Peer Review Committee Approach for Faculty Member Violations of UC Policy on Sexual Violence and Sexual Harassment

The faculty discipline and remedies development process will utilize a Peer Review Committee as one voice in a larger process of consultation by the Chancellor and Vice Provost for the Faculty as they develop and approve an appropriate response plan to a violation of the UC Policy on Sexual Violence and Sexual Harassment by a faculty member. Key process steps will include:

- Office for the Prevention of Harassment and Discrimination (OPHD) sends investigation report to complainant and respondent and both are given the opportunity to submit a written response to or meet in-person meeting with the Chancellor or designee.
- Chancellor or designee meets in person with or reviews the written responses of the complainant and respondent.
- Simultaneously, OPHD sends the investigation report to the Vice Provost for the Faculty, who initiates the faculty discipline process as outlined in Faculty Code of Conduct and Disciplinary Procedures for the Berkeley Campus (http://apo.chance.berkeley.edu/faculty_misconduct_015.pdf). Note: in some instances, possible charges may involve violations of the Code beyond those pertaining to SVSH.
- Vice Provost for the Faculty shares recommendation for discipline and remedies with the Chancellor, PRC, Chief Ethics, Risk and Compliance Officer, Title IX Officer, campus counsel, PATH to Care Director, VC E&I and any additional advisors selected by the Chancellor.
- Chancellor leads advice meeting(s) with PRC, Chief Ethics, Risk and Compliance Officer, Title IX Officer, campus counsel, PATH to Care Director, VC E&I and any additional advisors and makes a final decision on either the scope of an early resolution agreement or the nature of sanctions to be sought as part of the Privilege and Tenure (P&T) process.
- In order to ensure ongoing and transparent monitoring of the campus response to and prevention of sexual harassment and violence, the Chancellor will request a comprehensive annual report on campus SVSH progress from the incoming Faculty Advisor to the Chancellor on Sexual Violence and Sexual Harassment and this Special Faculty Advisor will be tasked with establishing a mechanism for regularly engaging with students, staff, and faculty on strategy and progress reviewed in the report.

The campus will implement a PRC consistent with guidance from UC Office of the President. The PRC will be convened by the Faculty Advisor to the Chancellor on Sexual Violence and Sexual Harassment and comprised of 3-member panels selected from a pool of 6 faculty members. For the inaugural PRC, faculty members will be appointed by the Chancellor from a list of at least ten candidates developed by the Academic Senate. The PRC membership should have appropriate experience in issues relevant to faculty discipline, undergraduate and graduate student life advising, and/or harassment or discrimination (e.g., previous experience as an equity advisor). Members will serve two-year terms, so the initial panel will have a cohort of those with a two-year term and another with a one-year term. Thereafter, the Academic Senate will provide to the Chancellor on an annual basis a list of candidates longer than the number of vacancies to maintain the PRC’s roster.