

November 10, 2022

Vice Provost for Administrative Resolution  
Associate Vice Chancellor and Chief Human Resources Officer

**Delegation of Authority and Local Procedures – Sexual Violence and Sexual Harassment Investigation and Adjudication Procedures for Senate Faculty, Non-Senate Faculty, Staff, and Non-Faculty Academic Personnel**

The [University of California Sexual Violence and Sexual Harassment Policy \(SVSH Policy\)](#) and the associated [Investigation and Adjudication Framework for Senate and Non-Senate Faculty](#) and [Investigation and Adjudication Framework for Staff and Non-Faculty Academic Personnel](#) (the Frameworks), effective January 1, 2022, contemplate that the Chancellor may develop procedures and supplementary information to support the implementation of the SVSH Policy, and will designate a campus official to perform specified duties related to the adjudication of matters under the SVSH Policy. Specifically:

For Senate Faculty,

- A. If a Formal Investigation results in a finding of a SVSH Policy violation, the Chancellor's designee:
  - (1) provides the parties with an opportunity to respond to the investigative findings;
  - (2) engages the UCR Peer Review Committee to advise on appropriate resolution and informs the Title IX Officer of the proposed resolution and its rationale;
  - (3) in accordance with APM-016 and in consultation with the Title IX Officer, determines whether to resolve the matter (a) without formal disciplinary action, (b) through early resolution, or (c) by taking steps to propose discipline and file a charge with the Privilege & Tenure Committee, and implements the determination as appropriate; and
  - (4) ensures that the decision and its rationale are promptly communicated to the parties, all in accordance with Sections IV and V of the applicable Framework.
  
- B. If a Department of Education ("DOE") Grievance Process results in a preliminary determination of a SVSH Policy violation, the Chancellor's designee:
  - (1) provides the parties with an opportunity to respond to the investigative findings;
  - (2) engages the UCR Peer Review Committee to advise on appropriate resolution and informs the Title IX Officer of the proposed resolution and its rationale;
  - (3) in accordance with APM-016 and in consultation with the Title IX Officer, determines whether to resolve the matter (a) without formal disciplinary action, (b) through early resolution, or (c) by taking steps to propose discipline and file a charge with the Privilege & Tenure Committee, and implements the determination as appropriate; and

- (4) ensures that the decision and its rationale are promptly communicated to the parties, all in accordance with Sections IV and V of the applicable Framework.
- if both parties do not accept the preliminary determination and any proposed resolution, there will be a fact-finding hearing to determine whether the SVSH Policy was violated (see Section C below, for additional guidance); or
  - if both parties accept the preliminary determination and the proposed resolution, then the preliminary determination is final and the proposed resolution will be imposed.
- C. If a DOE Grievance Process results in an SVSH Policy violation following a hearing and any appeal, the Chancellor's designee:
- (1) upon receipt of the final findings and determination from the Title IX Officer, decides what action to take in response, which may include additional investigation to determine whether other Code of Conduct violations occurred;
  - (2) consults with Title IX Officer and engages the UCR Peer Review Committee and decides what action to take to resolve the matter, if needed;
  - (3) in accordance with APM-016 and in consultation with the Title IX Officer, determines whether to resolve the matter (a) without formal disciplinary action, (b) through early resolution, or (c) by taking steps to propose discipline and file a charge with the Privilege & Tenure Committee, and implements the determination as appropriate; and
  - (4) ensures that the decision and its rationale are promptly communicated to the parties, all in accordance with Sections IV-V of the applicable Framework.

For Non-Senate Faculty,

- A. If a Formal Investigation results in a finding of a SVSH Policy violation, the Chancellor's designee:
- (1) provides the parties with an opportunity to respond to the investigative findings;
  - (2) consults with the Title IX Officer and with Academic Personnel Office staff to advise on corrective/remedial actions;
  - (3) in accordance with APM-150 and in consultation with Academic Personnel Office staff and the Title IX Officer, determines whether to resolve the matter (a) without formal disciplinary action, (b) through informal resolution, or (c) by issuing a notice of intent for corrective action, and implements the determination as appropriate; and
  - (4) ensures that the decision, its terms and rationale, and any subsequent grievance actions, are promptly communicated to the parties, all in accordance with Sections IV and VI of the applicable Framework.
- B. If a DOE Grievance Process results in a preliminary determination of a SVSH Policy violation, the Chancellor's designee:
- (1) provides the parties with an opportunity to respond to the investigative findings;

(2) consults with the Title IX Officer and with Academic Personnel Office staff to advise on corrective/remedial actions;

(3) in accordance with APM-150 and in consultation with Academic Personnel Office staff and the Title IX Officer, determines whether to resolve the matter (a) without formal disciplinary action, (b) through informal resolution, or (c) by issuing a notice of intent for corrective action, and implements the determination as appropriate; and

(4) ensures that the decision, its terms and rationale, and any subsequent grievance actions, are promptly communicated to the parties, all in accordance with Sections IV and VI of the applicable Framework:

- if both parties do not accept the preliminary determination and any proposed resolution, there will be a fact-finding hearing to determine whether the SVSH Policy was violated (see Section C below, for additional guidance); or
- if both parties accept the preliminary determination and the proposed resolution, then the preliminary determination is final and the proposed resolution will be imposed.

C. If a DOE Grievance Process results in a determination of a SVSH Policy violation following a hearing and any appeal, the Chancellor's designee:

(1) upon receipt of the final findings and determination from the Title IX Officer, decides what action to take in response, which may include additional investigation to determine whether other Code of Conduct violations occurred;

(2) consults with the Title IX Officer and with Academic Personnel Office staff and decides what action to take to resolve the matter, if needed;

(3) in accordance with APM-150 and in consultation with Academic Personnel Office staff and the Title IX Officer, determines whether to resolve the matter (a) without formal disciplinary action, (b) through informal resolution, or (c) by issuing a notice of intent for corrective action, and implements the determination as appropriate; and

(4) ensures that the decision, its terms and rationale, and any subsequent grievance actions, are promptly communicated to the parties, all in accordance with Sections IV and VI of the applicable Framework.

For Staff,

A. If a Formal Investigation results in a finding of a SVSH Policy violation, the Chancellor's designee:

(1) provides the parties with an opportunity to respond to the investigative findings;

(2) in consultation with the Title IX Officer, assigns the role of developing the proposed disciplinary and corrective actions to the respondent's supervisor or other administrator (e.g., department head) and reviews the proposal produced by this individual to determine whether the proposal is appropriate and sufficient:

- If the Chancellor's designee approves the proposal, they will inform the supervisor or other administrator to implement; or

- If the Chancellor's designee does not approve the proposal, they will send the matter back to the supervisor or other administrator for reconsideration and submission of a revised proposal;
- (3) ensures that the decision, its terms and rationale, and any subsequent grievance actions, are promptly communicated to the parties, all in accordance with Sections IV-VI of the applicable Framework.
- B. If a DOE Grievance Process results in a preliminary determination of a SVSH Policy violation, the Chancellor's designee:
- (1) provides the parties with an opportunity to respond to the investigative findings;
- (2) in consultation with the Title IX Officer, assigns the role of developing the proposed disciplinary and corrective actions to the respondent's supervisor or other administrator (e.g., department head) and reviews the proposal produced by this individual to determine whether the proposal is appropriate and sufficient:
- If the Chancellor's designee approves the proposal, they will inform the Title IX Office of the approved decision; or
  - If the Chancellor's designee does not approve the proposed decision, they will send the matter back to the supervisor or other administrator for reconsideration and submission of a revised proposal;
- (3) informs the Title IX Officer of the proposed decision and its rationale and the parties will be notified:
- if both parties do not accept the preliminary determination and any proposed resolution, there will be a fact-finding hearing to determine whether the SVSH Policy was violated (see Section C below, for additional guidance); or
  - if both parties accept the preliminary determination and the proposed resolution, then the preliminary determination is final and the proposed resolution will be imposed;
- (4) ensures that the decision, its terms and rationale, and any subsequent grievance actions, are promptly communicated to the parties, all in accordance with Sections IV-VI of the applicable Framework.
- C. If a DOE Grievance Process results in an SVSH Policy violation following a hearing and any appeal, the Chancellor's designee, in consultation with the Title IX Officer, assigns the role of developing the proposed disciplinary and corrective actions to the respondent's supervisor or other administrator (if this has not already been done) and reviews the proposal produced by this individual:
- If the Chancellor's designee approves the proposal, they will inform the supervisor or other administrator to implement; or
  - If the Chancellor's designee does not approve the proposal, they will send the matter back to the supervisor or other administrator for reconsideration and submission of a revised proposal.

For Non-Faculty Academic Personnel,

- A. If a Formal Investigation results in a finding of a SVSH Policy violation, the Chancellor's designee;
- (1) provides the parties with an opportunity to respond to the investigative findings;
  - (2) in consultation with the Academic Personnel Office and the Title IX Officer, assigns the role of developing the proposed disciplinary and corrective actions to the respondent's supervisor or other administrator (e.g., department head) and reviews the proposal produced by this individual to determine whether the proposal is appropriate and sufficient:
    - If the Chancellor's designee approves the proposal, they will inform the supervisor or other administrator to implement; or
    - If the Chancellor's designee does not approve the proposal, they will send the matter back to the supervisor or other administrator for reconsideration and submission of a revised proposal;
  - (3) ensures that the decision, its terms and rationale, and any subsequent grievance actions, are promptly communicated to the parties, all in accordance with Sections IV-VI of the applicable Framework.
- B. If a DOE Grievance Process results in a preliminary determination of a SVSH Policy violation, the Chancellor's designee:
- (1) provides the parties with an opportunity to respond to the investigative findings;
  - (2) in consultation with Academic Personnel Office staff and the Title IX Officer, assigns the role of developing the proposed disciplinary and corrective actions to the respondent's supervisor or other administrator (e.g., department head) and reviews the proposal produced by this individual to determine whether the proposal is appropriate and sufficient:
    - If the Chancellor's designee approves the proposal, they will inform the Title IX Office and the Academic Personnel Office staff with the approved decision; or
    - If the Chancellor's designee does not approve the proposal, they will send the matter back to the supervisor or other administrator for reconsideration and submission of a revised proposed decision;
  - (3) informs the Title IX Officer of the proposed decision and its rationale and the parties will be notified:
    - if both parties do not accept the preliminary determination and any proposed resolution, there will be a fact-finding hearing to determine whether the SVSH Policy was violated (see Section C below, for additional guidance); or
    - if both parties accept the preliminary determination and the proposed resolution, then the preliminary determination is final and the proposed resolution will be imposed;
  - (4) ensures that the decision, its terms and rationale, and any subsequent grievance actions, are promptly communicated to the parties, all in accordance with Sections IV-VI of the applicable Framework.

- C. If a DOE Grievance Process results in an SVSH Policy violation following a hearing and any appeal, the Chancellor's designee, in consultation with the Academic Personnel Office and the Title IX Officer, assigns the role of developing the proposed disciplinary and corrective actions to the respondent's supervisor or other administrator (if this has not already been done) and reviews the proposal produced by this individual:
- If the Chancellor's designee approves the proposed decision, they will inform the supervisor or other administrator to implement; or
  - If the Chancellor's designee does not approve the proposed decision, they will send the matter back to the supervisor or other administrator for reconsideration and submission of a revised proposed decision.

In determining the appropriate resolution or reviewing proposed disciplinary actions, the Chancellor's designee seeks to ensure consistency in resolution, that appropriate action is taken to prevent and correct behavior that violates university policy, and that any discipline matches the seriousness of the violation.

Effective as of this date, **I hereby designate the Vice Provost for Administrative Resolution (VPAR) as the designee under the Investigation and Adjudication Frameworks for Senate Faculty and Non-Senate Faculty.**

Effective as of this date, **I hereby designate the Associate Vice Chancellor and Chief Human Resources Officer as the designee under the Investigation and Adjudication Frameworks for Staff and Non-Faculty Academic Personnel.**

This delegation of authority covers any subsequent amendments to the Frameworks or procedures, unless otherwise noted. It will remain in effect until rescinded in writing and may not be re-delegated.

Sincerely,



Kim A. Wilcox  
Chancellor

cc: Office of the Provost and Executive Vice Chancellor  
Office of the Vice Provost for Academic Personnel  
Office of Campus Counsel  
Director, Audit & Advisory Services  
Chief Compliance Office  
Human Resources