providing approximations only).

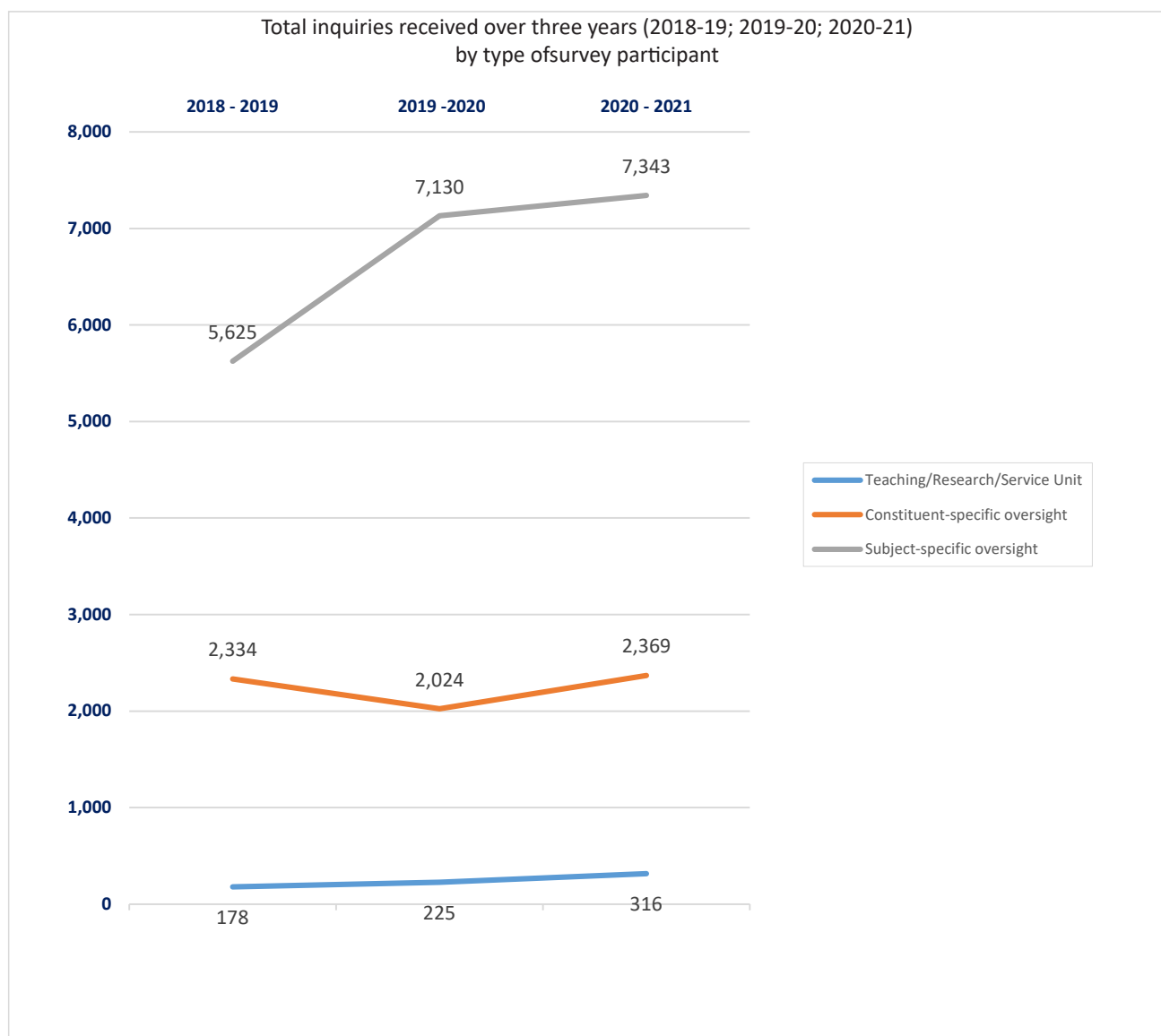


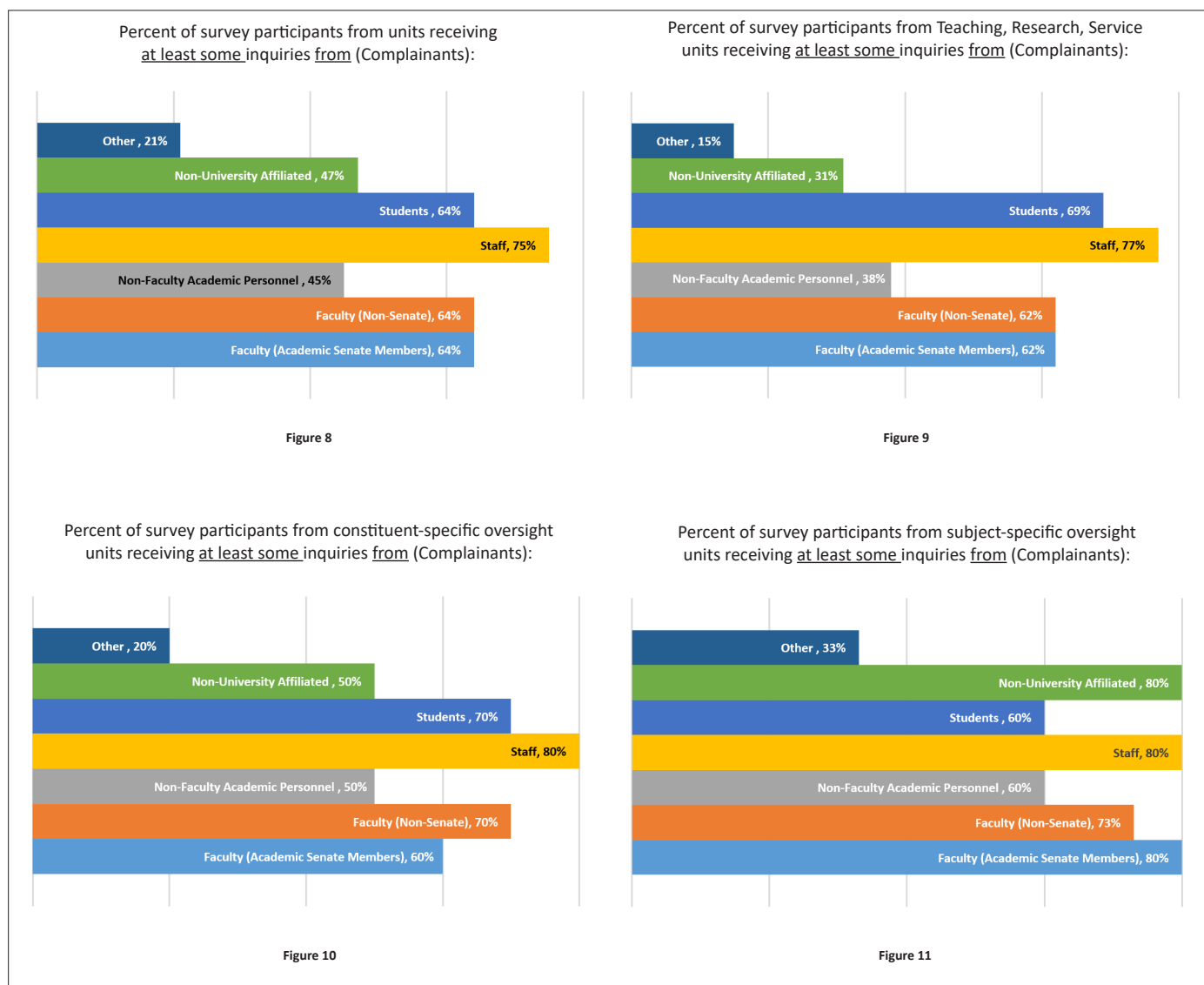
Figure 7

Question 7

C. Identity of Complainants and Respondents. Who makes inquiries? Do the inquiries concern the conduct of specific individuals, or are they general grievances? When the inquiries concern individual conduct, *whose* conduct is involved? Survey participants from all types of units, even those with oversight over a particular category of constituent, reported receiving inquiries from and about multiple categories¹⁰ of constituents (Complainants: Figures 8, 9, 10, and 11; Respondents: Figures 12, 13, 14, and 15), as well as multiple types of inquiries.¹¹

¹⁰ The charts indicate what percentage of participating offices/units receive inquiries naming a particular category of person as complainant or respondent, respectively. They do not indicate the percentage of an office's inquiries that involve a particular category of complainant or respondent.

¹¹ The survey defined a complainant as "a person making an inquiry about a possible policy violation or misconduct" and a respondent as "a person or entity about whose conduct an inquiry (as defined above) has been made."



At least 25% of survey participants noted receiving inquiries that were general grievances rather than directed at a particular individual. This percentage rose to 40% for survey participants with authority over a particular constituent group (e.g. faculty, staff, or students). Although the survey did not focus as much on grievances (which aim at a remedy) as it did on inquiries about misconduct (which aim at discipline or sanction), several participants commented on the need for early remedies and actions that might prevent misconduct or harm. One participant suggested strategic training for de-escalating conflicts and preempting potential risk. Another suggested that a better system for informal correction and warning for faculty might be helpful. More than one participant noted a need for strategies that aimed at broader solutions than the sanctioning of individuals. For example, one participant pointed out the need for clarifying institutional responsibility if an individual experiences discrimination or a failure to accommodate a disability due to institutional and structural failures rather than due to the actions of a single individual.

Percent of survey participants from units receiving at least some inquiries about (Respondents):

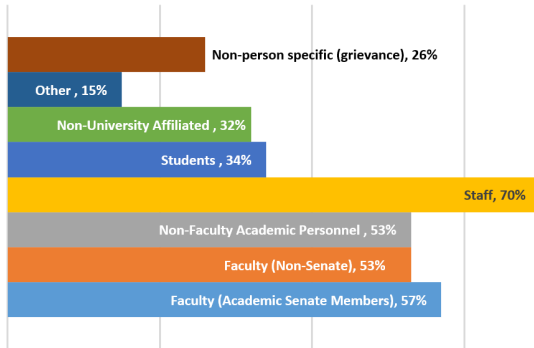


Figure 12

Percent of survey participants from Teaching, Research, Service units receiving at least some inquiries about (Respondents):

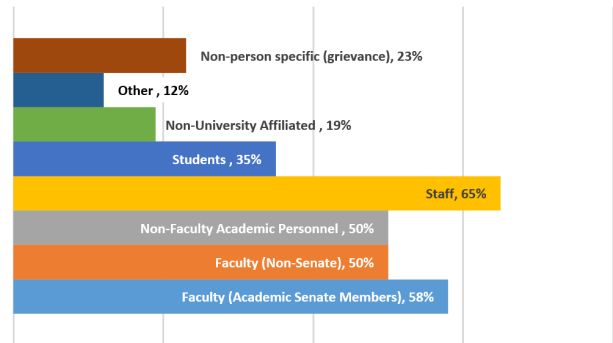


Figure 13

Percent of survey participants from constituent-specific oversight units receiving at least some inquiries about (Respondents):

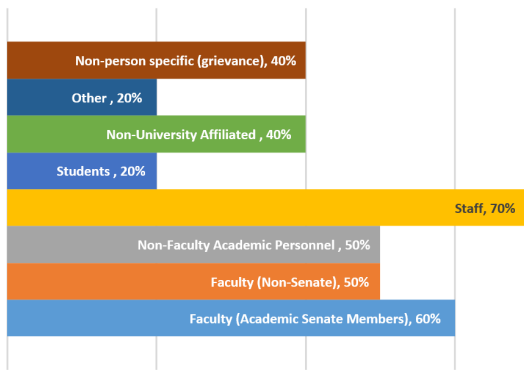


Figure 14

Percent of survey participants from subject-specific oversight units receiving at least some inquiries about (Respondents):

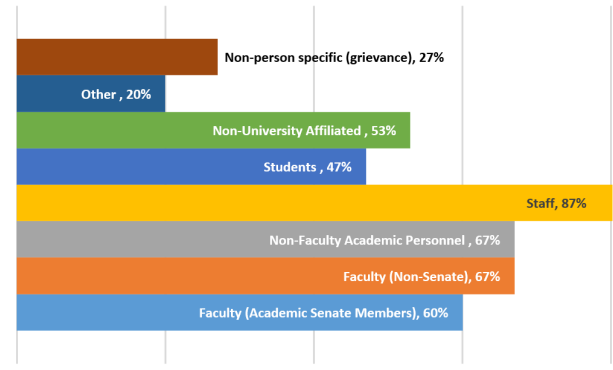


Figure 15

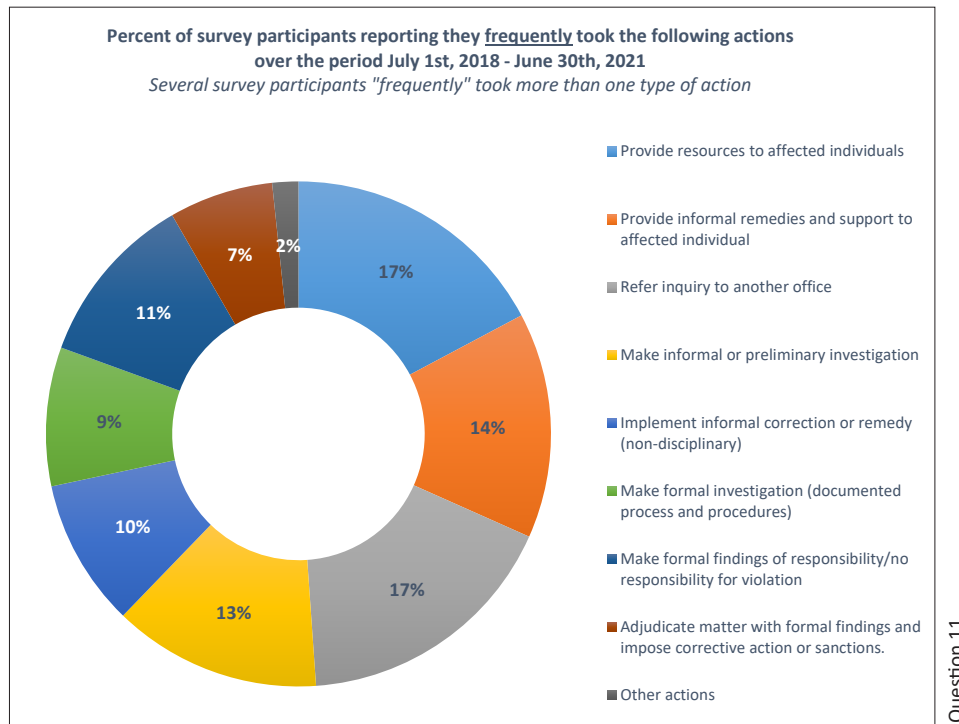


Figure 16

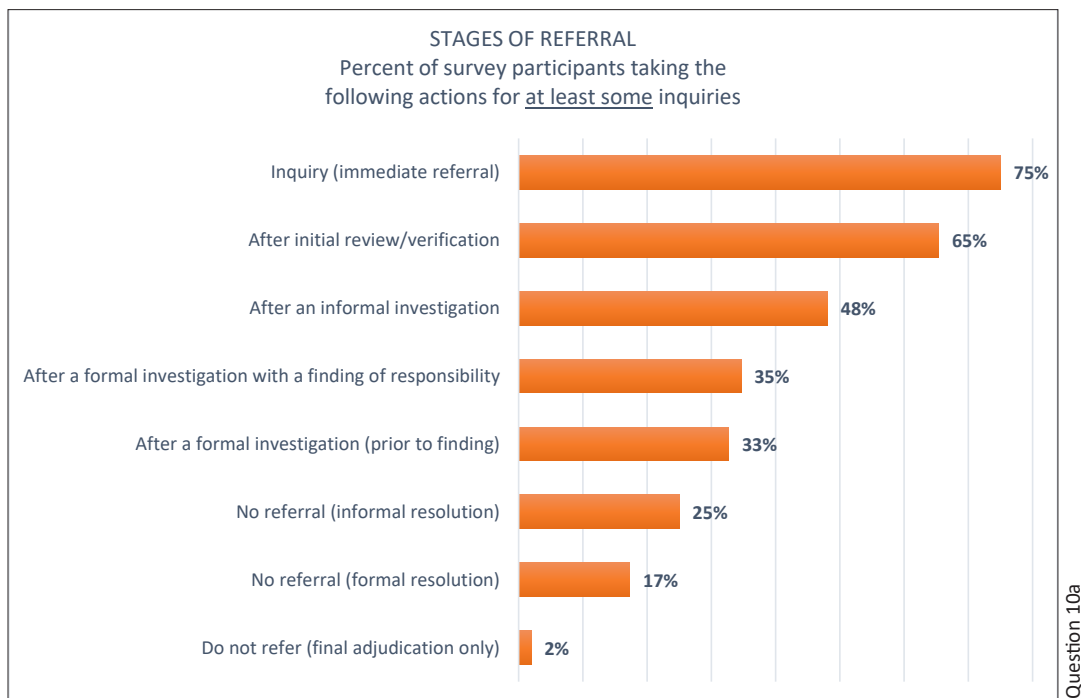


Figure 17

D. Actions Taken by Offices/Units. What do offices/units do when inquiries are submitted to them? What is the range of actions that they take? Survey participants indicated they need to take multiple actions to understand the inquiry, provide resources, and refer the matter as necessary. Figure 16 indicates the percentage of survey recipients who reported taking a particular type of action “frequently.”¹²

The Task Force anticipated that all types of survey participants might respond to inquiries by making referrals to other offices and units, and therefore asked about the stage in an inquiry process at which participants referred matters to another office. Figure 17 displays the results of that query. Many participants, of course, reported that they make such referrals at a variety of stages.

As revealed in Figures 18 and 19, significant numbers of survey participants in all three categories – Subject-Specific Oversight, Constituent-Specific Oversight, and Academic/Research Units – reported that the pattern of actions they take in response to inquiries have changed over the three-year period. While the results are insufficient to pinpoint the precise nature of these changes, they reinforce the sense – also reflected in participants’ narrative answers – that the period 2018-2021 was one of flux in the operation of the campus’s various investigatory processes.

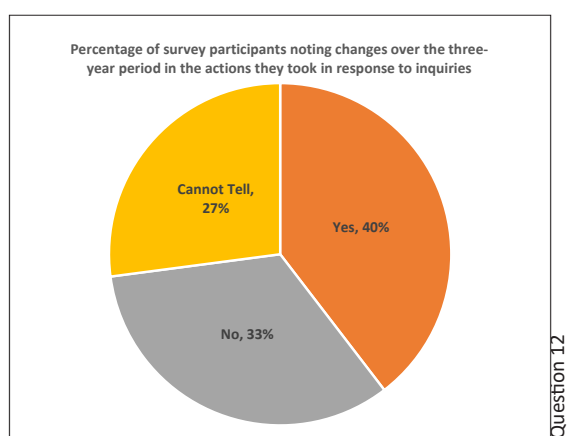


Figure 18

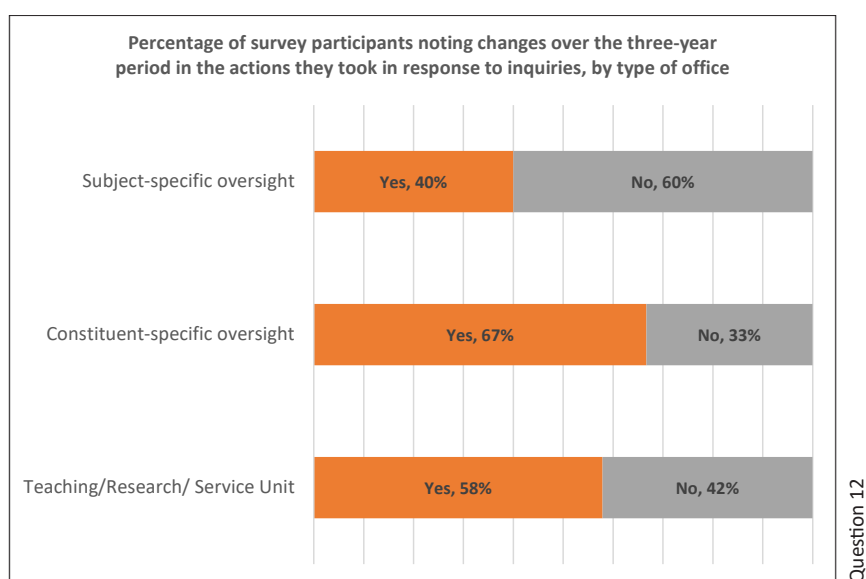


Figure 19

¹² Participants were asked to indicate whether they took a given action “frequently,” “seldom,” or “never.”

E. Accessible Documentation of Processes. For a system of investigation and adjudication to function fairly and efficiently, those who do or may use the system must have access to clear explanations of how the processes work. The survey asked participants to indicate whether the processes or procedures that their unit employed for the actions they take in response to inquiries are formally documented and whether that documentation was generally accessible to the community their unit served.

The majority of survey participants with some level of compliance authority provided some type of documentation for their processes. This documentation was provided in various forms, including copies of relevant policies, web pages, and procedure manuals (See fn. 6). A few offices provided flow charts either separately or as a part of their documentation. Relatively few of the offices or units that responded to the survey make their documentation available online for easy access by the communities they serve. In the view of the Task Force, such online documentation should be a requirement for any office or unit that handles as many as ten (10) inquiries during a given year. Of particular importance to users is identification of the university policy or policies that apply, definition of the persons to whom the process applies, and a simplified description of the inquiry process, preferably including a workflow illustration.

Only seven survey participants indicated that their unit produces a publicly available annual report about their compliance activities. (It is possible that other units produce an annual report that is not publicly available.) Two of the units under the Civil Rights Office -- the Discrimination Prevention Office and the Title IX Office -- participate in releasing a Public Accountability Report.

The Task Force's queries concerning annual reports and online documentation elicited some responses that highlight an additional concern: Although academic units have no investigatory authority, Campus Human Resources noted that some departments or academic units have undertaken investigations without trained investigators. Despite the absence of a university policy that accords investigatory authority to academic units, at least two academic units noted having their own documented intake and/or investigatory processes, and another indicated needing resources to develop one.

F. Redundancy and Uncertainty. To what extent do survey participants believe that their work replicates that of another office on campus, or that the inquiries they receive could be handled better by a different office? Do they experience uncertainty about the proper referral destination for inquiries they receive?

According to Figure 20, survey participants do not indicate that inquiries handled by their office are redundant or better handled elsewhere. However, nearly two thirds of the units report some lack of clarity about where to refer matters. Narrative reports by survey participants and departmental interviewees support that sense of a need for clarity. One participant indicated that, in one instance, they need to go to as many as "18 different offices at UCLA" to gather background information. Another reported difficulty in directing students on how to address allegations of misconduct by non-Senate faculty. One participant noted that there seems to be no centralized reporting of all types of investigations involving faculty and another stated that at times they found the lines of jurisdiction separating the Title IX, DPO, and Staff Diversity offices to be unclear. In addition, there was confusion concerning what matters should go to the Administrative Policies and Compliance office and which should go to Audit and Advisory Services.

Departmental chairs expressed similar concerns. For example, one department chair suggested a need for greater clarity in determining the appropriate location for referrals, perhaps a chart "like the 'red folder,'" that provides resources for a crisis. Another observed that many inquiries involve the in-

tersection of two or more policies. For example, an inquiry may involve policies governing both student housing and accommodation of disabilities. There appears to be no established protocol for how such “intersectional” claims are routed. One chair commented that “Title IX is clear, everything else is not,” while another noted that “[a] lot of faculty have a misunderstanding of what is a Title IX concern, i.e. ‘anything bad’ or ‘any misbehavior’ gets labeled as a Title IX concern.”

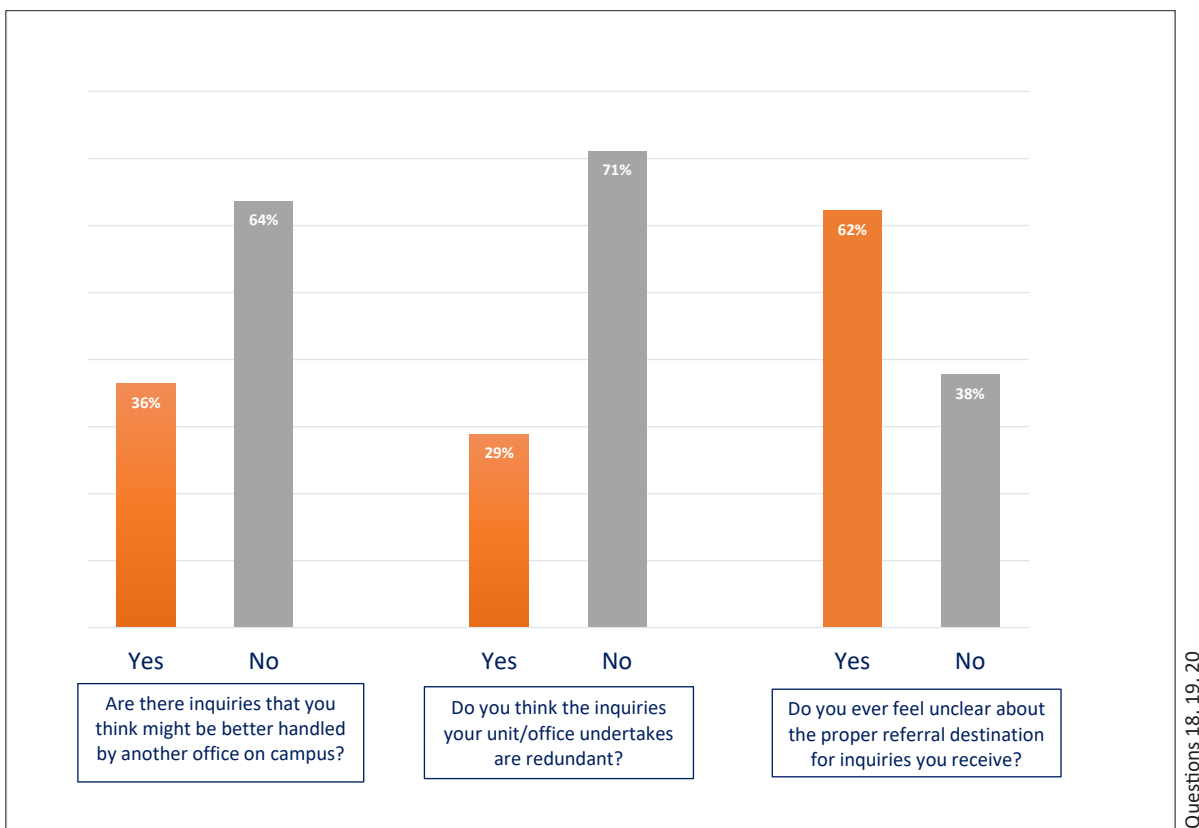


Figure 20



V. DISCUSSION OF RESULTS

The survey results demonstrate that UCLA features an ample array of entities and processes designed to address compliance issues either by the type of policy violated or the relevant constituent group: faculty, student/trainee, staff, and/or community members. Survey participants and the department chairs or designees with whom we spoke evinced, on the whole, a sincere commitment to making their investigatory processes transparent, efficient, and effective for the populations they serve. Participants recognized the importance to the campus community of the processes they undertake and the rules and regulations they enforce, and many of them recommended changes that they believed would enable them to improve their process for the benefit of constituents. The thoughtfulness of the survey replies indicates that intellectual capital on the campus in the form of ideas and knowledge is broad.

A. Inquiries. Because the Task Force defined “inquiry” to include alleged violations of all policies and bylaws (“a communication reporting a violation of a rule or regulation of the campus or university”) and canvassed all types of campus units, the results are more complex than they might have been if the Task Force had focused only on compliance units whose officers have daily experience in handling inquiries. In the view of the Task Force, the more global approach taken in this Report is consistent with UCOP ethical principles: “University policies and procedures are designed to inform our everyday responsibilities, to set minimum standards and to give University community members notice of expectations.” That is, every University policy or unit bylaw developed under the careful principles of shared governance is important for advancing the mission of the University. The Task Force has taken a global view of fundamental fairness that embraces the right of all University community members to have the same access to policy enforcement and the right to equal treatment under the policies and procedures of the University. The survey results support this view.

As noted in the results, survey participants from a variety of units report receiving multiple types of inquiries, with the compliance offices reporting some of the highest numbers of inquiries. The general rise in inquiries does not necessarily mean an increase in violations of rules and/or regulations. Rather, it appears to reflect an increased visibility of available fora that seem to add to a comfort level in reporting concerns. In particular, most departments and units on campus appear well informed about the existence of the Office of Student Conduct, the Title IX Office, the Health Compliance Office, and the Discrimination Prevention Office (DPO) and those offices’ general processes for receiving inquiries and conducting investigations. These, of course, are not the only compliance offices on campus, but collectively they handle a large number of inquiries, and appear to have high visibility. We infer from the general awareness concerning these offices and processes among survey participants and interviewees that the university’s efforts at establishing, fortifying, and publicizing these offices and their work over the past several years has borne fruit. It seems natural that individuals approach the most visible unit or the most familiar office.

That such a low percentage of Title IX and DPO complaints advance to a formal investigation may be partially explained by noting from our results that even units tasked with only one type of oversight receive inquiries unrelated to their area, as well as from or about constituents whose concerns fall under another authority. In addition, as indicated in several of the narrative responses, many inquiries involve overlapping rules or regulations. These units are certainly not alone in receiving inquiries outside of their authority or overlapping with authority of other units.

B. Routing. There are also some types of cases for which the proper forum may be unclear or nonexistent. This seems partly due to the fact most units and processes are limited to determining that an *individual* is (or is not) responsible for a violation of a given policies, but few units have spe-

cific processes to resolve wrongdoing that is *structural* or caused by the sum of individual actions. For example, some survey participants suggested there was a need to clarify the institutional responsibility if an individual experiences discrimination or a failure to accommodate a disability due to institutional and structural failures rather than to the actions of a single individual. For individuals alleging this kind of systemic wrongdoing, the problem may not just be “I’m not sure where to go,” but “there is nowhere to go.”

Such uncertainty can arise in a wide variety of settings, and can sometimes reflect the complexities in a system featuring a broad spectrum of regulations and regulated groups. In fact, the topic that generated perhaps the most suggestions by survey participants was the problem of navigating their interaction with other units. For example, a student or faculty member might believe that both racial discrimination and sexual harassment are involved in a particular case. Should the complainant file one complaint, or two? To which office (DPO or Title IX) should she turn? If one of those offices receives a complaint alleging both types of wrongful conduct, how should the office respond?

More specifically, survey participants from the specialized academic units University Extension (UNEX) and UCLA PreK-12 Programs and Schools remain uncertain concerning the extent to which UCLA policies and procedures apply to or are helpful to their students and staff. A common observation among survey participants was that it is unclear what office is supposed to address complaints from staff or students concerning the conduct of non-Senate faculty (NSF) and trainees, such as graduate students or postdoctoral students, who are also employees.

The sentiment that the compliance landscape can be difficult to navigate was reflected in suggestions offered by participants, which have informed our own recommendations and should be considered in subsequent phases. Recommendations by survey participants included: the creation of a centralized reporting hub (or “one-stop shop”); publication of a guide with flow charts or a matrix indicating the proper destination for different types of inquiries, complaints, or concerns, and listing actual staff names and contact information; and the creation of a common, standardized intake form. Participants also recommended that such guides should have easy-to-comprehend terminology and include a referral directory (with someone responsible for timely updates) with actual staff names and contacts. Another unit suggested that post-inquiry resources such as central databases and tools to facilitate analysis might help improve processes. One participant suggested that units should use a standardized intake form.

An additional insight that emerged from responses to the survey is that investigations by compliance units can benefit from a richer understanding of the academic or clinical contexts from which complaints emerge. For example, applying antidiscrimination and anti-harassment norms in different pedagogic settings can raise challenges for investigators. What is impermissible in a mathematics class may be conventional in an acting or dance class. Several survey participants mentioned a need in investigations for more differentiation by type of discipline. Some of the arts, for example, have modes of instruction and content creation that might include touching or nudity. Similarly, evaluation of discrimination, harassment, or assault claims in the context of patient treatment within the Health System may require some understanding of clinical practice. A participant from the unit that oversees Graduate Medical Education suggested that the considerations that govern the application of human resources policy in traditional academic contexts differ from those that govern their application where hospital policy and issues specific to medical education are concerned. Obviously, compliance offices cannot encompass expertise about pedagogic culture in every corner of the university. Nonetheless, any improvements to the compliance landscape need to include a careful consideration of the need for academic and disciplinary expertise.

C. Length of Investigations. The survey did not ask participants to give data on the length of investigations. Nevertheless, survey participants noted concerns about the length of investigations in their narrative responses. A number of them commented on the difficulties faced when waiting for investigations to resolve. Where wrongful conduct is alleged, both complainants and respondents can be placed in precarious positions that last as long as the matter is pending. This situation can affect students, staff, and faculty. For example, one unit noted that compliance units are “set up to adjudicate injury and eventually offer redress,” but the delays occasioned by this timeline can be the most detrimental to students who remain uncertain or vulnerable while investigations are ongoing. Another unit also mentioned that staff who allege wrongdoing by superiors remain vulnerable during the long pendency of investigations because of the inherent power differential between them and their superiors. One participant described the collateral effects of long investigations on the welfare of patients or clients if clinical staff or faculty are removed from their duties during an investigation. In the view of one professional school administrator, a particularly challenging issue when dealing with investigations undertaken by compliance units is knowing what immediate steps need to be taken with respect to respondents’ continuing participation in classes where the allegedly offending behavior has taken place. One participant also noted the need to “close loops” on referrals by informing the referring unit of the outcome in the matter.

The Task Force is acutely aware that many factors outside the control of staff and administrators can affect the length and timeliness of investigations. One way in which some of the effects of time-consuming investigations might be mitigated is to increase and regularize formal communication between investigating offices and parties and the referring units (frequently academic units and departments). While enhancing communication will not address all the anxiety that can result from a long investigation, it can assure participants that the investigating unit remains engaged with the case and that staff understand the importance of timely resolution.

D. Resources. The survey instrument did not request specific information about the adequacy of resources available for participants in handling inquiries. Nevertheless, a need for resources of various types was a theme in the suggestions for improvement made by survey participants from offices/units of all types. (The difficulty some units had in compiling and providing aggregate data in response to the survey questions is evidence of how stretched these offices are.) Some subject-specific compliance units mentioned the need for additional staff to handle all types of investigations; some constituent-specific offices likewise expressed a desire for funding for staff to handle conduct cases; and academic units (at the decanal level) also seek increased staff to handle an expanding number of inquiries. Units with more formal investigatory processes indicated a need to hire additional staff possessing specialized expertise corresponding to the focus of the particular office. A number of units regularly employ committees for some phase of their inquiry-to-investigation process; staffing these committees (which are invariably composed of volunteers) puts an additional strain on unit resources. Among those survey participants that noted that committees formed a regular part of their process were two specialized academic units; seven units with constituent-specific oversight; and six subject-specific compliance units.

E. Training. A number of survey participants from academic units indicated a need for greater training for their personnel, including managers and instructors, who field inquiries, to better understand how and when to resolve matters informally and when to advance cases to supervisors of other units. This concern was echoed by one of the compliance units, which indicated that “additional training for faculty, staff and learners about reporting options and requirements would be helpful.”

One compliance unit expressed a need for resources for more training on conducting and documenting investigations and findings, while another more specifically suggested developing “a set of best practices / guiding principles that investigators use across all the investigative units,” an effort that would require training and staff time. While some department chairs interviewed were satisfied that it is usually clear where matters need to go when, for example, Title IX or disability issues are involved, others stated that, even with training, faculty are not always certain what matters qualify for Title IX referral. One survey participant said that it would be helpful to have more clarity about the threshold for an action to be considered a civil rights violation, especially for discrimination. Some survey responses suggest that there is room, and perhaps the need, for guidance on prevention and de-escalation of disputes and the use of informal remedies that might make invocation of a formal investigatory apparatus unnecessary in particular cases. Training along these lines might be useful for some offices and departments. One unit recommended greater financial resources to support students whose inquiries involved, were caused by, or caused financial distress. Nonetheless, there were still concerns about gaps in guidance, especially at the department or school level, about how to support complainants and respondents during what can be a long inquiry and/or investigation process.

F. Limitations of Data. The survey results have limitations. First, of the approximately 120 individuals to whom the survey was sent, 51 provided responses – a good response rate, but one that may not fully capture all significant trends. Although those responses included many of the key units represented in the Task Force “map” in Figure 1, the responses are representative of the three areas rather than comprehensive. Second, in response to the quantitative data sought, many survey participants employed approximations because their own record-keeping practices did not support the provision of precise data and, despite the survey’s inclusion of a definition of “inquiry,” participants varied in their use of the term in reporting data. Third, there are many ways to carry out an investigative process. Neither the terminology used by entities nor the specific practices employed by them are uniform. Despite their limitations, the Task Force believes the data highlights important features of the investigatory apparatus at UCLA and supports the recommendations we offer below. In addition, these limitations are interesting in their own right, and might militate in favor of certain reforms. For example, entities conducting investigations might be required to maintain records in a uniform way that facilitates data collection, and to employ uniform terminology.



VI. RECOMMENDATIONS

Based on its findings, the Task Force recommends the following actions:

1. The Administration and the Academic Senate should appoint a joint task force to build on the work of this Task Force, in particular by gathering information concerning the perspective on the campus investigatory and judiciary system held by other stakeholders, such as complainants (and would-be complainants).
2. The Administration and the Academic Senate should review budgets and dedicated resources for all units responsible for subject-specific compliance (as categorized in Figure 1), including but not limited to Civil Rights Units. The review should be made with an eye to providing resources sufficient to facilitate the completion of investigations in reasonably timely fashion.

We note that the desire for greater resources is not an unfamiliar refrain for administrative and academic units. In this case, survey participants were able to pinpoint specific ways in which greater resources could measurably assist them in carrying out their responsibilities. However, these claims need to be examined further in the institutional context and with an eye to efficiencies.

3. The Administration and the Academic Senate should review budgets and dedicated resources for all constituent-specific compliance units (as categorized above in Figure 1).
4. The Administration should advise those academic units that have instituted (or that aim to institute) their own formal investigation processes that those processes, unless specifically authorized by delegated authority per university policy, are properly the province of policy-compliance units. The Administration should work with these academic units to help transfer their investigation processes to policy-compliance units.
5. The Administration and Academic Senate should create and staff a Joint Faculty-Administration Committee (“Committee”) (distinct from the task force recommended above) to begin implementation of the following recommendations. The faculty membership of the Committee should represent a reasonable cross-section of the different academic units; the Administration membership should represent a reasonable cross-section of subject-specific and constituent-specific offices.

The Committee should carry out the following tasks:

- a. Act as a centralized resource for those seeking referral to the proper office for resolution of a complaint, and to provide guidance to administrators from academic units and departments that are uncertain about processes or paths to follow in the case of a complaint.
- b. Develop a comprehensive written catalogue of the governing policies that are applied by each compliance office, respectively, that can serve as a guide to units and departments in making referrals and responding to inquiries.
- c. Develop and institute a program of training for staff in academic units and departments in campus processes for resolution of inquiries, including: (i) when and how to refer inquiries to other offices; (ii) compliance responsibilities imposed by governing policies and bylaws; and (iii) best practices for prevention of misconduct and disputes.
- d. Assess whether the timeliness of compliance office investigations can be improved. To that end, we specifically recommend the following:

-
- i. The Administration should develop and implement clear procedures for the compliance offices conducting investigations to increase and regularize communication and updates to parties and departments.
 - ii. The Administration should establish presumptive time limits on the duration of interim relief during the pendency of investigations by compliance offices.
 - iii. Compliance units within the Civil Rights Office should explore protocols for decoupling investigations of systemic discrimination within academic units and departments from the complaints against individuals that may prompt them, to reduce delays in determining the rights and liabilities of the individual parties.

6. All units and departments that receive at least ten (10) inquiries in an academic year should be required to provide an annual report to the Academic Senate and to the Chancellor (or to include in its annual report a section) that provides a quantitative and qualitative summary of its handling of the year's inquiries.

7. All units and departments should be required to maintain documentation of their processes for handling inquiries and to make that documentation reasonably accessible to the community they serve.

8. A committee comprised of both Senate faculty and Administration officers should be formed to meet periodically to discuss the competing goals and possible conflicts between the university's academic and teaching mission and the laws and policies governing faculty conduct. The goal of such a committee is to make faculty representatives and compliance officers aware of each other's perspectives on questions of faculty conduct, so as to attain common ground on contested issues.



VII. FULFILLING THE TASK FORCE CHARGE; NEXT STEPS

The Task Force was given an ambitious and wide-ranging charge. As noted in the opening, while some of the goals were not realistic in this first phase given the resources provided, the approach taken by the Task Force enabled it to meet some of the goals and make substantial progress on others.

Charge One: **“Identify and inventory the current UCLA investigatory and judiciary processes throughout UCLA including the UCLA Health System.”** Figure 1 is a graphic representation of the network of administrative units (academic, research, service) and investigatory and/or compliance processes at UCLA that we were able to derive from our research. The list of offices and units with investigatory processes was compiled almost entirely from the knowledge and experience of Task Force members and our staff. After analysis of survey responses, the Task Force was able to sort the types of survey participants to create this graphic representation of campus processes. In addition to staff work on the concept, several administrative units gave feedback concerning the accuracy and comprehensiveness of this representation and list.

Charge Two: **“Document the aggregate number of type of investigatory and judiciary ‘cases’ handled by each office while preserving privacy and confidentiality.”** Statistics concerning the various investigatory processes are important, and indeed certain compliance offices are required to maintain such data. The Task Force included a request for numerical data on the survey. Much of this data is presented as part of the “Survey Results” section of this Report.

The data gathered at this stage is illustrative rather than comprehensive. Numerous factors account for this. Some offices that could have been expected to have useful data never responded to the survey. Others that did respond found it so burdensome to compile the data we requested that they either used rough approximations or provided nothing at all. Equally important, there is no uniform definition of “case” that applies across all compliance offices. Different offices use different metrics to measure the number of matters that they handle in a given academic year. For all these reasons, the data reported should be regarded as suggestive, not comprehensive or conclusive. Even so, combined with qualitative responses, the data gathered does indicate general trends. In addition, the challenges that the Task Force experienced in defining the question, and that survey respondents experienced in providing the data, are also a meaningful result that supports suggestions for uniform processes, definitions, and data collection in a particular (and common) format.

Charge Three: **“Inventory and document the current allocation of resources for UCLA investigatory and judiciary processes and their associated offices.”** The Task Force soon realized that this charge presumes completion of the first charge – to identify and inventory the investigatory and judiciary landscape. In addition, completion of this charge in a meaningful way would require significant administrative support to supply budgetary analysis for each relevant unit. The Task Force did not, ultimately, collect this information.

Charge Four: **“Identify areas of overlap, redundancy, and gaps in investigatory and judiciary processes.”** Survey participants put in significant effort to provide explanations of overlap, redundancy, and/or gaps experienced from the point of view of their particular units. To some extent, Task Force members added their independent knowledge. The Task Force was able, therefore, to ascertain that for a number of units on campus, even units with particular compliance expertise, there is uncertainty concerning which offices to turn to. The Task Force was also able to identify a number of particular areas in which investigatory processes have not been specifically provided for or for which the proper process is unclear. Combined with the general outline of the investigatory landscape, this should provide a starting point for resolving overlap, redundancy and gaps.

Charge Five: **“Identify any structural challenges that limit the effectiveness, timeliness, or clarity of investigatory and judiciary processes.”** This charge presumes shared definitions of “effectiveness” and “timeliness,” both of which are likely very unit-specific and therefore beyond the scope of this Task Force. The Task Force did, however collect thoughtful suggestions from the survey participants themselves on ways to improve effectiveness and clarity. Moreover, it identified that further work needs to be done in this area.

Charge Six: **“Identify relevant federal and state laws and regulations and university regulations that may affect the investigatory and judiciary processes.”** The Task Force considered that this undertaking lay largely outside its collective expertise and beyond its capacities, given the wide range of compliance subjects operating within the investigatory network. We would favor the assignment of this task to a separate committee or task force.



Appendix A

Joint Task Force Charge

August 31, 2021

Academic Senate Chair Shane N. White and Vice Chancellor for Equity, Diversity and Inclusion (VC-EDI) Anna Spain Bradley have agreed to co-charge an Academic Senate and Administration Joint Task Force on Investigatory and Judiciary Processes (JTF-IJP) with the ultimate goal of promoting non-discrimination and collegial conduct. The JTF-IJP will identify, inventory, and map all UCLA-based investigatory and judiciary processes and aggregate associated data. This Task Force is the first step in a multi-phase UCLA effort. Future phases will address stakeholder experiences and needs, policy recommendations, and implementation plans.

The resulting report will document the fact-finding and mapping to create a shared understanding of how each of the responsible offices currently operationalizes their investigatory and judiciary processes. The report will answer the following questions: What are all of the various UCLA-based investigatory and judiciary processes? In what offices are they located? How are they working on the ground? How many “cases” does each office handle and how long do they take? How are they resourced? Lastly, the report will also note areas of gaps or overlaps in the mapped investigatory and judiciary processes.

The Academic Senate and Office of Equity, Diversity, and Inclusion have convened this Task Force to strengthen UCLA’s civil rights climate and to advance our Bruin values, which include a commitment to equity, diversity and inclusion. In addition, recent changes in law and policy, a rising demand for civil rights investigatory services at UCLA, recommendations made by the [Moreno Recommendations Implementation Committee Report](#), and a newly initiated review by the Office of the President of the University of California (UC)’s discrimination and harassment policies and practices also make it timely to strengthen UCLA’s procedures and practices for protecting civil rights.

The full charge for the joint task force is:

1. Identify and inventory the current UCLA investigatory and judiciary processes throughout UCLA including the UCLA Health system;
2. Document the aggregate number and type of investigatory and judiciary “cases” handled by each office while preserving privacy and confidentiality;
3. Inventory and document the current allocation of resources for UCLA investigatory and judiciary processes and their associated offices;
4. Identify areas of overlap, redundancy, and gaps in investigatory and judiciary processes;
5. Identify any structural challenges that limit the effectiveness, timeliness, or clarity of investigatory and judiciary processes;
6. Identify relevant federal and state laws and regulations and university regulations that may affect the investigatory and judiciary processes.

The JTF-IJP will convene formally in September 2021. It will provide its report and recommendations by February 2022 to the leaders of the UCLA Administration and the UCLA Academic Senate.

Vice Chancellor Mike Levine and Professor of Law Clyde Spillenger will co-chair the JTF-IJP, comprised of the following four administrators and four faculty nominated by the VC-EDI and the Academic Senate leadership respectively.

- Chandra Bhatnagar, Assistant Vice Chancellor for Civil Rights, Office of Equity, Diversity & Inclusion
- Medell Briggs-Malonson, Chief Health, Equity and Diversity, UCLA Health
- Karis Chi, Senior Counsel, UCLA Legal Affairs
- Sandra Graham, Distinguished Professor, Presidential Chair in Education and Diversity
- Moira Inkelas, Professor, Department of Health Policy and Management
- Sheryl Kataoka, Professor Emeritus, Department of Psychiatry & Biobehavioral Sciences
- Vilma Ortiz, Professor, Department of Sociology
- Jasmine Rush, Interim Dean of Students, UCLA Student Affairs

Dr. April de Stefano, Academic Senate Executive Director, and Ryan Adserias, Chief of Staff to the VC-EDI, will co-lead the staff support.

Appendix B

Joint Task Force Survey

Joint Task Force on Investigatory and Judiciary Processes

Introduction

Academic Senate and Administration Joint Task Force on Investigatory and Judiciary Processes at UCLA Phase 1: Mapping Processes

[Please scroll to the end to begin survey]

Academic Senate Chair Shane N. White (2020-2021) and Vice Chancellor for Equity, Diversity and Inclusion (VC-EDI) Anna Spain Bradley have agreed to co-charge an [Academic Senate and Administration Joint Task Force on Investigatory and Judiciary Processes \(JTF-IJP\)](#) with the ultimate goal of promoting non-discrimination and collegial conduct. The JTF-IJP will identify, inventory, and map all UCLA-based investigatory and judiciary processes and aggregate associated data. This Task Force is the first step in a multi-phase UCLA effort.

You have been identified to complete this survey because your unit/office receives inquiries regarding potential campus violations. We would like you to focus your responses on all inquiries that involved your office from **July 1, 2018 through June 30, 2021**. The results of this survey will help inform this task force's final report, documenting how each of the responsible offices currently operationalizes their investigatory and judiciary processes. The information you provide may be referenced in the final report.

Important Notice: You are responsible for complying with applicable departmental and university policies and procedures governing the privacy and handling of the information you share in response to this survey. You should also exclude privileged consultations with campus or university counsel from your response.

For the purposes of this survey, the following definitions are provided:

An **inquiry** is a communication reporting a violation of a rule or regulation of the campus or university. Depending on the unit or office, on the terminology employed by that unit or office, and on the degree of formality of the unit's procedures, this may take the form of a report, a complaint, a grievance, or other type of communication.

A **formal** process is one that is governed by general procedures that are specified in campus or university policy/ies, or by the rules, bylaws, or operating procedures of a given unit. An informal process is one that is not so governed.

An **investigation** means an inquiry, by formal or informal means, into the facts and circumstances pertaining to a complaint or grievance brought by one or more individuals, alleging policy violation or misconduct by another.

An **adjudication** means a formal finding of responsibility (or no responsibility) for violation by an individual or entity of an applicable policy or procedure.

A **disciplinary proceeding** means a process for the determination and imposition of corrective action or sanctions following a formal finding of responsibility for violation of an applicable policy or procedure.

A **complainant** is a person making an inquiry about a possible policy violation or misconduct.

A **respondent** is a person or entity about whose conduct an inquiry (as defined above) has been made.

A given process followed by a unit or office may partake of investigative, adjudicative, and/or disciplinary functions.

We thank you for your time and assistance completing this survey.

Q57 I have read and understand my responsibilities concerning compliance with applicable department and university policies and procedures governing the privacy and handling of information shared in this survey, and I will exclude information containing privileged consultations with campus or university counsel in my responses.

☐ Yes (1)

☐ No (2)

Skip To: End of Survey If I have read and understand my responsibilities concerning compliance with applicable department a... = No

End of Block: Introduction

Start of Block: Office and Position

Q1

What office/unit/department do you represent?

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Q2

What is your title or role within this unit/office?

End of Block: Office and Position

Start of Block: Type of inquiries

Q3 We are interested in the different types of formal and informal inquiries involving faculty and non-faculty academic personnel, staff, students, patients, and non-University affiliated persons (visitors, community members) that come to your office. Please check the box next to each type of inquiry you have **received** during the past three (3) years (July 1, 2018-June 30, 2021).

- ☐ Discrimination or harassment based on a protected category (protected categories include: race, color, national origin, religion, sex, gender, gender expression, gender identity, gender transition status, pregnancy, physical or mental disability, medical condition (cancer-related or genetic characteristics), genetic information (including family medical history), ancestry, marital status, age, sexual orientation, citizenship, or service in the uniformed services, including protected veterans) (1)
- ☐ Sexual assault (please note that all reports of behavior that might constitute sexual harassment or sexual assault must be reported to the Title IX office) (2)
- ☐ Bullying or harassment not based upon a protected category listed above (3)
- ☐ Research misconduct (4)
- ☐ Violation of policies governing international students or researchers (5)
- ☐ Violation of state or federal law or regulations (i.e. corruption, malfeasance, bribery, theft, misuse of government property, fraud, coercion) (6)
- ☐ Conflict of interest (7)
- ☐ Other financial misconduct (8)
- ☐ Violation of medical staff bylaws, rules, or regulations (9)
- ☐ Academic misconduct (student) (10)
- ☐ Other violation of a code of conduct (Faculty, Student, Staff) (11)
- ☐ Environment, health, or safety (12)
- ☐ Privacy (13)

☐

Internet security (14)

☐

Other policy violations (please specify) Please do not provide any personal identifiable information – such as name, UID, race, gender, or other descriptors – concerning participants or details about specific cases or inquiries. (15)

☐

Grievance (administrative act was arbitrary, violated University rules/regulations, and adversely affected individual) (16)

☐

Grading grievance (17)

☐

Other, please specify. Please do not provide any personal identifiable information – such as name, UID, race, gender, or other descriptors – concerning participants or details about specific cases or inquiries. (18)

Page Break

Display This Question:

If We are interested in the different types of formal and informal inquiries involving faculty and n... = Discrimination or harassment based on a protected category (protected categories include: race, color, national origin, religion, sex, gender, gender expression, gender identity, gender transition status, pregnancy, physical or mental disability, medical condition (cancer-related or genetic characteristics), genetic information (including family medical history), ancestry, marital status, age, sexual orientation, citizenship, or service in the uniformed services, including protected veterans)

Q3a Based on your indicating that your office has received inquiries related to discrimination or harassment based on a protected category, please indicate if your unit/office receive any of these inquiry types:

☐

Sexual or gender-based harassment (1)

☐

Discrimination based on race/color/national origin (2)

☐

Discrimination based on disability (3)

End of Block: Type of inquiries

Start of Block: Changes noticed over three year period

Q4 Have you noticed any changes in the types of inquiries you received during the past three years? For example, have some types increased and others decreased?

☐ Yes (1)

☐ No (2)

Page Break

Display This Question:

If Have you noticed any changes in the types of inquiries you received during the past three years?...
= Yes

Q4a Please explain what changes in the types of inquiries you've noticed over the past three years. Please do ***not*** provide any personal identifiable information – such as name, UID, race, gender, or other descriptors – concerning participants or details about specific cases or inquiries.

End of Block: Changes noticed over three year period

Start of Block: Origin of inquiries

Q5 From whom does your unit/office receive such inquiries (complainant)? Check all that apply.

- ☐ Faculty (Academic Senate members) (1)
 - ☐ Faculty (Non-Senate; e.g., Adjunct, Lecturers, Teaching Assistants, etc.) (2)
 - ☐ Non-Faculty Academic Personnel (e.g., Librarians, Researchers, etc.) (8)
 - ☐ Staff (3)
 - ☐ Students (Undergraduate, Graduate, Postdoctoral, Health system trainees) (4)
 - ☐ Patients (5)
 - ☐ Non-University affiliated persons (patients, visitors, community members) (6)
 - ☐ Others, please specify. Please do not provide any personal identifiable information – such as name, UID, race, gender, or other descriptors – concerning participants or details about specific cases or inquiries. (7)
-

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Q6a For the period of **July 1, 2018 through June 30, 2019** select the term (none, some, most, all) that best describes the portion of total inquiries you received that is represented by each category of complainant.

	None (1)	Some (2)	Most (3)	All (4)
Faculty (Academic Senate members) (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Faculty (Non- Senate; e.g., Adjunct, Lecturers, Teaching Assistants, etc.) (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Non-Faculty Academic Personnel (e.g., Librarians, Researchers, etc.) (8)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Staff (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Students (Undergraduate, Graduate, Postdoctoral, Health system trainees) (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Patients (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Non-University affiliated persons (patients, visitors, community members) (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Others, please specify. Please do not provide any personal identifiable information – such as name,	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

UID, race,
gender, or other
descriptors –
concerning
participants or
details about
specific cases or
inquiries. (7)

NOT FOR DISTRIBUTION

Q6b For the period of **July 1, 2019 through June 30, 2020** select the term (none, some, most, all) that best describes the portion of total inquiries you received that is represented by each category of complainant.

	None (1)	Some (2)	Most (3)	All (4)
Faculty (Academic Senate members) (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Faculty (Non- Senate; e.g., Adjunct, Lecturers, Teaching Assistants, etc.) (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Non-Faculty Academic Personnel (e.g., Librarians, Researchers, etc.) (8)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Staff (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Students (Undergraduate, Graduate, Postdoctoral, Health system trainees) (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Patients (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Non-University affiliated persons (patients, visitors, community members) (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Others, please specify. Please do not provide any personal identifiable information – such as name,	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

UID, race,
gender, or other
descriptors –
concerning
participants or
details about
specific cases or
inquiries. (7)

NOT FOR DISTRIBUTION

Q6c For the period of **July 1, 2020 through June 30, 2021** select the term (none, some, most, all) that best describes the portion of total inquiries you received that is represented by each category of complainant.

	None (1)	Some (2)	Most (3)	All (4)
Faculty (Academic Senate members) (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Faculty (Non- Senate; e.g., Adjunct, Lecturers, Teaching Assistants, etc.) (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Non-Faculty Academic Personnel (e.g., Librarians, Researchers, etc.) (8)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Staff (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Students (Undergraduate, Graduate, Postdoctoral, Health system trainees) (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Patients (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Non-University affiliated persons (patients, visitors, community members) (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Others, please specify. Please do not provide any personal identifiable information – such as name,	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

UID, race,
gender, or other
descriptors –
concerning
participants or
details about
specific cases or
inquiries. (7)

End of Block: Origin of inquiries

Start of Block: Block 11

Q56 The following questions ask you to indicate how many inquiries your office received during specified periods. In the following box, please indicate how your office defines the term "inquiry" for purposes of making this calculation.

End of Block: Block 11

Start of Block: Number of Inquires

Q7a For the period of July 1, 2018 to June 30, 2019, how many total new inquiries were received by your unit/office?

Q7b For the period of July 1, 2019 to June 30, 2020, how many total new inquiries were received by your unit/office?

Q7c For the period of July 1, 2020 to June 30, 2021, how many total new inquiries were received by your unit/office?

End of Block: Number of Inquires

Start of Block: Type of Respondents

Q8 Who are the respondents in the inquiries handled by your unit/office? Check all that apply.

- ☐ Faculty (Academic Senate members) (1)
- ☐ Faculty (Non-Senate and other Non-Faculty Academic Personnel) (2)
- ☐ Staff (3)
- ☐ Students (Undergraduate, Graduate, Postdoctoral, Health system trainees) (4)
- ☐ Non-University affiliated persons (patients, visitors, community members) (5)
- ☐ Others (6)
- ☐ Non-person specific entity (e.g. Department, unit) (7)

Q9a For the period of **July 1, 2018 through June 30, 2019** select the term (none, some, most, all) that best describes the portion of respondents from each group.

	None (1)	Some (2)	Most (3)	All (4)
Faculty (Academic Senate members) (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Faculty (Non- Senate; e.g., Adjunct, Lecturers, Teaching Assistants, etc.) (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Non-Faculty Academic Personnel (e.g., Librarians, Researchers, etc.) (9)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Staff (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Students (Undergraduate, Graduate, Postdoctoral, Health system trainees) (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Patients (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Non-University affiliated persons (patients, visitors, community members) (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other, please specify category (do not provide details about individual participants or cases) (7)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Non-person
specific entity
(e.g.
Department,
unit) (8)



Q9b For the period of **July 1, 2019 through June 30, 2020** select the term (none, some, most, all) that best describes the portion of respondents from each group.

	None (1)	Some (2)	Most (3)	All (4)
Faculty (Academic Senate members) (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Faculty (Non- Senate; e.g., Adjunct, Lecturers, Teaching Assistants, etc.) (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Non-Faculty Academic Personnel (e.g., Librarians, Researchers, etc.) (9)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Staff (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Students (Undergraduate, Graduate, Postdoctoral, Health system trainees) (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Patients (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Non-University affiliated persons (patients, visitors, community members) (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other, please specify category (do not provide details about individual participants or cases) (7)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Non-person
specific entity
(e.g.
Department,
unit) (8)



Q9c For the period of **July 1, 2020 through June 30, 2021** select the term (none, some, most, all) that best describes the portion of respondents from each group.

	None (1)	Some (2)	Most (3)	All (4)
Faculty (Academic Senate members) (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Faculty (Non- Senate; e.g., Adjunct, Lecturers, Teaching Assistants, etc.) (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Non-Faculty Academic Personnel (e.g., Librarians, Researchers, etc.) (9)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Staff (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Students (Undergraduate, Graduate, Postdoctoral, Health system trainees) (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Patients (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Non-University affiliated persons (patients, visitors, community members) (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other, please specify category (do not provide details about individual participants or cases) (7)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Non-person
specific entity
(e.g.
Department,
unit) (8)

☐☐☐☐

End of Block: Type of Respondents

Start of Block: Actions

Q10 What are all the types of actions that your unit/office takes in response to inquiries? Check all that apply.

☐

Provide resources to affected individuals (1)

☐

Provide informal remedies and support to affected individual (2)

☐

Make initial inquiry into the complaint or grievance (3)

☐

Refer inquiry to another office (4)

☐

Make informal or preliminary investigation (5)

☐

Implement informal correction or remedy (non-disciplinary) (6)

☐

Make formal investigation (documented process and procedures) (7)

☐

Make formal findings of responsibility/no responsibility for violation (11)

☐

Adjudicate matter (8)

☐

Other type of action. Please do not provide any personal identifiable information – such as name, UID, race, gender, or other descriptors – concerning participants or details about specific cases or inquiries. (9)

Display This Question:

If What are all the types of actions that your unit/office takes in response to inquiries? Check all... = Refer inquiry to another office

Q10a At what stage of your process do you refer matters to another office? Check all that apply.

- ☐ Inquiry (immediate referral) (1)
- ☐ After initial review/verification (2)
- ☐ After an informal investigation (3)
- ☐ After a formal investigation (prior to finding) (4)
- ☐ After a formal investigation with a finding of responsibility (5)
- ☐ No referral (informal resolution) (6)
- ☐ No referral (formal resolution) (7)
- ☐ Do not refer (final adjudication only) (8)

Display This Question:

If What are all the types of actions that your unit/office takes in response to inquiries? Check all... = Refer inquiry to another office

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Q10b Identify all the units/offices to which you have referred at least one complainant during the past three years. Check all that apply.

- ☐ A manager or supervisor (1)
- ☐ Dean's office (2)
- ☐ A Vice Chancellor (3)
- ☐ UCLA Legal (4)
- ☐ Academic Senate (5)
- ☐ Academic Personnel (6)
- ☐ Discrimination Prevention Office (DPO) (7)
- ☐ Title IX (Campus or Health System) (8)
- ☐ Human Resources (Campus or Health System) (9)
- ☐ Labor Relations (10)
- ☐ Graduate Division (11)
- ☐ Counseling Services (12)
- ☐ Dean of Students (13)
- ☐ Medical Staff Executive Committee (14)
- ☐ Faculty Practice Group (15)
- ☐ SOFI || PEER (UCLA Health) (16)

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- ☐ Research Compliance Office (17)
 - ☐ Athletics Compliance Office (18)
 - ☐ Graduate Medical Education (19)
 - ☐ Whistleblower | LDO (20)
 - ☐ UCLA Police Department (21)
 - ☐ Ombuds Office (22)
 - ☐ Audit & Advisory (23)
 - ☐ Environment, Health & Safety (24)
 - ☐ IT or Privacy Security (25)
 - ☐ Other, please describe. Please do not provide any personal identifiable information – such as name, UID, race, gender, or other descriptors – concerning participants or details about specific cases or inquiries. (26)
-

Page Break

Display This Question:

If What are all the types of actions that your unit/office takes in response to inquiries? Check all... = Adjudicate matter

Q10c For adjudicated matters, please check all that apply:

☐

Adjudicate matter with formal findings (4)

☐

Recommend administrative actions (5)

☐

Recommend corrective action or sanction (6)

Page Break

Q11 For the period comprising the past three academic years (7/1/2018-6/30/2021), please select the term (frequent, seldom, never) that best describes how often your office takes each of the following actions in response to inquiries:

	Frequent (1)	Seldom (2)	Never (3)
Provide resources to affected individuals (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Provide informal remedies and support to affected individual (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Refer inquiry to another office (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Make informal or preliminary investigation (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Implement informal correction or remedy (non-disciplinary) (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Make formal investigation (documented process and procedures) (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Make formal findings of responsibility/no responsibility for violation (7)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Adjudicate matter with formal findings and impose corrective action or sanctions. (8)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
\$(Q10/ChoiceTextEntryValue/9) (9)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Page Break

Q12 Has the frequency with which your office takes the various actions described in the previous question changed over the past three years?

- ☐ Yes (1)
- ☐ No (2)
- ☐ Cannot tell (3)

Page Break

13 Does your investigative/adjudicative process involve review by a committee?

☐ Yes (1)

☐ No (2)

Display This Question:

If Does your investigative/adjudicative process involve review by a committee? = Yes

13a Who serves on that committee, and how many in each category? Please indicate a number, do not provide names.

☐ Senate faculty (1) _____

☐ Non-Senate faculty (2)

☐ Administrators (3) _____

☐ Students (4) _____

End of Block: Actions

Start of Block: Documentation

Q14 We are interested in producing a “map” or flowchart of the processes your unit/office follows in carrying out the actions in response to inquiries. [Here are some examples](#). If you have such a map illustrating the process undertaken by your unit/office in response to inquiries, or can easily create one, please attach it here. Please only upload maps illustrating the general process followed by your unit. Please do not upload documents containing any personal identifiable information – such as name, UID, race, gender, or other descriptors – concerning participants or details about specific cases or inquiries.

Page Break

Q15 Are the processes or procedures you employ for the actions in response to inquiries formally documented either online or in hard copy?

☐ Yes (1)

☐ No (2)

Page Break

Display This Question:

If Are the processes or procedures you employ for the actions in response to inquiries formally docu... = Yes

Q15a Is this documentation accessible, or generally made available, to the community you serve?

☐ Yes (1)

☐ No (2)

Page Break

Display This Question:

If Is this documentation accessible, or generally made available, to the community you serve? = Yes

Q15b Please provide any weblinks to, or hard copies of, such documentation of your processes or procedures (please paste the URL to any documentation into a Word file and upload here.) Please only upload information relating to the general process and procedures followed by your unit. Please do not upload documents containing any personal identifiable information – such as name, UID, race, gender, or other descriptors – concerning participants or details about specific cases or inquiries

End of Block: Documentation

Start of Block: Annual Report

Q16 Does your unit/office produce any public annual report that summarizes the inquiries, investigative and adjudicative actions taken by the unit you represent? If so, please provide a link (or hard copy) to that report. *We only want public reports. Confidential reports, even on annual basis, may contain case specific information.*

☐ Yes (1)

☐ No (2)

Display This Question:

If Does your unit/office produce any public annual report that summarizes the inquiries, investigati... = Yes

Q16a Please provide a link (or hard copy) to the most recent report (please paste the URL to any documentation into a Word file and upload here.) Please only upload annual reports that are publicly available. Please do not upload reports or documents containing any personal identifiable information – such as name, UID, race, gender, or other descriptors – concerning participants or details about specific cases or inquiries

End of Block: Annual Report

Start of Block: Challenges

Q17 Please describe any ideas you have that would enhance the effectiveness, timeliness, or clarity of investigatory and judiciary processes your unit/office faces when receiving or carrying out actions in response to inquiries. Please do not provide any personal identifiable information – such as name, UID, race, gender, or other descriptors – concerning participants or details

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about specific cases or inquiries.

Page Break

Q18 Are there some inquiries handled by your unit/office that you think might be better handled by other offices on campus?

☐ Yes (1)

☐ No (2)

Page Break

Display This Question:

If Are there some inquiries handled by your unit/office that you think might be better handled by ot... =
Yes

Q18a Please explain. Please do not provide any personal identifiable information – such as name, UID, race, gender, or other descriptors – concerning participants or details about specific cases or inquiries.

Page Break

Q19 Do you think that the inquiries your unit/office is authorized to undertake are in any way redundant (i.e. replicate inquiries that other offices are authorized to undertake)?

☐ Yes (1)

☐ No (2)

Page Break

Display This Question:

If Do you think that the inquiries your unit/office is authorized to undertake are in any way redund... =
Yes

Q19a Please explain. Please do not provide any personal identifiable information – such as name, UID, race, gender, or other descriptors – concerning participants or details about specific cases or inquiries.

Page Break

Q20 Do you receive some inquiries for which the proper referral destination is unclear and for which you need to engage in further research?

☐ Yes (1)

☐ No (2)

Page Break

Display This Question:

If Do you receive some inquiries for which the proper referral destination is unclear and for which y...
= Yes

Q20a Do you have suggestions for ways to improve the referral process? Please do not provide any personal identifiable information – such as name, UID, race, gender, or other descriptors – concerning participants or details about specific cases or inquiries.

Page Break

Q21 What other information might help us better understand the actions in response to inquiries that your unit/office conducts? Please do not provide any personal identifiable information – such as name, UID, race, gender, or other descriptors – concerning participants or details about specific cases or inquiries.

End of Block: Challenges
