

**GRADUATE COUNCIL (GC)****Wednesday, October 14, 2015****4:00 – 5:30 pm****KL 362****Documents available at: UCM Box "[GC AY 15-16](#)"****I. Chair's Report – Michael Dawson**

- A. October 12 Division Council meeting
- B. October 7 CCGA meeting
- C. Project 2020 updates

**II. Vice-chair's Report – Ramesh Balasubramaniam**

- A. October 8 PROC meeting

**III. Consent Calendar**

- A. September 23, 2015 meeting minutes Pg. 1-6
- B. October 14, 2015 meeting agenda
- C. CRFs (reviewed and approved by CRF subcommittee) Pg. 7-44
  - ME 255 – Theory and Modeling of Cold Plasmas
  - EECS 284 – Big Data Systems and Analytics
  - ES 256 – Ecological Dynamics

**IV. Report from Awards Subcommittee Pg. 45-46**

In the September 9 meeting, the subcommittee was asked to draft a plan on how to manage the heavy workload of the numerous fellowships forthcoming from the Graduate Division. The VPDGE has asked her counterparts at the other UCs for information on which fellowships go to their Graduate Councils and which handled "in house", with or without a faculty committee, or delegate to the graduate groups/departments/schools.

**V. Grade Appeals Policy Pg. 47-51**

In the September 23 meeting and subsequently over email, GC members discussed revisions to the policy. These revisions are incorporated into the appended document.

**Action requested:** GC to vote to approve the revised policy.

**VI. Campus Review Items**

## A. MAPP

Pg. 52-58

Proposed revisions to the chapter on the L(P)SOE series.

**Action requested:** GC to review the proposed revisions and send any comments to the Senate Chair by November 2.

**Considerations:** Review section on teaching.

**Recommendation:** Endorse.

## B. Honors Task Force Report

Pg. 59-76

A Task Force was created by Provost/EVC Peterson in December 2014, in light of anticipated enrollment growth at UCM and in response to an increasing interest to provide curricular and co-curricular opportunities at UCM. The Task Force has submitted the appended report, recommending establishment of an honors program.

**Action requested:** GC to review the task force report and send any comments to the Senate Chair by November 20.

**Considerations:** “honors programs do require institutional resources that could be allocated to other priorities” (p.5; pp. 10-11) but may offer opportunities for graduate students via TAs or instructorships?

**Recommendation:** Endorse in principle. Request to explore opportunities for graduate students (link with *Teaching as Scholarship?*).

**VII. Systemwide Review Items**

## A. Senate Bylaw 140

Pg. 77-78

Proposed revisions include changing the name of the University Committee on Affirmative Action and Diversity to the University Committee on Affirmative Action, Diversity, and Equity.

**Action requested:** GC to review and send any comments to the Senate Chair by October 30.

**Recommendation:** Do not opine.

## B. Senate Regulation 417

Pg. 79

Applies to students who submit an application for freshman admission to the University and have completed no term of course work at a postsecondary institution following graduation from high school. Revisions include striking the word “community” from the regulation, which allows students who have completed four-year college/university coursework while enrolled in high school to apply as freshmen, which is consistent with the way in which we treat high school students who earn credit at community colleges.

**Action requested:** GC to review and send any comments to the Senate Chair by October 30.

**Recommendation:** Do not opine.

C. Senate Regulation 621

Pg. 79

Pertains to standardized examination credit. Proposed revisions include encompassing the fuller suite of standardized examinations (College Board, International Baccalaureate Organization, Advanced Level and/or any other standardized examination that BOARS determines is acceptable for transfer credit) for which the University awards unit credit.

**Action requested:** GC to review and send any comments to the Senate Chair by October 30.

**Recommendation:** Do not opine.

D. Presidential Policy on Sexual Violence & Harassment Pg. 80-151

This is the second round of review. In AY 14-15, Senate committees at all UC campuses opined and this policy was recently revised to reflect the various comments. Appended to this meeting packet is a bullet-point list from UCOP of specific revisions to the policy.

**Action requested:** GC to review and send any comments to the Senate Chair by October 19.

**Considerations:** Is the proposal adequate? Can one policy address student and faculty issues and be successful? Is the policy clear; is it understandable by all people on all sides of complaints? Has GC’s prior concern that “GC discussed the ambiguity of the policy with respect to consensual relationships between graduate students and undergraduate students, especially since the status of graduate student may vary between

“employee” (e.g., TA) and student (e.g., not a TA) from one semester to the next” been addressed? On a related matter, does the reporting requirement for grads present problems? Does the policy protect grads adequately?

**Recommendation:** Support in principle. No specific comment.

**VIII. Consultation with Provost/EVC Peterson (4:10 – 4:30)**

- October 8 PROC meeting
- Project 2020 and graduate education
- Strategic Academic Focusing updates
- Re-affirmation of accreditation

**IX. Consultation with VPDGE Zatz**

Pg. 152

- Updated enrollment projections from graduate groups (see attachment)
- Concern from international students who need a masters en route to get jobs in home country, even with PhD

**X. Informational Items**

Pg. 153-163

- A. Academic Degree Program Policy. Sent for review to Senate committees and school executive committees.
- B. Processes for Establishing Concentrations and Designated Emphasis within Graduate Degree Programs. Sent for review to Senate committees, school executive committees, PROC, school deans, and graduate group chairs.

**XI. Upcoming business**

- CCGA proposals – EECS 15<sup>th</sup> Dec.
- ES program review - 02 & 03 Nov
- Timing of Award of PhD and MS
- Graduate Advisor’s Handbook
- Professional Degree Supplemental Tuition (PDST)
- Guidelines for TA Supervision, complement to Graduate Handbook guidance on choosing grads for TAships
- Awards
- Summer Lectureships TAs
- UC Merced reaffirmation – self report & visit 2016-18

**XII. Other Business**

**XIII. Executive Session (voting members only)**

**Graduate Council (GC)**  
**Minutes of Meeting**  
**September 23, 2015**

Pursuant to call, the Graduate Council met at 4:00 pm on September 23, 2015 in Room 360 of the Kolligian Library, Chair Michael N Dawson presiding.

I. Chair's Report

--Chair Dawson welcomed Graduate Student Association representative Jason Davis to the committee.

--Chair Dawson related to GC members that the specially-convened September 10 Division Council meeting with members of the administration was devoted to discussion about Budget Framework Implementation (BFI). BFI is a task to be completed by each campus to fulfill UC's commitments that arose from the budget negotiations between the UC, Governor, and state legislature. Three issues of particular interest are listed in the agenda for the meeting; Chair Dawson will continue to monitor BFI efforts on behalf of GC.

--Chair Dawson updated GC members on the September 14 regular meeting of Division Council which included a visit from new University Librarian Haipeng Li. Mr. Li discussed his vision for the Library in the context of Project 2020 and looks forward to future collaborations with faculty. Also discussed at Division Council was the upcoming, multiple-day meetings with the Project 2020 design teams. The meetings will have faculty representation from CAPRA, Division Council, and other campus faculty.

--Chair Dawson reiterated to GC members that committee discussion is confidential unless otherwise stated.

II. Vice Chair's Report

Vice Chair Balasubramaniam updated GC members on the September 10 PROC meeting:

--This year will see the review of 12 undergraduate programs and 1 graduate program, Environmental Systems (ES). The ES site visit from external reviewers is scheduled for November 2-3.

--PROC requested a volunteer to serve as the internal representative/campus liaison to the ES site visit team. Vice Chair Balasubramaniam agreed to serve in this role.

--PROC reviewed GC's comments on the list of questions that could be used to guide program review teams. PROC has asked Chair Dawson if GC could provide a formal guiding statement to be used for the ES site visit.

--PROC members discussed the committee's membership and the balance of faculty and administrative representatives. A question previously arose whether a representative was needed from either the Senate Committee on Faculty Welfare and Academic Freedom or the Senate Committee for Diversity and Equity or both. It was confirmed that both committees have identified representatives to sit on PROC.

### III. Consent Calendar

**ACTION:** The September 9 meeting minutes were approved as presented. Today's meeting agenda was approved pending one change: add a discussion about GC finalizing its comments on program review team questions as referenced in the Vice Chair's report.

### IV. Policy on the Establishment of Designated Emphases and Concentrations

Prior to this meeting, GC members reviewed the revised policy on the establishment of designated emphases and concentrations. After a brief discussion, member voted to approve the revised policy.

**ACTION:** The revised policy will be forwarded to the Senate Chair for Senate review.

### V. Grade Appeals Policy

It has come to the attention of GC that the current policy makes no mention of graduate students, graduate dean, or graduate groups; therefore, GC was asked by VPDGE Zatz to review the policy and consider adding such

provisions. GC members agreed that the campus should have one policy that includes instructions for both undergraduate and graduate students.

**ACTION:** GC members to email suggestions on graduate student language to Chair Dawson by the close of business this Friday, September 25. The comments will be compiled and forwarded to the GC policy subcommittee for additional review. The policy subcommittee will send the revised policy to GC as a whole to place on the October 14 agenda.

#### VI. Graduate Student Researchers (GSR)

GC was asked by VPDGE Zatz to consider the question of whether a GSR may be employed in a professional unit.

GC members held a lengthy discussion on this topic. While working in a professional unit could represent an excellent opportunity for a GSR to gain valuable experience, units would need to be able to assign work to the GSR that is research-related. Indeed, GSRs would not benefit from being assigned administrative tasks. Questions were raised by GC members about faculty oversight, appropriate working hours, and the logistics of paying the GSR with regard to his/her PI's grant or the professional unit.

**ACTION:** Chair Dawson to draft a memo for GC review that will state GC's position that the definition of GSR should not be weakened and any professional work assignment should be directly related to research. Upon the Council's approval, the memo will be sent to VPDGE Zatz.

#### VII. Project 2020 and Graduate Education

Chair Dawson brought up the importance of including the graduate education element into the overall Project 2020 discussion. This is timely given the upcoming, multiple-day meetings with the Project 2020 design teams in which faculty members were invited to participate. GC members agreed that graduate issues should be conveyed to the 2020 design teams.

**ACTION:** GC members to email Chair Dawson with specific points concerning graduate education by the close of business this Friday, September 25. At that time, Chair Dawson will finalize the list of points, return to GC members for approval, then forward the list to the appropriate Senate and Administration leadership for consideration.

#### VIII. Teaching as Scholarship

In the September 9 meeting, Chair Dawson stated that some units offer 399-level courses as part of an apprenticeship but these are not available across campus in all areas. UCM should emphasize the idea of TAs as scholarship and apprenticeship instead of a mere job in order to provide the adequate training for graduate students' future careers.

GC members debated which individuals on campus should be consulted on advancing teaching as scholarship. Suggestions included the CRTE and graduate groups.

**ACTION:** Chair Dawson will draft a list of recommended campus units/individuals with whom to consult, information desired, and draft enquiry, and will circulate these items among GC for review.

#### IX. Revised Academic Degree Policy

**ACTION:** Item was tabled until the October 14 meeting by which time VPDGE Zatz will have completed her revisions to the policy.

#### X. Other Business

Pursuant to the Consent Calendar amendment, GC members discussed the document they endorsed at the September 9 meeting which contained a series of questions that external review teams might use to guide their consideration of the program in question and offer of a guiding statement. PROC staff later asked Chair Dawson if GC could contribute the suggested formal guiding



statement to be used in the upcoming review of ES. The proposed deadline for GC's statement is October 1 as PROC intends to forward the formal charge to the ES site visit team on October 2.

**ACTION:** Chair Dawson will draft a guiding statement for review by GC. GC will attempt to meet the October 1 deadline. If GC is unable to meet this deadline, it will nonetheless provide a statement to PROC at some stage.

XI. Consultation with VPDGE Zatz

VPDGE Zatz provided the following updates:

--"Target X" is a new customer relations system that the Graduate Division will implement for recruitment, admissions, and fellowship review. The license permits school coordinators to also use the system and coordinators and graduate group chairs will be asked to test. It is hoped that the system will make fellowship application review more efficient. In addition, the same system can be used for admission decisions, that is to say, the system allows for a seamless transition from admission decision to recommendation for a fellowship.

--the Graduate Division is implementing the Graduate Lecturer Appointment Application System (GLAAS) for TA appointments in spring 2016 and is currently working with the Academic Personnel office on the details. The system can also be used for lecturers. Finally, the system offers an efficient workflow mechanism for advancement to candidacy and allows for users to "sign" and approve. VPDGE Zatz anticipates that approximately 20 other forms will be integrated into the GLAAS over the next few months.

--VPDGE Zatz asked for GC's assistance on urging graduate groups to submit their policies and procedures in a timely manner. Chair Dawson replied that GC will soon send letters to all graduate group chairs that includes this request and other important information.

-- VPDGE Zatz is now in possession of enrollment projections submitted to her by all graduate groups and she will announce the numbers at the October 14 GC meeting.

--VPDGE Zatz is still working on creating core and affiliate faculty lists for all graduate groups.

--the campus has, as of today, 448 graduate students which is a 16.6% increase from this time last year.

--VPDGE Zatz related that many individuals on campus are unsure of what is transpiring with Project 2020 and there are concerns with implications for graduate students. It has become a recruitment issue. Chair Dawson requested that this item be tabled for further discussion at a later stage.

## XII. Executive Session

Executive session consisted of voting members only and no minutes were taken.

There being no further business, the meeting was adjourned at 5:30 pm.

Attest:

Michael N Dawson, GC Chair

Minutes taken by: Simrin Takhar, Senate Analyst

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**SCHOOL OF ENGINEERING**  
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P.O. BOX 2039, MERCED, CALIFORNIA 95344  
PHONE: (209) 228-4411 FAX: (209) 228-4047

Date: September 21, 2015

To: Graduate Council of the University of California, Merced

From: Ashlie Martini, Chair of the Mechanical Engineering Graduate Group

To Whom It May Concern:

The faculty in the Mechanical Engineering Graduate Group have recently reviewed the CRF and associated documents describing the following new course:

ME 255: Theory and Modeling of Cold Plasmas

The Mechanical Engineering faculty were asked to critique this new course and a vote concerning approval was conducted via electronic mail. This vote resulted in the formal approval of the new course. Thus, the Mechanical Engineering faculty hereby request the prompt official approval of this new course by the Graduate Council (GC).

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## **SCHOOL OF ENGINEERING**

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5200 N. LAKE RD, MERCED, CALIFORNIA 95343  
PHONE: (209) 228-4411 FAX: (209) 228-4047

Date: September 21, 2015

To: Graduate Council of the University of California, Merced

From: Corinne Townsend, Accreditation Analyst

Linda Zubke, Director of Student Support

The CRF and syllabus for ME 255: Theory and Modeling of Cold Plasmas were reviewed for compliance with WASC and ABET accreditation.

September 30, 2015

**To:** Graduate Council

**From:** Angela Krueger, Substantive Change and Graduate Assessment Coordinator

**RE:** Assessment Review of New and Revised Course Syllabi

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As outlined in the [Graduate Course Approval and CRF Process](#), I have reviewed the revised syllabus for ME 255: Theory and Modeling of Cold Plasmas. From an assessment and WSCUC perspective, this syllabus is ready to be submitted to the Registrar.

# University of California Merced Graduate Course Request Form

Group Submitting Request

I. Course Number

Full Course Title:

Abbreviated Course Title:   
(Limited to 30 characters including spaces)

Effective Term:  Discontinue Date:

Number of Units:  (Each unit should correspond to an average of 3 hours of student effort per week. For courses with nonstandard formats, justification for the number of units should be provided. If course is variable unit, please include the range. Ex: This is a 1 to 6 variable unit course.)

2. Pre-requisites:

Is this course to be taken concurrently with another course?

If 'yes' please list:

3. Are there co-requisites for the course?

If 'yes' please list:

4. Is this course restricted to certain graduate groups?

If 'yes' please list:

6. Course Description  
(Limited to 50 words)

7. Reason for request

New Course:  X

Suggested #:

{Attach syllabus}

Course Modification:  
{Brief explanation of change(s)}

8. Total Contact/Non-Contact Hours Per Week (policy)

	<u>Contact Hours</u>	<u>Non-Contact Hours</u>
Lecture:	<input type="text" value="3"/>	Lecture: <input type="text" value="6"/>
Seminar:	<input type="text"/>	Seminar: <input type="text"/>
Discussion:	<input type="text"/>	Discussion: <input type="text"/>
Lab:	<input type="text"/>	Lab: <input type="text"/>
Tutorial:	<input type="text"/>	Tutorial: <input type="text"/>
Field:	<input type="text"/>	Field: <input type="text"/>
Studio:	<input type="text"/>	Studio: <input type="text"/>

9. Grading Option:

10. May this course be repeated for credit?

If so how many times?

11. Maximum course enrollment:

Explanation:

12. Is this course cross listed with another course?

If so, please list that course:

13. Is this course to be co-listed with an undergraduate course?

If so, please list that course and provide justification in cover letter:

14. Is this a distance or blended course?

If so please attach the supplemental questions.

15. List the expected resource requirements, including personnel (TA's, etc.) library, classroom and lab space, supplies and equipment, IT requirements and transportation.

While graduate courses usually do not have TA support, it might be nice to have some support in future. The lecture will be held in classrooms with standard visual equipment. No special IT requirements anticipated.

Course submitted by: Venkatraman Ayyaswamy

09/11/15

Instructor proposing course

Date

Approved by:



School Dean

9/22/15

Date

# ME 255 Theory and Modeling of Cold Plasmas

**Course Objective/Student Learning Outcomes:** The primary objective of this graduate-level course is to introduce the students to the fundamental theoretical and computational aspects of low-temperature plasmas. The course will focus both on low pressure and atmospheric pressure plasmas discussing both the physics and chemistry. Specific example applications will be discussed in the second half of the course. After successful completion of the course, the students will

- develop the ability to study plasma systems using a combination of simplified theoretical models as well as computations with varying degrees of complexity and accuracy
- Students will understand and critically evaluate various applications of plasmas from materials processing to medicine in order to perform research and contribute to knowledge in the field.
- be able to interact with both plasma physicists and engineers and communicate effectively using the terminology of the field.

**Program Learning Outcomes:** This course will play a significant role in the overall context of the ME program by filling a missing link in our existing list of graduate-level courses. Specific program learning outcomes that this course targets include

- Students are able to identify significant research questions in mechanical engineering, and contextualize their research in the current literature of the field.
- being able to apply their knowledge of mathematics, science and engineering to implement a solution to their research problem.
- have life-long learning skills; are able to acquire and use new engineering techniques, skills and tools for research and development in mechanical engineering.
- are able to communicate effectively through oral, visual and written means with a broad range of technical audience.

**Number of units:** 3

**When:** TBA

**Where:** TBA

**Instructor:** Prof. Venkatraman (Venkatt) Ayyaswamy (Pronounced When-cut-ra-mun I-ya-swa-me)

**Office Hours:** TBA **Office:** SE2 278

**Email:** vayyaswamy@ucmerced.edu; **Phone:** (209) 228 2359

**Teaching Assistant:** TBA

**TA Email:** TBA

**Books (reference)**

1. Raizer, "Gas Discharge Physics", 1991
2. Lieberman and Lichtenberg, "Principles of Plasma Discharges and Materials Processing", 2nd Edition, 2005.
3. Becker et al., "Non-equilibrium air plasmas at atmospheric pressure", 2004 *These books are not required textbooks but are recommended as references.*

**Course Outline**

- **Introduction:** Introduction to plasma as the fourth state of matter; properties of a plasma; spatial regions in a typical plasma - sheath, quasi-neutral region, Debye length; direct-current vs radio frequency operation.



- **Basic Plasma equations:** Field equations, current and voltage; Maxwell's equations; conservation equations; Boltzmann's equation; Macroscopic quantities; Particle conservation, momentum conservation, energy conservation; equilibrium properties; particle dynamics in constant fields,  $\mathbf{E} \times \mathbf{B}$  drift; basic relations for diffusion and mobility, free and ambipolar diffusion.
- **Atomic and Molecular collisions:** Elastic and inelastic collisions, collision parameters and differential cross section; collision dynamics, center-of-mass coordinates, energy transfer, small-angle scattering; elastic scattering, coulomb collisions and polarization scattering; inelastic scattering and approximations for cross sections; molecular structure, vibrational and rotational motion; electron collision with molecules, dissociation, vibrational and rotational excitation
- **Direct current (DC) sheaths:** Collisionless sheath, Bohm sheath criterion; pre-sheath, floating wall potential, collisional sheaths, high-voltage sheath, Matrix sheath and Child law sheath.
- **Capacitive discharges:** Homogeneous model, plasma admittance, sheath admittance, particle and energy balance, discharge parameters; Inhomogeneous model, collisionless sheath dynamics, Child law, sheath capacitance, ohmic and stochastic heating; low-frequency RF sheaths.
- **DC discharges:** Qualitative characteristics of glow discharges, positive column, cathode sheath, negative glow and Faraday dark space, anode fall; Analysis of positive column and cathode region
- **Kinetic theory of discharges:** Two-term approximation, Krook collision operator, diffusion and mobility, Druyvesteyn distribution, electron distribution in RF field; local and non-local kinetics, kinetic modeling of discharges.
- **Microplasmas:** Introduction to atmospheric pressure microplasmas; operating modes and scaling; physical mechanisms relevant to microplasmas; atmospheric pressure plasma jets; field emission-assisted microplasmas.
- **Current and Future Trends:** The last two lectures will cover state-of-the-art topics that discusses recent research findings that were considered to be breakthroughs in the field. The lectures will also lay out a possible roadmap for future research discussing interesting directions.

### Academic Dishonesty Statement

- Each student in this course is expected to abide by the University of California, Merced's Academic Honesty Policy. Any work submitted by a student in this course for academic credit will be the student's own work.
- You are encouraged to study together and to discuss information and concepts covered in lecture and the sections with other students. You can give "consulting" help to or receive "consulting" help from such students. However, this permissible cooperation should never involve one student having possession of a copy of all or part of work done by someone else, in the form of an e mail, an e mail attachment file, a diskette, or a hard copy. Should copying occur, both the student who copied work from another student and the student who gave material to be copied will both automatically receive a zero for the assignment. Penalty for violation of this Policy can also be extended to include failure of the course and University disciplinary action.
- During examinations, you must do your own work. Talking or discussion is not permitted during the examinations, nor may you compare papers, copy from others, or collaborate in any way. Any collaborative behavior during the examinations will result in failure of the exam, and may lead to failure of the course and University disciplinary action.

**Disability Statement:** Accommodations for Students with Disabilities: The University of California Merced is committed to ensuring equal academic opportunities and inclusion for students with disabilities based on the principles of independent living, accessible universal design and diversity. I am available to discuss appropriate academic accommodations that may be required for student with disabilities. Requests for academic accommodations are to be made during the first three weeks of the semester, except for unusual circumstances. Students are encouraged to register with Disability Services Center to verify their eligibility for appropriate accommodations.

### Grading

- Homework: 30%
- Mid-term Exam 1: 20%
- Term Paper/Course Project: 20%
- Final Exam: 30%

Homeworks are typically assigned on Fridays and will be due in a week's time. Homeworks are due at the end of the day (5 pm) in the box located outside SE2 278. Late homeworks will be accepted till Monday (immediately following the Friday on which the homework was originally due) noon but for a reduced credit of 75%. To reiterate, feel free to discuss among yourselves to complete the homework problems, but reproducing another person's work is not acceptable. Details of exams and the term paper/course project will be provided as the course progresses. Generally speaking, the term paper will require you to write a short paper that summarizes the theoretical/numerical/experimental aspects of a specific topic that is relevant to the course. The final exam will be a comprehensive take-home exam that will test both theoretical and computational aspects. **It is your responsibility to ensure that homework and exam grades are recorded accurately on CatCourses. If you notice that the recorded grade and the actual grade you received are inconsistent, you will have to report it within two weeks from the date on which the grade was posted.**

*The instructor reserves the right to change the grading policy and syllabus depending on the overall course progress but any change will be communicated in advance to the students.*

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PHONE: (209) 228-4411 FAX: (209) 228-4047

Date: September 21, 2015

To: Graduate Council of the University of California, Merced

From: Mukesh Singhal, Chair of the Electrical Engineering and Computer Science Graduate Group

To Whom It May Concern:

The faculty in the Electrical Engineering and Computer Science Graduate Group (EECS) have recently reviewed the CRF and associated documents describing the following new course:

EECS 284: Big Data Systems and Analytics

The Electrical Engineering and Computer Science faculty were asked to critique this new course and a vote concerning approval was conducted via electronic mail. This vote resulted in the formal approval of the new course. Thus, the Electrical Engineering and Computer Science faculty hereby request the prompt official approval of this new course by the Graduate Council (GC).

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Date: September 21, 2015

To: Graduate Council of the University of California, Merced

From: Corinne Townsend, Accreditation Analyst

Linda Zubke, Director of Student Support

The CRF and syllabus for EECS 284: Big Data Systems and Analytics were reviewed for compliance with WASC and ABET accreditation.

September 30, 2015

**To:** Graduate Council

**From:** Angela Krueger, Substantive Change and Graduate Assessment Coordinator

**RE:** Assessment Review of New and Revised Course Syllabi

---

As outlined in the [Graduate Course Approval and CRF Process](#), I have reviewed the revised syllabus for EECS 284: BIG DATA SYSTEMS AND ANALYTICS. From an assessment and WSCUC perspective, this syllabus is ready to be submitted to the Registrar.

# University of California Merced Graduate Course Request Form

Group Submitting Request:

I. Course Number:

Full Course Title:

Abbreviated Course Title:   
(Limited to 30 characters including spaces)

Effective Term:

Discontinue Date:

Number of Units:

(Each unit should correspond to an average of 3 hours of student effort per week. For courses with nonstandard formats, justification for the number of units should be provided. If course is variable unit, please include the range. Ex: This is a 1 to 6 variable unit course.)

2. Pre-requisites:

Is this course to be taken concurrently with another course?

If 'yes' please list:

3. Are there co-requisites for the course?

If 'yes' please list:

4. Is this course restricted to certain graduate groups?

If 'yes' please list:

6. Course Description (Limited to 50 words)

7. Reason for request

New Course:  Suggested #:  {Attach syllabus}

Course Modification: The main modification is the course name change from *Large Scale Data Management* to *Big Data Systems and Analytics*. This change is imposed by the current popularity of Big Data which, in my opinion, is just another name for large scale data processing. Minor changes are also made to the syllabus to align it with the WASC requirements.

8. Total Contact/Non-Contact Hours Per Week (policy)

Contact Hours		Non-Contact Hours	
Lecture:	<input type="text" value="3"/>	Lecture:	<input type="text"/>
Seminar:	<input type="text"/>	Seminar:	<input type="text"/>
Discussion:	<input type="text"/>	Discussion:	<input type="text" value="3"/>
Lab:	<input type="text" value="3"/>	Lab:	<input type="text" value="3"/>
Tutorial:	<input type="text"/>	Tutorial:	<input type="text"/>
Field:	<input type="text"/>	Field:	<input type="text"/>
Studio:	<input type="text"/>	Studio:	<input type="text"/>

9. Grading Option:

10. May this course be repeated for credit?  If so how many times?

11. Maximum course enrollment  Explanation:

12. Is this course cross listed with another course?

If so, please list that course:

13. Is this course to be co-listed with an undergraduate course?

If so, please list that course and provide justification in cover letter:

14. Is this a distance or blended course?  [If so please attach the supplemental question](#)

15. List the expected resource requirements, including personnel (TA's, etc.) library, classroom and lab space, supplies and equipment, IT requirements and transportation.

Each student should be able to access a Linux computer connected to a network. A development Hadoop cluster (Java SDK and other packages) should be installed and accessible over the network connection. GNU G++ compiler and other Linux libraries should also be installed on the lab machines.

Course submitted by: Florin Rusu  Date:

Instructor proposing course  Date

Approved by:   Date:

School Dean  Date

## EECS 284 – BIG DATA SYSTEMS AND ANALYTICS

Number of credits: 4 units

- Instructor: Florin Rusu
- Office: SE2-210
- Phone: 209-228-4286
- Email: frusu@ucmerced.edu
- Web: <http://faculty.ucmerced.edu/frusu>

**Catalog description.** This course aims to familiarize students with techniques for processing large amounts of data. Starting with the latest innovations in hardware, data processing architectures are presented as well as algorithms for managing large quantities of data. Although the main focus is data analytics, significant attention is dedicated to transactional processing.

**Textbook and other required materials.** There is no textbook required. Materials to be used during the course include *Readings in Database Systems, 4th Ed., MIT Press* by M. Stonebraker and J. Hellerstein and research papers from major data management/data mining/machine learning/systems conferences available online through the ACM and IEEE portals.

**Course objectives/student learning outcomes.** The goal of this course is to expose students to state-of-the-art techniques for managing and processing large amounts of data. At the end of the course, students will be able to assess the properties of high-performance computer architectures, apply parallelizing and data-partitioning methods to design scalable algorithms, and use the latest industry programming paradigms for data management. This will be achieved by presenting a series of data management architectures, algorithms, and programming paradigms, analyzing theoretically their properties, and assessing empirically their practical importance. In essence, the objective of this class is to introduce the latest technologies made available by the industry, such as multi-core processors, solid-state drives (SSD), etc., reflect on how they affect the existing data processing techniques, and design algorithms and methods that take full advantage of their characteristics.

Students will learn about the latest trends in the hardware industry and how they shape the evolution of the data processing techniques. They will get detailed exposure to the current research in data management through reading and providing critique for seminal papers in the field and direct experience with research prototype systems. These will both enhance their ability to read research literature as well as to understand how theoretical concepts are made practical and applied to real-life problems. The progress students make in assimilating the class material will be continuously tested through multiple oral presentations of a semester-long project in which the students are required to apply the learned concepts to their own research. The project report required at the end of the course is designed to enhance the technical writing skills of the students as well as their ability to provide constructive feedback for the work of their colleagues (students will be required to review the work of others in a peer review fashion). In summary, the students enrolled in this course will get exposure to the current research in data management and will experience the latest innovations from the industry. These will benefit both students more interested in research aspects as well as students looking for a more hands-on experience.

By taking this course, students will be able to (i.e., **student learning outcomes**):

- Analytically read research literature as well as understand how theoretical concepts are made practical and applied to real-life problems.
- Communicate course concepts through oral presentations.



- Demonstrate technical writing skills and an ability to provide constructive feedback for the work of their colleagues.
- Understand current research in data analytics and the latest innovations from the industry.

**Program learning outcomes.** The course relates to the following EECS program learning outcomes:

- Students are able to identify novel and significant open research questions in electrical engineering and computer science and are able to situate such questions in the contexts of current research literatures.
- Students are able to apply their knowledge of computing, mathematics, science, and engineering to the analysis of technological problems, as well as to the design and implementation of viable solutions to those problems.
- Students are able to design and conduct experiments and computational simulations for the purpose of evaluating and comparing proposed solutions on the basis of empirical evidence.
- Students possess the characteristics of lifelong learners; they are able to acquire and use new techniques, skills, and engineering and scientific tools for research and development in electrical engineering and computer science, as well as to develop new methods and make new discoveries.
- Students practice a high standard of professional ethics, including integrity in the conducting and writing of research.
- Students communicate effectively through oral, visual, and written means, effectively addressing a broad range of technical audiences.

**Prerequisites by topic.**

- Computer architecture understanding
- Computer system design concepts
- Algorithm fundamentals
- Or consent of instructor

**Course policies.** The course consists of 3 hour lectures per week, "seminar style". A research paper is presented by a student or the instructor in each lecture. Students are required to read the papers and write a summary to be handed to the instructor prior to the class. Each student is asked to write an individual research report on a commonly agreed topic with the instructor (it is desirable that the topic is related to the research area of the student). The progress students make with their reports is tested multiple times during the semester through oral presentations. In the lab, students will work on individual programming assignments related to the topics discussed in class or on the practical portion of their project (a high-end cluster is required for the projects).

**Academic dishonesty statement.** Each student in this course is expected to abide by the University of California, Merced's Academic Honesty Policy. Any work submitted by a student in this course for academic credit will be the student's own work.

Students are encouraged to study together and to discuss information and concepts covered in lectures. Students can provide/receive "consulting" to/from other students. However, the permissible cooperation should never involve one student having possession of a copy of all or part of the work done by someone else, in the form of an email, an email attachment file, a storage device, or a hard copy. Should copying occur, both the student who copied work from another student and the student who gave material to be copied

will receive zero credit for the corresponding assignment. Penalty for violation of this Policy can also be extended to include failure of the course and University disciplinary action.

During examinations, each student has to do only their own work. Talking or discussing is not permitted, nor students comparing their papers, copying from others, or collaborating in any way. Any collaborative behavior during examinations will result in failure of the exam and may lead to failure of the course and University disciplinary action.

**Disability statement.** Accommodations for students with disabilities: The University of California, Merced is committed to ensuring equal academic opportunities and inclusion for students with disabilities based on the principles of independent living, accessible universal design diversity. I am available to discuss appropriate academic accommodations that may be required for students with disabilities. Requests for academic accommodations are to be made during the first three weeks of the semester, except for unusual circumstances. Students are encouraged to register with the Disability Services Center to verify their eligibility for appropriate accommodations.

### Topics.

1. Data processing architectures
  - symmetric multiprocessing (SMP): shared memory, shared disk
  - massively parallel processing (MPP): shared nothing
2. Parallel processing
  - fundamentals of parallel databases: query language, data partitioning
  - architectures: multi-thread, multi-processor (NUMA), distributed cluster
3. Distributed processing
  - Map-Reduce framework: programming paradigm
  - Hadoop system: distributed file system, processing framework, query language
4. Data analytics
  - methods and algorithms
  - comparison of approaches
5. Online analytical processing
  - data cube
  - sampling
6. Multi-query processing
  - shared scans
  - shared processing
7. High-throughput transactional systems
  - transactional databases
  - CAP theorem
  - in-memory transactions
  - NoSQL

## 8. Applications

- data mining
- machine learning
- web analytics and indexing

### **Assessment/Grading policy.**

- Project: 40%
- Paper critique & presentation: 20%
- Lab assignments: 30%
- Class discussion: 10%

September 29, 2015

Justin D. Yeakel  
School of Natural Sciences  
Assistant Professor (starting Spring, 2016)  
University of California, Merced

***Cover Letter***  
***QSB/ES 256 Ecological Dynamics***

The proposed course *Ecological Dynamics* is designed to be an analytical and computational tour through biological population dynamics, stochastic processes, foraging theory, and the use of networks in ecology. The course will focus heavily on the qualitative analysis of multi-dimensional dynamic systems describing how individual organisms, populations, and communities change through time.

**Differentiation from listed courses:** Although there are some similarities between the proposed course with ESS 128 (Theoretical Ecology), ES 228 (Ecological Modeling), and BIO 145 (Intro. to Population and Community Ecology), the projected learning outcomes of this course offer 3 distinct differences that distinguishes this course from those listed above. 1) *Ecological Dynamics*, as its name implies, will center on the use, analysis, and programmatic dissection of differential and difference equations to explore both population and community dynamics. 2) Lessons will focus heavily on linearization of dynamic systems, analysis of stability regimes and bifurcations, generalization, and an introduction to stochastic processes, probability theory, stochastic dynamic programming to model behavior, and the use of networks to explore community interactions. 3) The highlight of the course includes facilitation of individually-chosen projects, where students will design and explore a theoretical ecological model, as well as synthesize their results and discoveries. The course will end with a student-run symposium showcasing graduate (and participating undergraduate) final projects.

**Justification of conjoined course:** *Ecological Dynamics* is conjoined with the upper-division undergraduate course BIO/ESS 156, and is thus aimed towards advanced undergraduates as well as graduate students. The reasoning behind conjoining these courses is twofold. 1) To ensure that the course will meet the minimal enrollment requirements, though in the future the undergraduate and graduate versions of this course may be taught separately if there is high enough enrollment. 2) *Ecological Dynamics* is meant to emphasize critical evaluation of theoretical methods and their application to data, as well as to creatively build and explore models from first principles. The final project will involve writing a research paper investigating a self-constructed theoretical model and its potential application to ecological theory/data. Thus, advanced undergraduates will benefit from their exposure to the problem-solving approaches, question-oriented investigation, and general skill-sets typical of graduate students, with the hopes that these skills will be absorbed, enhancing their critical thinking skills,

and to enhance the quality and personal investment in their final project. Because graduate students are required to participate in an additional Discussion section, the conjoined nature of the course will not detract from the level of detail appropriate for a Graduate-level course.

The requirements for completion are different for each group. Undergraduate students will be required to attend all lectures, complete all homework assignments, and construct a research project for the final exam. Graduate students will have these same requirements, and in addition will be required to attend a discussion group aimed at implementing the theoretical methods described in class in the R programming environment. In addition, during discussion we will examine aspects of ecological dynamics in greater detail, and how it may relate to their individual projects and interests. We will also read primary literature on topics that are covered during lecture. Undergraduate students will be welcome to attend these discussion sections if they are interested, but this is not required.

**Justification for inclusion in QSB/ES:** *Ecological Dynamics* will serve to familiarize both advanced undergraduate students as well as graduate students with dynamical approaches to complex ecological systems. These tools and approaches are common modern research methods that are used to address and explore important ecological problems. For undergraduate students, the introduction to these tools will build upon their quantitative toolset, and will be useful and relevant to many quantitative fields that might appeal to the student. For graduate students, this course will introduce tools, techniques, and ways of thinking that will be potentially helpful as they formulate their own research interests. The final project at the end of the course is unique in that it aims for students (both undergraduate as well as graduate) to build a novel project from scratch, with the ultimate goal of producing something that could be published in a peer-reviewed journal. Thus, *Ecological Dynamics* aims to establish a foundational understanding of dynamic processes in ecology as well as to empower students to use these tools to investigate subjects that they find intriguing.

Sincerely,



Justin D. Yeakel

From ES Graduate Group Chair Peggy O'Day

The request to create ES 256 Ecological Dynamics as new course has been reviewed by the Environmental Systems Educational Policy Committee (EPC). The EPC made comments on a draft version, which were incorporated by the faculty member proposing the course, and the final version was reviewed by the EPC. The EPC and Program Chair approved the course request on behalf of the Environmental Systems program.

October 6, 2015

**To:** Graduate Council

**From:** Angela Krueger, Substantive Change and Graduate Assessment Coordinator

**RE:** Assessment Review of New and Revised Course Syllabi

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As outlined in the [Graduate Course Approval and CRF Process](#), I have reviewed the revised syllabus for QSB/ES 256: Ecological Dynamics. From an assessment and WSCUC perspective, this syllabus is ready to be submitted to the Registrar.

## University of California Merced Graduate Course Request Form

Group Submitting Request

ES

1. Course Number 256

Full Course Title: Ecological Dynamics

Abbreviated Course Title: Ecological Dynamics

(Limited to 30 characters including spaces)

Effective Term: Spring 2016

Discontinue Date: [ ]

Number of Units: 4

(Each unit should correspond to an average of 3 hours of student effort per week. For courses with nonstandard formats, justification for the number of units should be provided. If course is variable unit, please include the range. Ex: This is a 1 to 6 variable unit course.)

2. Pre-requisites:

Is this course to be taken concurrently with another course? No

If 'yes' please list:

3. Are there co-requisites for the course? No

If 'yes' please list:

4. Is this course restricted to certain graduate groups? No

If 'yes' please list:

6. Course Description

(Limited to 50 words)

Ecological Dynamics provides a survey of theoretical ecology, involving a tour through population dynamics, stochastic processes, and ecological networks. Both analytical and numerical (computational) approaches will be used to build and examine dynamic models, as well as to assess the role of theoretical vs. empirical approaches to understand ecological processes.

7. Reason for request

New Course: Yes

Suggested #: 256

{Attach syllabus}

Course Modification:

[Brief explanation of change(s)]

8. Total Contact/Non-Contact Hours Per Week [\(policy\)](#)

Contact Hours

Non-Contact Hours



Lecture:	<input type="text" value="3"/>	Lecture:	<input type="text" value="6"/>
Seminar:	<input type="text"/>	Seminar:	<input type="text"/>
Discussion:	<input type="text" value="1"/>	Discussion:	<input type="text" value="2"/>
Lab:	<input type="text"/>	Lab:	<input type="text"/>
Tutorial:	<input type="text"/>	Tutorial:	<input type="text"/>
Field:	<input type="text"/>	Field:	<input type="text"/>
Studio:	<input type="text"/>	Studio:	<input type="text"/>

9. Grading Option:

10. May this course be repeated for credit?  If so how many times?

11. Maximum course enrollment:  Explanation:

12. Is this course cross listed with another course?

If so, please list that course:

13. Is this course to be co-listed with an undergraduate course?

If so, please list that course and provide justification in cover letter:

14. Is this a distance or blended course?  [If so please attach the supplemental questions.](#)

15. List the expected resource requirements, including personnel (TA's, etc.) library, classroom and lab space, supplies and equipment, IT requirements and transportation.  
 IT support and access to computer laboratory for hands-on computer assignments, or to laptops that have the R programming language installed (freeware). IT support will be needed in setting up and maintaining a course WWW Portal and making some interactive course material available on the WWW.

Course submitted by: <u>Justin D. Yeakel</u>	<u>9/29/2015</u>
Instructor proposing course	Date
Approved by: <u></u>	<u>10/5/15</u>
School Dean	Date

Revised 2/14/14mc

**Ecological Dynamics**  
**Graduate Syllabus**  
**(QSB/ES 256)**  
**Semester XX**

Lecture time: 2 one hour and 15 minute lectures per week; 1 one hour discussion per week

Lecture location: Classroom Office Building (COB) XX

**Exam Date/Location:** TBA

**Instructor:** Professor Justin D. Yeakel (jdyeakel@gmail.com)  
Science and Engineering Bldg., Rm. XX; Office Phone: XX  
Office hours: TBA

- I. **Course Description:** This course fulfills a credit for the QSB and ES graduate student, and provides a survey of theoretical ecology, involving a tour through population dynamics, stochastic processes, and network ecology. Both analytical and numerical (computational) approaches will be used to build and examine dynamic models, as well as to assess the role of theoretical vs. empirical approaches to understand ecological processes. A significant portion of the course will be focused on designing, analyzing, and synthesizing an individually-chosen research topic in ecological theory. Students should have a basic understanding of, or previous introduction to calculus. *Letter Grade or S/U*. This a 4-unit course.
- II. **Undergraduate vs. Graduate Expectations:** This course is aimed towards advanced undergraduates as well as graduate students, and the requirements for completion are different for each group. Undergraduate students will be required to attend all lectures, complete all homework assignments, and construct a research project for the final exam. Graduate students will have these same requirements, and in addition will be required to attend a discussion group aimed at implementing the theoretical methods described in class in the R programming environment. In addition, during discussion we will examine aspects of ecological theory in greater detail, and how it may relate to their individual projects and interests. We will also read primary literature on topics that we cover during lecture. Undergraduate students will be welcome to attend these discussion sections if they are interested, but are not required to do so.
- III. **Course Goals and Outcomes:**
- a. **Course Goals:**
- Become familiar and comfortable with basic theoretical models in ecology and understand how these models are used to gain information about biological systems
  - Interpret the strengths and weaknesses of theoretical models
  - Learn how to interpret models both mathematically and graphically
  - Learn how to formulate your own ecological questions into the framework of a theoretical model
  - Become comfortable with the basic layout and implementation of code in the R programming environment. Graduate students will have greater exposure to learning how to explore theoretical models with code during the Discussion sections.

- b. **Learning Outcomes:** At the end of the course, students should be able to:

**General Learning Outcomes**

- Critically analyze ecological models
- Know the basic operations of the R programming language
- Analyze the graphical output of theoretical models
- Formulate their own research interests via a mathematical or computational model

**This course connects to the QSB learning outcomes by:**

- **Quantitative and Systems Biology (PLO 1):** Providing a foundational understanding of theoretical models used to examine the quantitative traits of populations and communities. Establishing a basic understanding of probability theory to explore stochastic population and community dynamics. Emphasizing the formulation of theories/concepts in the R programming environment. Exploring and modified classical models via programming to gain intuition and understanding of the model at hand.
- **Communication (PLO 3):** Designing, evaluating, synthesizing, and reporting on an individually-chosen topic in theoretical ecology. The final result of this research topic will be a written report in the format of a chosen peer-reviewed publication, as well as a verbally-communicated presentation of the design and results of the project. Throughout the latter half of the course, graduate students will communicate their ideas and preliminary results with each other to refine approaches/conclusions of the final project, as well as the best way to communicate results.
- **Scholarship and Research Ability (PLO 4,5):** Providing a Discussion section where topical papers in quantitative ecology are read, understood, and dissected.

**This course connects to the ES learning outcomes by:**

- **Major Concepts and Principles:** Providing a fundamental understanding of the essential processes used to construct theoretical models of populations and communities with an emphasis on environmental implications. Establishing connections between environmental and conservation-oriented processes (e.g. land use changes) to their potential ecological impacts through the lens of mathematical methods in biology. Emphasizing the links between population/community dynamics and human resource use.
- **Applications and Analysis of Tools and Data:** Describing, analyzing, and critically evaluating the benefits and drawbacks of different ecological models in qualitatively or quantitatively understanding dynamics at the individual-, population-, and community-scale. Emphasizing the confrontation between models and empirically-derived data, as well as the difficulties inherent to mapping theoretical observations to those made from observational or experimental data.
- **Communicate Environmental Science Issues to a Wider Community:** Building, exploring, and communicating an individually-chosen theoretical research topic with emphasis on communicating the problem, design, and results in a way that is approachable to a non-scientist. The final project will require graduate students to write up their self-chosen question/methods/results/discussion in the format of a peer-reviewed publication, as well as present their results to the rest of the class. Emphasizing communication with peers while constructing and exploring a research topic during the second half of the course.

*See the table below for more detailed learning outcomes.*

IV. **Format and Procedures:**

1. This course is structured as follows: 2 1 hour and 15 minute lecture per week. Lectures will be interactive, involving both formal lecturing, discussions, and group exploration.

2. **Graduate students will be required to attend a 1 hour Discussion section once per week, where we will learn to implement theoretical problems in a coding environment.**
3. Students will be assigned weekly problem sets and/or short coding projects.
4. There will be two mid-term exams and a final project (see below)
5. The final project will be chosen during the semester, and will involve original research by the student. Instead of a 'final exam', we will have a mini-symposium where students will present their results, as well as a 5-8 page report detailing results and findings. The grade for this project will be based on both the report and the presentation.

V. **Course Requirements & Grading Procedures:**

a. ***Class Attendance and Participation Policy:***

Students are expected to attend all lectures. It has been shown that a student's performance in a course is *closely* coupled to their attendance.

b. ***Required and Supplemental Readings:***

**Required Textbook:** *Mangel, M. The Theoretical Biologist's Toolbox.*

*Other required readings will be provided on the course website.*

**Course Website:** <http://jdyeakel.github.io/teaching/>

Information, lectures, notes, and important dates/alerts related to the course will be posted here.

c. ***Course Assignments and Projects:***

*Assignments (including homework, final project summary, and report) should be handed in on time. Late assignments will only be accepted that calendar week and will automatically receive one letter grade lower.*

**Homework Assignments:** Homework will be assigned in class and consist of both problem sets in theoretical methods and short coding projects that will introduce students to exploring ecological theory in a simple coding environment.

**Graduate Student Discussion Section:** Graduate students will be required to attend a Discussion Section once per week. There will be a weekly reading (generally a peer-reviewed publication or short book chapter) that compliments the lectures. This section will cover some of the material in greater depth as well as to focus on implementing learned techniques on the computer in the R programming environment. Students will leave this course with a good working knowledge of basic programming skills.

**Final Project:** Each student will create a project during the course of the semester. These will be original research projects, and preferably deal with a subject that the student is interested in. These projects will necessarily have to be completable during the time period of the course. The student will first submit a summary of what the project aims to accomplish, and will finish with both a written report, **in the style of a peer-reviewed publication**, and a presentation to the class detailing the findings of their project. The project will be graded on its originality, creativity, and findings. Both mathematical derivations and/or computer code will have to be provided in the appendices of the final report.

**Exams:** There will be two “midterm” exams during the semester. If you are sick during an exam, please bring a note from your doctor verifying your illness. Missed exams based on an excused medical illness will be taken as soon as possible. ***There will be no early exams given.***

- d. **Grading:** Your final grade will be based on: lecture attendance/participation (10%), homework (40%), midterms (30%), and the final project (20%).

Letter Grading Scale: A: (90-100%); B: (75-90%); C: (65-75%), D: (50-60%), F: (<50%)

VI. **Academic Integrity:** Academic integrity is the foundation of an academic community and without it none of the educational or research goals of the university can be achieved. All members of the university community are responsible for its academic integrity. Existing policies forbid cheating on examinations, plagiarism and other forms of academic dishonesty.

- a. Each student in this course is expected to abide by the University of California, Merced’s Academic Honesty Policy (<http://studentlife.ucmerced.edu/what-we-do/student-judicial-affairs/academicy-honesty-policy>). Any work submitted by a student in this course for academic credit will be the student's own work or clearly identified group work.
- b. You are encouraged to study together and to discuss information and concepts covered in lecture and the sections with other students. You can give "consulting" help to or receive "consulting" help from such students. However, this permissible cooperation should never involve one student having possession of a copy of all or part of work done by someone else, in the form of an email, an email attachment file, a diskette, or a hard copy. Should copying occur, both the student who copied work from another student and the student who gave material to be copied ***will both automatically receive a zero for the assignment.*** Penalty for violation of this Policy can also be extended to include failure of the course and University disciplinary action.
- c. During examinations, you must do your own work. Talking or discussion is not permitted during the examinations, nor may you compare papers, copy from others, or collaborate in any way. Any collaborative behavior during the examinations will result in failure of the exam, and may lead to failure of the course and University disciplinary action.
- d. Examples of academic dishonesty include:
- using unauthorized materials during an examination
  - plagiarism - using materials from sources without citations
  - altering an exam and submitting it for re-grading
  - using false excuses to obtain extensions of time or to skip coursework
- e. Take responsibility for honorable behavior. Collectively, as well as individually, make every effort to prevent and avoid academic misconduct, and report acts of misconduct you witness to me.
- When an instructor specifically informs students that they may collaborate on work required for a course, the extent of the collaboration should not exceed the limits set by the instructor.
  - Know what plagiarism is and take steps to avoid it. When using the words or ideas of another, even if paraphrased in your own words, you must cite your source. Students who are confused about whether a particular act constitutes plagiarism should consult the instructor who gave the assignment.

- Know the rules --- ignorance is no defense. Those who violate campus rules regarding academic misconduct are subject to disciplinary sanctions, including suspension and dismissal.

**Accommodations for Students with Disabilities:** The University of California Merced is committed to ensuring equal academic opportunities and inclusion for students with disabilities based on the principles of independent living, accessible universal design and diversity. I am available to discuss appropriate academic accommodations required for student with disabilities. Requests for academic accommodations are to be made during the first 3 weeks of the semester, except for unusual circumstances. Students are encouraged to register with Disability Services Center to verify their eligibility for appropriate accommodations. The instructor will make every effort to accommodate all students who, because of religious obligations, have conflicts with scheduled exams, assignments, or required attendance. Please speak with the instructor during the 1st week of class regarding any potential academic.

**Tentative Weekly Schedule:** Please note that the Instructor reserves the right to change the schedule. You will be advised in advance of any changes via email or the UC web system.

Week	Topic	Description	Readings	Assessments
<b>1</b>	Introduction to Theoretical ecology	The role of models in ecology: from theory to data	TBA	
	Introduction to population dynamics	Population growth models; continuous vs. discrete; arithmetic vs. geometric population growth; doubling time	TBA	
	Discussion	None - organizational		
<b>2</b>	Population dynamics I	Logistic population growth; Continuous solutions and carrying capacity; Discrete time: Cob-web diagrams and steady states	TBA	Homework 1 due
	Population dynamics II	More cob-webs: Cycles and Chaos; A bit about bifurcations; Recruitment dynamics as an illustrative guide	TBA	
	Discussion	Population dynamics in R	Peer-reviewed publication TBA	
<b>3</b>	Harvest dynamics	Constant vs. changing effort; Sustainability (MSY and MNP concepts)	TBA	Homework 2 due
	Bioeconomics	Discounting and all that	TBA	
	Discussion	Harvest equations in R	Peer-reviewed publication TBA	
<b>4</b>	Competition I	Lotka-Volterra competition model; Phase planes: saddles and cycles;	TBA	Homework 3 due
	Competition II	Review of LV competition model; The Jacobian matrix: Determinants, Traces, and cyclicity	TBA	
	Discussion	Competition models in R	Peer-reviewed publication TBA	
<b>5</b>	Predation I	The Lotka-Volterra predation model; phase planes, stable limit cycles; Prey & predator functional/numerical responses	TBA	Homework 4 due
	Predation II	Dynamic consequences of linear vs. nonlinear functional response; Dynamical implications of generalization/specialization; Holt apparent competition model	TBA	
	Discussion	Predation models in R	Peer-reviewed publication TBA	
<b>6</b>	Perturbation Methods I	Linear stability analysis in continuous systems	TBA	Homework 5 due
	Perturbation Methods II	Linear stability analysis in discrete systems	TBA	

Week	Topic	Description	Readings	Assessments
	Discussion	Linear stability analysis in R	Peer-reviewed publication TBA	
<b>7</b>	<b>Exam I</b>	Good Luck!	TBA	
	Generalized Modeling I	Learning a lot from a little: Chinese dynasties	TBA	
	Discussion	Generalized modeling in R	Peer-reviewed publication TBA	
<b>8</b>	Generalized Modeling II	Learning even more from a little: revisiting recruitment & predation	TBA	Homework 6 due
	Dynamics of life history I	Growth, maturity, and reproduction; Leslie matrices	TBA	
	Discussion	Life history matrices in R	Peer-reviewed publication TBA	
<b>9</b>	Dynamics of life history II	Estimating the mean growth rate; $r$ vs. $k$ selection; tradeoffs in growth vs. reproduction	TBA	Homework 7 due
	Planetary carrying capacities I	Human population dynamics	TBA	
	Discussion	Coupled human-ecosystems in R	Peer-reviewed publication TBA	
<b>10</b>	Planetary carrying capacities II	The dynamics of resource depletion and innovation	TBA	Homework 8 due
	Introduction to probability I	Introduction; Beastiary of distributions; Examples	TBA	
	Discussion	Probability in R	Peer-reviewed publication TBA	
<b>11</b>	Introduction to probability II	Sources of error in population models	TBA	<b>Final project summaries due</b>
	Stochastic population models I	The gambler's ruin	TBA	
	Discussion	Stochastic population models in R	Peer-reviewed publication TBA	
<b>12</b>	Stochastic population models II	Ornstein-Uhlenbeck processes and the inevitability of extinction	TBA	Homework 9 due
	Diet and foraging I	Fitness tradeoffs and diet selection; Gambling: risk and rewards; Marginal Value Theorem	TBA	
	Discussion	Diet models in R	Peer-reviewed publication TBA	
<b>13</b>	Diet and foraging II	Fitness-maximization and decision-making I	TBA	Homework 10 due
	Diet and foraging III	Fitness-maximization and decision-making II	TBA	



Week	Topic	Description	Readings	Assessments
	Discussion	Fitness maximization in R	Peer-reviewed publication TBA	
<b>14</b>	<b>Exam II</b>	Good Luck!	TBA	
	Introduction to networks I	Size; Statistics; Scales; Structure	TBA	
	Discussion		Peer-reviewed publication TBA	
<b>15</b>	Introduction to networks II	Network dynamics in ecology: Interaction webs	TBA	
	Introduction to networks III	Network dynamics in ecology: Metapopulations	TBA	
	Discussion	Networks in R	Peer-reviewed publication TBA	
<b>16</b>	Project preparation	Individual working groups		
	Project preparation	Individual working groups		
	Discussion	Individual projects		
<b>17</b>	<b>FINAL "EXAM"</b>	The UC-Merced Ecological Dynamics Symposium		<b>Final project report due</b>

**Ecological Dynamics**  
Undergraduate Syllabus  
(BIO/ESS 156)  
Semester XX

Lecture time: 2 one hour and 15 minute lectures per week

Lecture location: Classroom Office Building (COB) XX

**Exam Date/Location:** TBA

**Instructor:** Professor Justin D. Yeakel (jdyeakel@gmail.com)  
Science and Engineering Bldg., Rm. XX; Office Phone: XX  
Office hours: TBA

I. **Course Description:** This course fulfills an upper division requirement for the Ecology and Evolutionary Biology (EEB) emphasis track of the Biological Sciences Major, as well a credit for the QSB and ES graduate student. This course provides an introduction to theoretical ecology, involving a tour through population dynamics, stochastic processes, and network ecology. There are different course expectations for undergraduate and graduate students. *Prerequisite: BIO 001, MATH 011 / 021 or equivalent. Normal Letter Grade only.*

II. **Undergraduate vs. Graduate Expectations:** This course is aimed towards advanced undergraduates as well as graduate students, and the requirements for completion are different for each group. Undergraduate students will be required to attend all lectures, complete all homework assignments, and construct a research project for the final exam. Graduate students will have these same requirements, and in addition will be required to attend a discussion group aimed at implementing the theoretical methods described in class in the R programming environment. In addition, during discussion we will examine aspects of ecological theory in greater detail, and how it may relate to their individual projects and interests. We will also read primary literature on topics that we cover during lecture. Undergraduate students will be welcome to attend these discussion sections if they are interested, but are not required to do so.

III. **Course Goals and Outcomes:**

a. **Course Goals:**

- Become familiar and comfortable with basic theoretical models in ecology and understand how these models are used to gain information about biological systems
- Interpret the strengths and weaknesses of theoretical models
- Learn how to interpret models both mathematically and graphically
- Learn how to formulate your own ecological questions into the framework of a theoretical model
- Become comfortable with the basic layout and implementation of code in the R programming environment. Graduate students will have greater exposure to learning how to explore theoretical models with code during the Discussion sections.

b. **Learning Outcomes:** At the end of the course, students should be able to:

**General Learning Outcomes**

- Critically analyze ecological models

- Know the basic operations of the R programming language
- Analyze the graphical output of theoretical models
- Formulate their own research interests via a mathematical or computational model

#### **Programmatic learning Outcomes**

##### **This course connects to the BIO learning outcomes by:**

- Foundational knowledge (**LO 1**): Providing a core background in a) population dynamics, b) ecological interactions, c) foraging theory, and d) probability theory. Connecting theoretical approaches to ecology with empirical approaches that use observational and/or experimentally derived data.
- Critical thinking (**LO 2**): Examining both the utility and failings of mathematical models to describe natural systems. Using models to understand both qualitative and quantitative features of ecosystems, and linking the formulation of ecological models to environmental and conservation challenges faced by human societies in the Anthropocene.
- Tools and communication (**LO 3-4**): Providing an environment where students will build and explore their own theoretical models, as well as interpreting and contextualizing the results of their models with respect to the ecological problem being investigated. The final project will involve exploring an independently-chosen research topic and communicating it to their peers in written form. A primary focal point throughout will be to translate theoretical models/findings into terms, concepts, and metaphors that can be understood by non-scientists.

##### **This course connects to the ESS learning outcomes by:**

- Foundational knowledge and major concepts (**LO 1-2**): Providing a core background in a) population dynamics, b) ecological interactions, c) foraging theory, and d) probability theory. A central concept that will be taught throughout the course will be the ecosystem-level impacts of species-specific behaviors/patterns. Expanding basic ecological concepts, such as population dynamics, to major environmental/economical concerns, such as economically-sustainable conservation in fisheries.
- Critical thinking and quantitative knowledge (**LO 3**): Applying theoretical principles to address environment-scale concerns, thus integrating fundamental biological principles controlling population and community dynamics to conservation and economic issues. Providing the opportunity to critically evaluate the constraints and limitations of theoretical models with respect to the real world.
- Written and communication skills (**LO 4**): Providing an environment where students will build and explore their own theoretical models, as well as interpreting and contextualizing the results of their models with respect to the ecological problem being investigated. The final project will involve exploring an independently-chosen research topic and communicating it to their peers in written form. A primary focal point throughout will be to translate theoretical models/findings into terms, concepts, and metaphors that can be understood by non-scientists.

*See the table below for more detailed learning outcomes.*

#### **IV. Format and Procedures:**

1. This course is structured as follows: 2 1 hour and 15 minute lecture per week. Lectures will be interactive, involving both formal lecturing, discussions, and group exploration.
2. **Graduate students will be required to attend a Discussion section once per week, where we will learn to implement theoretical problems in a coding environment.**

3. Students will be assigned weekly problem sets and/or short coding projects.
4. There will be two mid-term exams and a final project (see below)
5. The final project will be chosen during the semester, and will involve original research by the student. Instead of a ‘final exam’, we will have a mini-symposium where students will present their results, as well as a 5-8 page report detailing results and findings. The grade for this project will be based on both the report and the presentation.

V. **Course Requirements & Grading Procedures:**

a. ***Class Attendance and Participation Policy:***

Students are expected to attend all lectures. It has been shown that a student’s performance in a course is ***closely*** coupled to their attendance.

b. ***Required and Supplemental Readings:***

**Required Textbook:** *Mangel, M. The Theoretical Biologist’s Toolbox.*

*Other required readings will be provided on the course website.*

**Course Website:** <http://jdyeakel.github.io/teaching/>

Information, lectures, notes, and important dates/alerts related to the course will be posted here.

c. ***Course Assignments and Projects:***

*Assignments (including homework, final project summary, and report) should be handed in on time. Late assignments will only be accepted that calendar week and will automatically receive one letter grade lower.*

**Homework Assignments:** Homework will be assigned in class and consist of both problem sets in theoretical methods and short coding projects that will introduce students to exploring ecological theory in a simple coding environment.

**Final Project:** Each student will create a project during the course of the semester. These will be original research projects, and preferably deal with a subject that the student is interested in. These projects will necessarily have to be completable during the time period of the course. The student will first submit a summary of what the project aims to accomplish, and will finish with a written report in the form of a peer-reviewed publication (with Introduction, Methods, Results, and Discussion sections). The project will be graded on its originality, creativity, and findings. Both mathematical derivations and/or computer code will have to be provided in the appendices of the final report.

**Exams:** There will be two “midterm” exams during the semester. If you are sick during an exam, please bring a note from your doctor verifying your illness. Missed exams based on an excused medical illness will be taken as soon as possible. ***There will be no early exams given.***

d. ***Grading:*** Your final grade will be based on: lecture attendance/participation (10%), homework (40%), midterms (30%), and the final project (20%).

Letter Grading Scale: A: (90-100%); B: (75-90%); C: (65-75%), D: (50-60%), F: (<50%)

VI. **Academic Integrity:** Academic integrity is the foundation of an academic community and without it none of the educational or research goals of the university can be achieved. All members of the university community are responsible for its academic integrity. Existing policies forbid cheating on examinations, plagiarism and other forms of academic dishonesty.

- a. Each student in this course is expected to abide by the University of California, Merced's Academic Honesty Policy (<http://studentlife.ucmerced.edu/what-we-do/student-judicial-affairs/academicy-honesty-policy>). Any work submitted by a student in this course for academic credit will be the student's own work or clearly identified group work.
- b. You are encouraged to study together and to discuss information and concepts covered in lecture and the sections with other students. You can give "consulting" help to or receive "consulting" help from such students. However, this permissible cooperation should never involve one student having possession of a copy of all or part of work done by someone else, in the form of an email, an email attachment file, a diskette, or a hard copy. Should copying occur, both the student who copied work from another student and the student who gave material to be copied **will both automatically receive a zero for the assignment**. Penalty for violation of this Policy can also be extended to include failure of the course and University disciplinary action.
- c. During examinations, you must do your own work. Talking or discussion is not permitted during the examinations, nor may you compare papers, copy from others, or collaborate in any way. Any collaborative behavior during the examinations will result in failure of the exam, and may lead to failure of the course and University disciplinary action.
- d. Examples of academic dishonesty include:
  - using unauthorized materials during an examination
  - plagiarism - using materials from sources without citations
  - altering an exam and submitting it for re-grading
  - using false excuses to obtain extensions of time or to skip coursework
- e. Take responsibility for honorable behavior. Collectively, as well as individually, make every effort to prevent and avoid academic misconduct, and report acts of misconduct you witness to me.
  - When an instructor specifically informs students that they may collaborate on work required for a course, the extent of the collaboration should not exceed the limits set by the instructor.
  - Know what plagiarism is and take steps to avoid it. When using the words or ideas of another, even if paraphrased in your own words, you must cite your source. Students who are confused about whether a particular act constitutes plagiarism should consult the instructor who gave the assignment.
  - Know the rules --- ignorance is no defense. Those who violate campus rules regarding academic misconduct are subject to disciplinary sanctions, including suspension and dismissal.

**Accommodations for Students with Disabilities:** The University of California Merced is committed to ensuring equal academic opportunities and inclusion for students with disabilities based on the principles of independent living, accessible universal design and diversity. I am available to discuss appropriate academic accommodations required for student with disabilities. Requests for academic accommodations are to be made during the first 3 weeks of the semester, except for unusual circumstances. Students are encouraged to register with Disability Services Center to verify their eligibility for appropriate

accommodations. The instructor will make every effort to accommodate all students who, because of religious obligations, have conflicts with scheduled exams, assignments, or required attendance. Please speak with the instructor during the 1st week of class regarding any potential academic.

**Tentative Weekly Schedule:** Please note that the Instructor reserves the right to change the schedule. You will be advised in advance of any changes via email or the UC web system.

Week	Topic	Description/Learning Outcomes	Readings	Assessments
<b>1</b>	Introduction to Theoretical ecology	The role of models in ecology: from theory to data	TBA	
	Introduction to population dynamics	Population growth models; continuous vs. discrete; arithmetic vs. geometric population growth; doubling time	TBA	
<b>2</b>	Population dynamics I	Logistic population growth; Continuous solutions and carrying capacity; Discrete time: Cob-web diagrams and steady states	TBA	Homework 1 due
	Population dynamics II	More cob-webs: Cycles and Chaos; A bit about bifurcations; Recruitment dynamics as an illustrative guide	TBA	
<b>3</b>	Harvest dynamics	Constant vs. changing effort; Sustainability (MSY and MNP concepts)	TBA	Homework 2 due
	Bioeconomics	Discounting and all that	TBA	
<b>4</b>	Competition I	Lotka-Volterra competition model; Phase planes: saddles and cycles;	TBA	Homework 3 due
	Competition II	Review of LV competition model; The Jacobian matrix: Determinants, Traces, and cyclicity	TBA	
<b>5</b>	Predation I	The Lotka-Volterra predation model; phase planes, stable limit cycles; Prey & predator functional/numerical responses	TBA	Homework 4 due
	Predation II	Dynamic consequences of linear vs. nonlinear functional response; Dynamical implications of generalization/specialization; Holt apparent competition model	TBA	
<b>6</b>	Perturbation Methods I	Linear stability analysis in continuous systems	TBA	Homework 5 due
	Perturbation Methods II	Linear stability analysis in discrete systems	TBA	
<b>7</b>	<b>Exam I</b>	Good Luck!	TBA	
	Generalized Modeling I	Learning a lot from a little: Chinese dynasties	TBA	
<b>8</b>	Generalized Modeling II	Learning even more from a little: revisiting recruitment & predation	TBA	Homework 6 due
	Dynamics of life history I	Growth, maturity, and reproduction; Leslie matrices	TBA	

Week	Topic	Description/Learning Outcomes	Readings	Assessments
<b>9</b>	Dynamics of life history II	Estimating the mean growth rate; r vs. k selection; tradeoffs in growth vs. reproduction	TBA	Homework 7 due
	Planetary carrying capacities I	Human population dynamics	TBA	
<b>10</b>	Planetary carrying capacities II	The dynamics of resource depletion and innovation	TBA	Homework 8 due
	Introduction to probability I	Introduction; Beastiary of distributions; Examples	TBA	
<b>11</b>	Introduction to probability II	Sources of error in population models	TBA	<b>Final project summaries due</b>
	Stochastic population models I	The gambler's ruin	TBA	
<b>12</b>	Stochastic population models II	Ornstein-Uhlenbeck processes and the inevitability of extinction	TBA	Homework 9 due
	Diet and foraging I	Fitness tradeoffs and diet selection; Gambling: risk and rewards; Marginal Value Theorem	TBA	
<b>13</b>	Diet and foraging II	Fitness-maximization and decision-making I	TBA	Homework 10 due
	Diet and foraging III	Fitness-maximization and decision-making II	TBA	
<b>14</b>	<b>Exam II</b>	Good Luck!	TBA	
	Introduction to networks I	Size; Statistics; Scales; Structure	TBA	
<b>15</b>	Introduction to networks II	Network dynamics in ecology: Interaction webs	TBA	
	Introduction to networks III	Network dynamics in ecology: Metapopulations	TBA	
<b>16</b>	Project preparation	Individual working groups		
	Project preparation	Individual working groups		
<b>17</b>	<b>FINAL "EXAM"</b>	The UC-Merced Theoretical Ecology Symposium		<b>Final project report due</b>



Our subcommittee has been asked to both handle award review this year and come up with a plan to streamline the process moving forward. The underlying goals of the review and reconfiguration of the awards review process is to first, ensure a fair and equitable review of all submissions and to second, establish a process that is tenable for faculty tasked with the review.

To come up with recommendations we have 1) spoken with those involved in the review last year to identify challenges and suggestions for a new process, and 2) reached out to colleagues at UCSF and UCB to identify existing processes that could be adapted to our environment. Prior to presenting the draft suggestions to the GC, we discussed the plans with the Grad Division.

### **1. Operation of Awards Subcommittee**

The process recommended below incorporates updates from the Grad Division on the new Salesforce platform TargetX that will be used to organize the admissions and award processes.

- a. All GC members help to review awards. This assures that we have relevant expertise (a problem identified by last year's reviewers), that three reviewers can be assigned when there is a COI (several GC members are also GG or APC Chairs), and that the burden of review is distributed across the group while being coordinated by the subcommittee
- b. GG chairs receive email reminder [generated by GD or Senate Staff?] and are directed to the website where information about the nominations process, materials to be submitted for nominations, and deadlines is available
- c. GG chairs are then responsible for deciding whom to nominate – in conversation with faculty – for which fellowships, assigning faculty to write letters, etc. Nominations will be guided by a nomination template developed by the Grad Div based on the purpose/intent of each award. This template will dictate reviewing criteria, and ultimately success assessment (See Section 2, below)
- d. Grad Div will develop guidelines for the letters for each award in order to assure that letter writers clearly link their rationale for the nomination with the particular characteristics of the award (e.g. address *in the letter* each of the evaluation criteria). This will support the ease of review and introduce some structure into materials submitted. GG chairs will be responsible for uploading all materials to the online system
- e. The Awards Subcommittee will then assign GC members to review applications for a certain number of fellowships
- f. GC members go online to review/rate the applications.
- g. The online system should provide the option of printing materials or viewing online, rating (1 to 5 for outstanding), and providing comments (Sample email sent to GC members from Senate Staff attached). Awards subcommittee will propose a formula for averaging the ratings accounting for the variability in reviewers' level of strictness.
- h. Senate staff will remind late reviewers to submit reviews
- i. Grad Div via the online system tallies the ratings across all reviewers.

### **2. Measuring the success of awards**

Our subcommittee recommends that the Grad Div work with IRDS to track the following information in order to assess the outcomes of awards:

- time to degree
- presentations at professional conferences
- publications
- grants/fellowships applied for
- grants/fellowships awarded
- placement in academic or research positions post grad

We recommend that each GG/advisor conduct an annual assessment/check-in with each graduate student. Prior to the meeting students should submit their CV and self-assessment (along the lines of an IDP; goals for the year, what achieved, what not, challenges, plans for the next year) to the GG Chair who will send this information to the appropriate advisor as a prompt for the meeting (or this could come from Senate staff?).

Fellowship awardees and non-fellows could complete an additional survey generated by IRDS collecting the information listed above as well as award specific assessment criteria (based on intent/purpose of award, nomination criteria, and review criteria as outlined in Section 1, above) when appropriate.

The Grad Div will track this information and provide data on fellowship assessment (as compared to data collected from non-fellows) to the GC on an annual basis. The GC Awards Subcommittee will review said data and make recommendations about award rotation, taking into consideration the value of the award, burden of application/review, and evidence of award value to graduate student success.

### ***3. The awards landscape***

**Prospective and new student awards** target priority areas of academic excellence, diversity promotion, and graduate success. Awards span those intended to support graduate students throughout their career at UCM to those awarded for one year to facilitate the transition to graduate study. While there are awards targeting the health sciences (Health Sciences Fellowship), biological, physical, agricultural, health sciences, engineering, and/or mathematics (Earle E. Anthony Fellowship), and renewable energy (Renewable Energy Fellowship), there are no awards specifically designed to support the social sciences or humanities more generally. The current portfolio also does not include awards designed to support international students. Deadlines are reasonably tied to recruitment efforts.

**Current student awards** target priority areas of academic excellence, teaching excellence, dissertation completion, and diversity promotion. The rationale for timing of awards and deadlines is less clear in this category of awards, with some due at the beginning of the semester, some mid, and some at the time of the recruitment awards (above). We recommend streamlining deadlines for these continuing student awards to twice a year; once in the fall and once in the spring. Currently deadlines include August 30, August 31, September 30, January 16, March 31, and April 3. The January 16 deadline is too close to the prospective student award deadline. We recommend a Sept 30 and April 3 deadline for current student awards.

Similar to the prospective student awards, specific fellowships target STEM students and solar power. A category not included in the prospective student awards covered by the current student awards is international students. There are no specific awards focused on social science or humanities students.

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## **Grade Appeals Policy**

### **Introduction**

All grades, except Incomplete, are considered final when assigned by an instructor at the end of the term. For the purposes of the grade appeal, a term refers to fall or spring semesters, or summer session.

An instructor may request a change of grade when a computational or procedural error has occurred in the original assignment of a grade. An instructor may not change a grade as a result of re-examination or the submission of additional work after the close of the term. No term grade except Incomplete may be revised by re-examination.

A student may initiate a grade appeal only in case of a clerical / procedural error or non-academic circumstances (described below). Students are encouraged to review their work with the instructor for an explanation of the grade assigned. A student may appeal a grade specifically on the grounds set forth in this policy, based on potential reporting errors or criteria not directly reflective of academic performance in this course.

### **Basis for Grade Changes**

There are two valid bases for changing a grade through an appeal. The first is errors and corrections, wherein the appeal is to correct a mistake either in the computation or the reporting of a grade. The second is where it is established that non-academic criteria were applied to determine a grade which includes (a) discrimination based on ethnicity, political views, religion, age, gender, financial status or national origin; or (b) the application of arbitrary criteria in a manner not reflective of student performance in relation to course requirements.

*Point of information:* Other grade policies, outside of the grade appeal processes, address “good cause” considerations which may include illness, serious personal problems, an accident, a death in the immediate family, a large and necessary increase in working hours, or other situations deemed to be of equal gravity. Two grading policies may apply to “good cause” circumstances: an “Incomplete” or “Withdraw” grade. These processes are triggered during the term in which the course is taken and are not available subsequent to the grade being filed.

### **Initial Steps**

The following are recommended preliminary steps that should be taken prior to filing a formal appeal to address grade concerns. These steps precede the formal appeal process, described in the next section.

If a clerical or procedural error in the reporting of a grade by the instructor can be documented within the term following when the grade was filed, a student may contact the instructor and/or the by-law unit chair<sup>1</sup> [\(or for graduate students, the graduate group chair\)](#) in writing (an email message is sufficient), describing the error. Grade changes to correct [clerical and procedural errors may be](#)

**Comment [MD1]:** This is a “move” not “change” – necessitated by weird line break.

<sup>1</sup> A lead faculty contact may be a program director (e.g. the Merritt Writing Program)

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~~clerical and procedural errors may be~~ filed by the instructor (or equivalent proxy) and approved by the Office of the University Registrar. Such grade changes should ensure fairness and equity based on syllabus or other policies, especially for those students whose grades will be unaltered. No final grade (except an Incomplete) may be revised by reexamination or additional coursework.

Concerns about non-academic issues (discrimination or arbitrary treatment, [research freedom](#)) should be discussed with the instructor, if possible. ~~Otherwise, undergraduate; otherwise,~~ students are encouraged to discuss these matters with the by-law unit chair ~~(or for graduate students, the graduate group chair) and/or the program's Dean<sup>2</sup> or, (for graduate students in cases of alleged discrimination or arbitrary treatment, the Vice Provost and Dean for Graduate Education). ~~for WRI and Core 1 considerations, the Vice Provost and Dean for Undergraduate Education. Graduate students are encouraged to discuss these matters with the graduate group chair and program's Lead Dean, except in cases of alleged discrimination or arbitrary treatment, which should be reviewed by the Vice Provost and Dean for Graduate Education and/or program's Dean<sup>2</sup> (with WRI and Core 1 considerations addressed to the Vice Provost and Dean for Undergraduate Education).~~~~

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Comment [MD2]: Parenthetical

## Appeal Process

If there are sufficient and appropriate grounds to appeal a grade, based on the above specified criteria and procedures, a student may consider the following process.

### Appeal Petition

Whenever possible, students are encouraged to work directly with their instructor to discuss grades, course policies and expectations. If a student wishes to appeal a grade after speaking to the [instructor](#) ~~(and for undergraduates, the faculty member in charge of the course)~~ and the [appropriate administrator](#) ~~(see [Initial Steps](#))~~, the grade appeal process commences with a written appeal petition.

Comment [MZ3]: Doesn't make sense at the graduate level, simply say instructor?

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An appeal petition includes a written summary (250 total words, see below) and is filed electronically with the program's Dean (who will communicate with the instructor and other appropriate administrators). The following is an outline of what a formal grade appeal petition should include:

- Contact Information: *Include name, university email address, student identification number, and phone number*
- Course information: *Include course number and title, instructor name*
- Background to appeal: *In 100 words, briefly describe attempts to resolve concerns with instructor. If the faculty program lead or Dean was contacted, note these details as well.*
- Brief description of appeal: *In 150 words, describe the grounds for the appeal itself. What are the primary criteria and considerations?*
- Appendix: *Include all related documentation*

### Appeal Process

The program's Dean shall proceed to attempt to resolve the dispute independently. (If the program's Dean has a conflict of interest, *e.g.* is the instructor who filed the disputed grade, then [in the case of undergraduates, the program's School Executive Committee Chair](#) will serve as designate on the case; [in the case of graduate students, the Vice Provost and Dean of Graduate Education will serve as designate](#). In such a case, all reference to the program's "Dean" refers to this "designate.") After review of the appeal petition, the program's Dean may or may not approve further action.

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If an appeal petition alleges discrimination or arbitrary treatment, an initial assessment of the grounds for the case will be considered by the program's Dean. If it is determined that this is potentially a

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<sup>2</sup> A School dean of a given undergraduate or graduate academic program is the appropriate contact. The Vice Provost and Dean for Undergraduate Education is the contact for WRI or Core 1.

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discrimination case<sup>3</sup>, the petition will be reviewed as a Title VI and/or Title IX matter by the appropriate officer(s).

Written notification about findings will be shared with the student and instructor within four weeks of receipt of the formal petition. If the student or instructor requests a reconsideration of the appeal decision, they must respond within one week of this notification to the Provost (or designate). If there is no request for reconsideration from the student or instructor, the grade shall be sustained or altered in accordance with the findings.

A final appeal to the Provost may be based only on (1) a violation of due process in the grade appeal process or (2) new and substantial information. This final appeal is limited to a 100 word summary, with related evidence, and must be filed to the Provost's Office within one week of the findings. The Provost (or the Provost's designate) will decide if further process is warranted and if so, how this process will be structured. If further process is warranted, additional documentation or interviews supporting the appeal may be requested.

The final decision should occur within the term of the appeal. Decisions may include: 1) no change, 2) removal of course from transcript, or 3) grade correction. In cases where it is determined that nonacademic criteria were significant factors in establishing the grade, students may have the option of either receiving a P or S in the course or retroactively dropping the course without penalty.

If a grade appeal is related to the final term before graduation, submission of an appeal must be made within 30 days after the last day of a student's final term and considered within 30 days after receipt.

## Timeline

The following timeline should be followed in all grade appeals. Failure to take actions within this timeline will significantly limit and potentially disqualify the grounds for an appeal.

The following timeframe begins in the term following the one in which the grade in question has been filed.

At the beginning of the term, the student will no later than

*Weeks 1-3:* Initiate communication with instructor and/or program faculty lead, seeking informal resolution of concerns

*Weeks 4-5:* Develop a formal appeal petition, if concerns are unresolved

*By Week 6:* Submit this petition and supporting evidence to the program's Dean for review

The goal of the appeal process is for findings to be shared with the student and instructor as soon as possible. The following are estimated times for reviewing the petition, exploring information, and summarizing findings.

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<sup>3</sup> Discrimination refers to protected groups based on ethnicity, political views, religion, age, gender, financial status or national origin.

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In the process that follows, the program's Dean will:

*Weeks 7-9:* Review the formal appeal. Findings and summaries are developed, with the potential for seeking further information or consultation.

*Weeks 10-12:* If possible, findings are shared. Please note that some cases are complex and require either further consultation or information gathering, with associated time added. The final decision should occur within the term of the appeal.

*Findings:* When findings are released, the student and instructor have one week to respond via a brief summary (100 words) to the Provost (or Provost designate). This is the final step in the appeal process, and there may be no further petitions or appeals.

*Informational Item:* Please note that the timeline for appeals concerning the final term before graduation is abbreviated to 30 days.

## Final Note

These procedures are designed solely to guide grade appeal processes. No punitive actions may be taken against the instructor solely on the basis of these procedures. Neither the filing of an appeal nor the final disposition of the case shall, under any circumstances, become part of the personnel files of the instructor. The use of nonacademic criteria, however, is a violation of the Faculty Code of Conduct and in some instances Title VI and/or Title IX policies, which may result in potential sanctions.

**CHAPTER 2: ACADEMIC SENATE TITLES**

**05. LECTURERS WITH SECURITY OF EMPLOYMENT**

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**2051: GENERAL GUIDELINES**

A. Titles, Description, Eligibility

Titles in this series are:

- Lecturer with Security of Employment (**Lecturer SOE**)
- Senior Lecturer with Security of Employment (**Senior Lecturer SOE**)
- Lecturer with Potential Security of Employment (**Lecturer PSOE**)
- Senior Lecturer with Potential Security of Employment (**Senior Lecturer PSOE**)

[Note: Appointments in the titles Lecturer and Senior Lecturer (both Continuing and “pre-six”) are not part of this series but are part of Unit 18, which is discussed separately in MAPP Chapter 3 Section 10. See also the Memorandum of Understanding for the Non-Senate Instructional Unit.]

Appointees in the Lecturer with Security of Employment (LSOE) series specialize in meeting long-term instructional needs (APM 285-0). Potential appointees should show clear evidence of teaching ability of exceptional quality and promise of future growth. Appointees in this series engage in teaching, professional activities, and University and public service (APM 285-4.a, 210-3.b). Appointment in this series does not require responsibility to engage in research. Appointees may teach courses at any level, with the expectation that they will carry heavier instructional responsibilities than those in the Professorial series.

Full-time appointees in this series are members of the Academic Senate (Standing Order of the Regents 105.1). As such, they are expected to participate in the shared governance of the campus and the University (Standing Order of the Regents 105.2). Refer to Bylaw 55 for information regarding voting rights for appointees.

A registered student or candidate for higher degree at the University of California is not eligible for appointment to this series.

B. Terms of Service

Typically, an appointment to this series is for full-time service to the University; an appointment made at less than full-time to any title in this series is exceptional and requires approval by the Provost/Executive Vice Chancellor. Such authorization will not normally be granted when the individual’s professional commitment is to be divided between the University and another institution or organization.

Lecturer PSOE or Senior Lecturer PSOE:

- An appointment at the PSOE rank may be viewed as a “security of employment-track” position, in the same way that an Assistant Professor appointment is a “tenure-track” position.
- All appointments to the ranks of Lecturer PSOE and senior Lecturer PSOE are for specified terms.

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- Lecturers/Senior Lecturers PSOE are appointed for a period of two years and are subject to the Eight-Year Limit.
- The initial term of appointment of an LPSOE or Senior LPSOE ends on the second June 30th after the effective date of the appointment.
- A new two-year term commences effective with merit advancement.
- Periods of approved leave with or without salary count as part of a two-year term.
- In order to make clear to an appointee that the appointment is for a specified term, all correspondence for such appointees must reflect the specific ending date of the term.

### Lecturer SOE or Senior Lecturer SOE:

- Security of employment may be granted only for an appointment at more than half time (Standing Order of the Regents 103.10).
- Security of employment is not a reward for length of service but is based upon appraised and recognized merit.
- Appointments with SOE are continuous until terminated by resignation, retirement or dismissal for cause.

### C. Salary

Individuals appointed as a Lecturer (PSOE or SOE) are compensated at a rate on the Academic Salary Scale for this series.

Salaries for Lecturers PSOE will normally begin at a close equivalent to the salaries for Assistant Professors. Academic personnel review will occur every two years. Promotion to Lecturer SOE will normally occur during the sixth year of service as Lecturer PSOE or a combination of other eligible titles (APM 133-0.b).

Salaries for Lecturers SOE will normally begin at a close equivalent to the salaries for Associate Professors, with academic personnel review occurring every two years. If a Lecturer SOE is being paid at a salary equivalent to that of a Professor, the academic review will occur every three years. Senior Lecturers SOE may not receive less than the rate for Professor, Step I.

Senior Lecturers SOE may be appointed with a salary level above the top of the salary range ("Above-Scale"), upon evidence of great distinction, recognized nationally and/or internationally. The honorary title "Distinguished Senior Lecturer with Security of Employment" may be conferred upon Senior Lecturers SOE with a salary above the top of the range, to denote distinction equivalent to the title of "Distinguished Professor."

### **2052: RECRUITMENT**

All policies and procedures for recruitment in this series shall follow those outlined in MAPP 2012.

### **2053: APPOINTMENT**

Full-time Lecturer titles that have or lead to Security of Employment are Senate faculty positions (Standing Orders of the Regents 105.1.a). These appointments are subject to the Instructions for Review Committees Which Advise on Actions Concerning the Lecturer with Security of

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Employment Series (APM 210-3) and will follow the policies and procedures detailed in MAPP 2013 except as otherwise indicated in this Section.

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A. Criteria

Appointment as a Lecturer/Senior Lecturer SOE/PSOE requires achievement in three areas: teaching, professional competence and activity, and University and public service. Some types of possible documentary evidence are outlined in MAPP 2054 below.

Teaching:

Excellent teaching is an essential criterion for appointment. Clear documentation of ability and effectiveness in teaching is required. The candidate's case file should show evidence of the extent and skill of the candidate's participation in the general guidance, mentoring and advising of students. APM 210-3.c.1 provides points to consider in judging the effectiveness of a candidate's teaching.

Student and peer evaluation of teaching is normally central to the review process, but evidence will also be sought of significant contributions to teaching through development of superior teaching materials, programs for teaching improvement, and other activities related to teaching.

Professional Competence and Activity:

An appointee in the LSOE series is expected to maintain currency in the profession and pedagogy. The candidate's file must provide evidence of professional achievement and activity, and the candidate's professional activities should be reviewed for evidence of achievement and leadership. Evidence may include documentation of such activities as:

- Making presentations of teaching improvements at professional conferences.
- Election to significant offices of professional or learned societies.
- Invitations to lecture, present papers, etc.
- Awards, grants or honors bestowed by organizations or foundations.
- Requests for consultative service.
- Publication of works related to pedagogy or in the candidate's field of discipline.

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University and Public Service:

The candidate must demonstrate service to the Unit, campus and University and/or the public. Particular attention should be paid to that service which is directly related to the candidate's professional expertise and achievement.

**2054: MERIT, PROMOTION, APPRAISAL REVIEW**

A. Overview

The academic advancement processes for Lecturers/Senior Lecturers PSOE/SOE follow procedurally those detailed for the Professor series in MAPP 2014, including use of the short form, negative review outcomes, and postponement of promotion review. Lecturers in this series

are guaranteed the same rights as ladder-rank faculty, as codified in the Procedural Safeguard Statement. Certain details particular to the Lecturer SOE series are recorded here.

Lecturers with Potential for Security of Employment (LPSOEs) are subject to academic review for reappointment and potential advancement every two years. Reappointments are for a two-year term; however, an LPSOE may be reappointed without a promotion or advancement (APM 285-8.c). Similar to the Professorial series, in the fourth year of appointment a comprehensive review known as a Mid-Career Appraisal (MCA) is conducted to assess an LPSOE’s potential for promotion to Lecturer with Security of Employment (LSOE). The MCA for the Lecturer series will be conducted with the same degree of rigor used in evaluating ladder-rank faculty, modified appropriately to address the requirements of this series (see MAPP Appendix 2014-A). Review for promotion to Lecturer SOE will normally occur during the sixth year of appointment as LPSOE.

[Note: Per APM 133-0.b, service in titles other than Lecturer/Senior Lecturer PSOE on any University of California campus counts toward the eight-year limit or “clock” for LPSOEs. These titles include Unit 18 Lecturers, Assistant Professors, Acting Professors, and Visiting Professors.]

<b>Review and Appraisal Schedule for LPSOE/SOE Series</b>	
<b>Title and Action</b>	<b>Year</b>
<b>LPSOE</b>	
<b>Appointment</b>	<b>0</b>
<b>Reappointment and Potential Merit</b>	<b>2</b>
<b>Reappointment, Potential Merit and MCA</b>	<b>4</b>
<b>Promotion Review</b>	<b>6</b>
<b>LSOE</b>	
<b>Normal Merit Review</b>	<b>every 2-3 years</b>
<b>Promotion Review*</b>	<b>6</b>
<b>Senior LSOE</b>	
<b>Normal Merit Review</b>	<b>every 3-4 years**</b>

\*Promotion to Senior LSOE is not normally expected, but may occur when warranted. A Lecturer SOE will become eligible for promotion after not less than six years of service as Lecturer SOE.

\*\*Senior LSOEs should normally be reviewed every three years, until they have reached a salary level equivalent to Professor Step V, after which reviews will not occur after less than four years.

Lecturers/Senior Lecturers SOE may choose to defer review, but they are subject to the same quinquennial review requirements as faculty in the professorial series. (APM 200-0). Lecturers PSEO may not defer.

B. Criteria/Documentation

The three criteria required for appointment to the Lecturer SOE series, described in MAPP 2053 above, also apply to all advancement actions. Salary advancement in this series will be based on demonstrated growth in the value of services the candidate provides; it is recognized that this rate of growth will be more variable, and in some cases slower, than for those in Professorial positions (APM 285-18). What follows is guidance as to the types of evidence that may be submitted with the case file and/or analyzed in the Case Analysis, Transmittal Memo, and Dean's Recommendation to support an advancement proposal.

Teaching:

Teaching is the primary area of review in the Lecturer SOE series. Documentation of teaching should include an accounting of the candidate's teaching load for the review period with all available teaching evaluations. Teaching activities may include instruction-related activities such as conducting training, supervision of Teaching Assistants or Unit 18 Lecturers, course development and/or revision, curricular planning, directing or participating in graduate student dissertation work (if allowed by the graduate group's bylaws), directing reading groups, seminar and symposium presentations, independent study endeavors, as well as the writing of textbooks and software. Other significant types of evidence **may** include:

- Analysis of course materials such as the syllabus and reading lists, a description of the course and its goals, and a self-statement on the achievement of these goals by the candidate.
- Information about time spent on supervision and mentoring of peers or students, leading non-credit bearing educational programs, being available to and guiding students outside class, preparing for classes, undertaking courses not taught before, and improving instructional methods. Opinions of colleagues, particularly if based on class visits, observations of lectures, or knowledge of student performance in courses subsequent to those taught by the candidate.
- Opinions of current and former students, including opinions of graduates who have achieved notable professional success.
- Information about the reception of lectures given by the candidate before professional or learned societies.
- Documentation of any teaching awards received.
- Input from colleagues in team-teaching situations.
- Evidence of attention to student learning/learning outcomes.

UC Merced neither expects nor requires graduate-level mentoring and teaching for merit or promotion in this series.

[Note: Individuals asked to provide opinions on teaching should be solicited in writing and provided the University's Confidentiality Statement.]

Professional Competence and Activity:

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The candidate's professional activities should be reviewed for evidence of achievement and leadership in the field and of demonstrated innovation in the development or utilization of new approaches and techniques for the solution of professional problems. Evidence may include documentation of such activities as:

- Making presentations of teaching improvements at professional conferences.
- Election to significant offices of professional or learned societies.
- Invitations to lecture, present papers, etc.
- Awards, grants or honors bestowed by organizations or foundations.
- Requests for consultative service.
- Publication of works related to pedagogy or in the candidate's field of discipline.

University and Public Service:

Academic appointees play an important role in the administration of the University and the formulation of its policies. Consideration should therefore be given to whether candidates are participating effectively and imaginatively in faculty government, University committees, and the development of Unit, School, campus, and University policies. Services to the community, state, and nation are also to be recognized. Documentary evidence may include such activities as:

- Service in Unit, Academic Senate, and administrative capacities (including committee service).
- Contributions to student welfare through service on student-faculty committees and as advisors to student organizations.
- Activities related to the improvement of elementary and secondary education.
- Appointment or election to office in a professional organization, on a professional publication, or within a community, state, national, or international organization.
- Requests to edit or review for professional journals.

**2055: SABBATICAL AND OTHER LEAVES**

A. Educational Leave

Lecturers in the SOE series are eligible for Educational Leave. Educational Leave is granted for the purpose of allowing Lecturers in the SOE series to engage in intensive programs of study and/or professional development, thus to become more effective teachers and scholars and to enhance their services to the University.

Leave credit accrual and usage will follow the policies for accrual and use of Sabbatical Leave credits (APM 740 Charts III-IV, MAPP 2015). An appointee in the SOE series whose start date is prior to July 1, 2015 will receive ½ credit per semester of service prior to that date, up to a maximum of nine credits. Also effective July 1, 2015, appointees may transfer half of the credits earned in a different series (i.e., Professor series) up to a maximum of nine credits. It is preferred that appointees in this series take Educational Leave in non-consecutive one-semester increments due to the instructional need of the Schools for their services. A return to University service, equal to the time period of the leave, will be required. Failure to return to service will create an obligation on the part of the Lecturer to refund the entire salary received during the leave.

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## DRAFT FALL 2015

Within ninety calendar days of returning from Educational Leave, the Lecturer will submit to the Dean a concise report of the results of the leave, including an account of progress made. The report will become part of the supporting documentation included in the next academic personnel review file; the review file will not be processed unless the report is included.

### B. "Stop-the-Clock"

For determining service toward the eight-year limit, the combined total of periods of leave unrelated to academic duties and time off the clock may not exceed two years (APM 133-17.g).

### **2056: DISCIPLINE**

All policies and procedures for discipline in this series shall follow those described in MAPP 2016.

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**Report of the Task Force on University Honors  
University of California, Merced**

September 9, 2015

**Members of the Task Force**

Co-Chair, Jane Lawrence, Special Assistant to the Chancellor  
Co-Chair, Elizabeth Whitt, Vice Provost and Dean, Undergraduate Education

Hrant Hratchian, Assistant Professor, Chemistry, School of Natural Sciences  
Mario Sifuentez, Assistant Professor, History, School of Social Sciences, Humanities and Arts (SSHA)  
Jack Vevea, Chair of UGC and Associate Professor, Psychology, SSHA  
Ming-Hsuan Yang, Associate Professor, Computer Science Engineering, School of Engineering

Susana Calderon, Student, School of Natural Sciences  
Armando Lomeli, Regents Scholar and Student, SSHA  
Desiree McClain, Director of Academic Affairs for ASUCM and Student, SSHA  
Sheyda Partovi, Student, School of Natural Sciences

## Executive Summary

As UC Merced grows to 10,000 students, it is time to consider implementing programs for our undergraduates that are standard features at our sister UC campuses and other research universities. Among them is a University Honors Program. In Fall 2015 a Task Force on University Honors was created by Provost and Executive Vice Chancellor Thomas Peterson to study whether a university-wide honors program would be right for UC Merced and its students at this point in time.

After seven months of study and deliberations, the Honors Task Force recommends that a University Honors Program be created at UC Merced. The University Honors Program (UHP) will provide our most academically-talented students, from all majors and schools, a small community of scholars to support their intellectual growth and enhance their collegiate experiences. In addition to special Honors curricula, the Program will offer co-curricular opportunities, such as Honors housing and special advising, including for prestigious post-baccalaureate scholarships and fellowships. The Program will be led by a director who will report to the Vice Provost and Dean for Undergraduate Education and who will work closely with a University Honors Program Faculty Advisory Board that will oversee admissions, curricula and special programs for University Honors Program students and set policies and procedures.

Given current campus initiatives (e.g., SAFI, Project 2020, growth of graduate student enrollments) and limited campus resources, the Task Force recommends that the University Honors Program be phased in over the next five years. At its largest, the UHP will serve approximately five percent of the undergraduate student population. Therefore, by 2021, the UHP will enroll approximately 450 undergraduate students.

## Report from the Task Force on University Honors

### **Introduction**

The following report describes the work of the UC Merced Honors Task Force and offers recommendations for action based on our deliberations. We begin by providing context for our efforts, including an overview of the charge to the Task Force and a brief introduction to some of the literature about honors programs, particularly at research universities. The rest of the document presents our recommendations for a University Honors Program at UC Merced and our rationale for those recommendations.

In December 2014, Provost and Executive Vice Chancellor Thomas Peterson created the Task Force on University Honors and asked Vice Provost and Dean for Undergraduate Education, Elizabeth Whitt, and Special Assistant to the Chancellor, Jane Lawrence, to co-chair the Task Force. In addition to their experience with undergraduate education at UC Merced, both Whitt and Lawrence provided leadership for honors programs at their previous institutions. The Task Force also included UC Merced faculty members and students:

#### Faculty:

- Jack Vevea, Chair of Undergraduate Council, Associate Professor, Psychology, School of Social Sciences, Humanities and Arts
- Mario Sifuentez, Assistant Professor, History, School of Social Sciences, Humanities and Arts
- Hrant Hrachian, Assistant Professor, Chemistry, School of Natural Sciences



- Ming-Hsuan Yang, Associate Professor, Computer Science Engineering, School of Engineering

Students:

- Armando Lomeli, Regents Scholar and School of Social Sciences, Humanities and Arts
- Susana Calderon, School of Natural Sciences
- Sheyda Partovi, School of Natural Sciences
- Desiree McClain, Director of Academic Affairs for ASUCM and School of Social Sciences, Humanities and Arts

In his letter appointing the Task Force, Provost Peterson provided the following charge:

- Develop a rationale for a university-wide honors program. What will having a university honors program contribute to UC Merced?
- Investigate models of honors programs at other research universities and identify characteristics that could be a good fit for UC Merced as it grows and expands its undergraduate student population.
- Study and evaluate honors curricula, including stand-alone honors course, honors-option courses, honors seminars, honors theses, etc., and how honors requirements would complement General Education and major requirements,
- Study, evaluate and recommend co-curricular programs and activities that should be part of an honors program at UC Merced,
- Review experiences from other university honors programs and suggest what donor or development opportunities might exist for UC Merced if a university honors program is created.
- Offer an implementation plan that should include estimates of costs of implementing the program and resources required, as well as a timeline for implementation.

The Task Force convened for the first time on December 12, 2014 and met frequently throughout the Spring 2015 semester. During that time, the Task Force addressed all of the elements in Provost Peterson's charge. We reviewed some of the extensive literature on Honors education, discussed honors program models at other UC campuses and other research universities, talked about the rationale for an honors program at UC Merced at this point in its history, debated curricular models, considered what were appropriate co-curricular activities for our students, met with the senior Development team to explore what fundraising opportunities an honors program might provide, and created an implementation plan with a budget and timeline. The co-chairs also met with Undergraduate Council in late April to update them on our work, share some of our preliminary recommendations and gain members' feedback and suggestions.

**As a result of our deliberations, the Task Force recommends a University Honors Program (UHP) be created at UC Merced** to serve the most academically-talented students from all majors and Schools. The UHP will function as an academic unit within the institutional structure, with oversight for admissions, curriculum and co-curricular programs; in all of these areas, the UHP will work with other campus units and entities as specified by UC Merced and UC policies and practices. The reasons for our recommendation, and a description of our proposals for implementing the UHP follow after a brief overview of university honors programs in the United States.

### **Brief History of University Honors Programs**

Special programs for academically-talented students have their beginnings in the United States in the 1930s. The first honors program recognized in the literature was at Swarthmore:

The institution's leadership and faculty determined that it had to do two things at once, namely offer its best students a richer educational experience and, in doing so, enhance its reputation for academic excellence. (Humphrey, p. 13, Honors as Phenomenon)

In the decades that followed, the movement to expand programs for academically-talented students spread into every corner of higher education from research universities to liberal arts colleges, regional universities and two-year community colleges. Now, more than 800 institutions are members of the National Collegiate Honors Council, the professional association that was created to provide information and conferences about all aspects of honors education for institutions, faculty and students.

Within the University of California, UC Davis, UC Riverside, and UC Irvine have university-wide honors programs; UCLA has an umbrella organization, Honors Programs, which includes program- and major-related honors programs; UC Santa Cruz has a first-year honors program and UCSD has honors programs in most of its colleges. All UC campuses also appear to offer honors programs in their undergraduate majors.

Other research universities, such as Arizona State, the University of Missouri, the University of Oregon, the University of Arizona, and Penn State, have honors colleges.

### **Rationale for a University Honors Program**

#### Why a University Honors Program at UC Merced?

As we considered what we read about honors programs and colleges at other universities, as well as our experiences at UC Merced, the Task Force identified a number of potential benefits of a university honors program for both our undergraduate students and for UC Merced.

The essence of a research university includes the engagement of all students in the intellectual life of the academy. A university honors program would enhance that characteristic, not only by providing special opportunities for our most academically-talented students, but by creating a highly visible environment in which such engagement is promoted and valued. Hence, a university honors program would have an impact on the overall intellectual climate of the campus. Benefits of an honors program for the students who participate include:

- Opportunities to engage in conversations and experiences that stretch students' intellectual abilities and their academic horizons both at UC Merced and beyond,
- A small community of scholars within the larger campus community, and
- Priority registration for students who are in good standing in the honors program.

Additional benefits of a university honors program to UC Merced include:

- Contributing to a community of academic excellence on campus,
- Assisting the campus to enroll and retain more of the most academically-talented students in our applicant pool (see discussion of recruitment and retention data below),

- Providing opportunities for faculty to teach and mentor some of our most academically-talented students,
- Creating a laboratory for the campus to test curricular ideas that could, if successful, be made available to all students,
- Creating a vehicle for identifying and mentoring students for prestigious post-baccalaureate scholarships and fellowships, and
- Attracting gifts from donors to support the honors program and its students.

Data from the Office of Admissions about the grade point averages of applicants to UC Merced demonstrate that the campus is not attracting or enrolling large numbers of students in the top tiers of grade point averages (see Appendix A for multi-year data). According to Admissions Office staff, the fact that we do not have a university-wide honors program means potential students and families who expect an honors program to be available eliminate UC Merced from consideration. It's likely that many of these students would be in those top tiers of high school GPAs.

A university-wide honors program also provides an efficient and effective structure within which academic and co-curricular experiences for honors students can be coordinated. Thus, the University Honors Program (UHP) at UC Merced will serve as an "umbrella" for school or major-based honors programs, facilitating communication and encouraging shared expectations and resources. At this point in time, History is the only major that offers its students the opportunity to complete an honors thesis. The School of Natural Sciences has been offering lower division honors courses in Physics and Chemistry since 2013 in preparation for launching a school-based honors program.

Since the UHP will admit students from all UC Merced's majors and schools, students will be introduced to the intellectual breadth of the campus. We hope, as the UHP helps to raise the intellectual expectations of our students, more majors will establish honors opportunities.

At the April meeting with Undergraduate Council, a Council member asked if there are potential negative consequences associated with having a university honors program. The Task Force co-chairs offered three possibilities. First, honors programs do require institutional resources that could be allocated to other priorities. Second, at some colleges and universities, honors programs are seen as "elitist" and not contributing to the whole institution or all students. And finally, without a commitment to attracting talented students from a range of backgrounds and ethnicities, honors programs can evolve to serve students whose families have traditionally benefited from higher education to the exclusion of those whose families have not. The Task Force has attempted to address all three of these concerns through this report and our recommendations.

#### Why now?

Because the campus has plans to grow to 10,000 students (9000 of whom will be undergraduates) by approximately 2020, now is an opportune time to put into place programs that are available at other research universities, including other UC campuses, and that will assist us to attract and retain the most academically-talented undergraduate students. The Task Force recognizes that there are many priorities for the campus' limited funding, but believes that a carefully phased-in approach over the next five years will lead to an excellent UHP that will bring to our students and campus the many benefits outlined above.

### **Organizational Structures**

UC Merced's UHP will be a university-wide program that serves students from all UC Merced's majors and schools. In addition, the UHP will encourage and support the development of honors opportunities in the schools and majors.

A University Honors Program Advisory Board, composed of faculty from all UC Merced's schools, will oversee the Program's creation, implementation, and ongoing development. The advisory board's responsibilities include development and implementation of admissions criteria, development and oversight of the curriculum, development and assessment of learning outcomes, evaluation of UHP programs and policies, and collaborations with on-and off-campus entities to promote and sustain the Program. The Advisory Board also will provide advice to the Vice Provost and Dean for Undergraduate Education on the candidates for the Director of the University Honors Program.

The following faculty members have agreed to serve on the Faculty Advisory Board for the UHP:

- Paul Almeida, Professor, Sociology, SSHA
- Hrant Hrachian, Assistant Professor, Chemistry, SNS
- Patti LiWang, Professor, Quantitative Systems Biology/Molecular and Cell Biology, SNS
- Emily Moran, Assistant Professor, Life and Environmental Sciences, SNS
- Stephen Nicholson, Professor, Political Science, SSHA
- Mario Sifuentez, Assistant Professor, History, SSHA
- Jack Vevea, Associate Professor, Psychology, SSHA, and 2014-15 Chair of Undergraduate Council
- Ming-Hsuan Yang, Associate Professor, Computer Science Engineering, School of Engineering

A full-time administrative director, who will report to the Vice Provost and Dean for Undergraduate Education, will lead the UHP. Because effective advising is critical to student success, the Task Force also recommends that the UHP have an advisor whose responsibilities include assisting Honors students to stay on track with UHP curricular requirements and helping them prepare to be competitive for prestigious scholarships and fellowships.

### **Curricular Experiences**

The UHP Faculty Advisory Board, in collaboration with Undergraduate Council and other faculty entities, will determine the UHP curricular requirements. The Task Force, however, felt this proposal should include an example of what courses and other academic experiences UHP students might be expected to complete. We also wanted to demonstrate that honors requirements can be fulfilled in multiple ways: honors versions of regular courses, honors labs and discussion sections, honors first year seminars, interdisciplinary honors seminars, honors learning communities, honors options of regular courses, honors experiences, and honors thesis or honors capstones.

Therefore, based on the Task Force's review of honors curricula at many research universities, and our examination of research on high impact educational practices for undergraduate student success (see Appendix B), we offer the following sample curriculum to demonstrate how a four-year UHP curriculum might be offered. This sample curriculum is intended to provide UHP students with (1) rigorous academic experiences in active and interactive learning environments, (2) meaningful engagement with faculty members and upper division peers, and (3) opportunities to apply in-class learning outside the classroom.

Sample Lower Division Curriculum:

- *First year:* First-Year students in UHP would take a minimum of 12 Honors units . At the beginning of the UHP, it's likely that some of those units would be taken via UHP (or "H") sections of existing courses (e.g., Writing 10) or H-designated discussion sections or labs. In addition, Honors courses also could include a First-Year Honors Learning Community (similar to a Freshman Interest Group, e.g., <http://fyp.uoregon.edu/figs/>, <http://reslife.missouri.edu/fig>, <https://www.utexas.edu/ugs/fig/>) and special Honors first-year seminars. As the program develops, UHP classes might also include a one-unit course offered by upper division Honors students (under the supervision of a faculty member),
- *Sophomore year:* Honors students would take a minimum of two Honors courses, including special interdisciplinary Honors seminars and/or other Honors courses. These courses, with appropriate approval, also could fulfill General Education requirements. The special sophomore interdisciplinary Honors seminars and who might teach them are questions to be answered by the UHP Faculty Advisory Board in collaboration with Undergraduate Council and other faculty entities.
- H-Options (allowing a student to enroll in a regular course, but do extra work to obtain Honors credit) would be available starting in a student's first year. The UHP Faculty Advisory Board will review models of H-options at other universities (Note: The Task Force liked the UCLA approach (<http://www.honors.ucla.edu/contracts.html>) as a possible process for the UCM UHP).

Sample Upper Division Curriculum:

- In addition to taking H-Option courses and Honors seminars within and outside their majors, upper division Honors students (continuing and transfers) would be required to participate in activities to deepen and enrich their educational experiences. The general goal of this requirement would be for students to undertake a meaningful activity that connects to their educational and career goals. Such activities could include: education abroad, UCDC, undergraduate research, service learning, etc. The UHP Faculty Advisory Board would establish (1) desired outcomes for such experiences and the types, quantity and quality, of activities upper division Honors students may choose from, and (2) processes students would follow to propose how they will fulfill this requirement and what they would do to reflect on and summarize their experiences once completed
- UHP students also would complete, typically in their senior year, some kind of cumulative project. Examples would include a thesis, a capstone project, an article submitted to a journal, a presentation at a professional conference, etc. The UHP Faculty Advisory Board will establish guidelines and expectations for the cumulative project.

As this sample curriculum suggests, the UHP curriculum also would fulfill some students' General Education requirements, but, again, that is a matter to be addressed via the normal curriculum-approval channels. Because General Education at UC Merced is undergoing review and revisions at the time we write this report, we do not know what future GE requirements will include; we anticipate, however, that those requirements can be adapted to create opportunities for UHP students. That practice is in place at other UC campuses (see, for example, UC Irvine: <http://honors.uci.edu/academics/curriculum/>).

No matter what the final version of the UHP curriculum includes, the Task Force recommends that as many UHP courses as possible be taught by Senate faculty. The Task Force also recommends that Honors courses and seminars that are taught by UC Merced faculty be part of their regular teaching load.

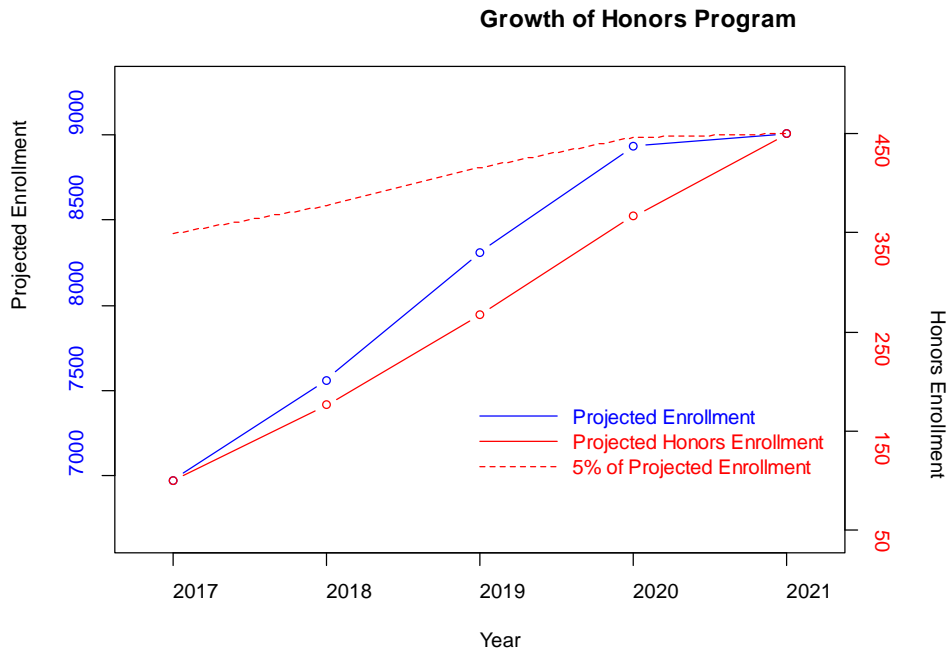
**Co-Curricular Experiences**

As we noted earlier, the UHP will offer opportunities for enriching co-curricular experiences that build on and reinforce formal curricula. The UHP students will receive a guarantee of two years of on-campus Honors housing. Honors housing will assist the UHP to build a vibrant student community based on shared educational values, goals, and expectations. It also facilitates forming study groups and supports students’ intellectual and leadership development. Leadership in the Division of Student Affairs supports and is committed to establishing housing for UHP students.

UHP students also will have access to Honors mentors, speakers’ series, and other programs designed specifically for them.

**Enrollment and Capacity**

The Task Force recommends that the UHP constitute no more than 5% of UC Merced’s undergraduate student population. Therefore, by 2021, assuming the success of the 2020 Project, approximately 450 students would be in the UHP. Below is a graph displaying proposed UHP enrollment over the Program’s first five years.



## Admissions

The Task Force spent a great deal of time considering and discussing the question: What would make a university honors program at UC Merced attractive to prospective undergraduate students? We offer the following answer:

- A small community within the larger community
- Special privileges (e.g., priority registration, UHP housing)
- Opportunities to attend conferences/workshops and to meet speakers who come to campus in informal settings
- Opportunities to create the UHP, just as the students who enrolled at UC Merced in 2005 and 2006 had the opportunity to build the university.
- UHP leadership opportunities.

At other research universities there are two main ways new students can enroll in a university honors program: (1) by invitation or (2) through an application process. After much discussion of the pros and cons of each approach, the Task Force recommends a two-step application process.

*Step One:* The UHP Faculty Advisory Board, working with the UHP director and the Office of Admissions, will agree each year on the criteria, including an admissions cut-off score, that will be used to invite students to apply to the UHP. First-year applicants to UCM who meet the established criteria will be invited to apply to the UHP. This allows the UHP to reach out to many of our strongest applicants, describe to them (and their families) the advantages of enrolling in the UHP and at UC Merced. We also recommend that special presentations and activities for prospective honors students be included in Bobcat Day events.

*Step Two:* Students invited to apply to the UHP will be asked to submit an essay describing reasons for their interest in the UHP. In this way, the Program can select the strongest students, based on demonstrated commitment; this also can assist in controlling enrollment growth according to UHP limits.

UC Merced is justifiably proud of educating so many first-generation, low-income students. One of the major concerns of the Task Force is ensuring that the UHP reflects the characteristics of UC Merced's undergraduate student population. This will be a priority for the UHP leadership, including the Faculty Advisory Board. Therefore, the Task Force also discussed the possibility of giving extra credit to UHP applicants who are first generation college students; decisions about such practices will be made by UHP leaders.

### First-Year Admissions:

- Regents Scholars will be admitted to the UHP automatically.
- Admissions decisions about other first-year applicants (i.e., those who were invited to submit UHP application essays and who completed that process) will be made by the UHP Admissions Committee (a subcommittee of the UHP Faculty Advisory Board).
- This process will be completed well before the May 1<sup>st</sup> SIR deadline.

### Continuing Students: Sophomore Admissions

- Each spring, the top 5-10% of current non-UHP first-year students (based upon fall grades and enrollment capacity) will be invited to apply to the UHP. The numbers will be adjusted each year to meet goals for enrollment growth and program quality. Students will be invited to informational meetings where UHP requirements and benefits are described and application instructions are provided.
- As with first-year students, the continuing-student application will consist of an essay to assess each student's skills and commitment. In addition, students will be asked to provide a letter of recommendation from a UC Merced faculty member.
- Admissions decisions will be made by the UHP Admissions Committee. Continuing students will be admitted for the next fall semester and will join the students who came in as first-year students in the proposed special sophomore Honors seminars and in other Honors courses.

### Transfer Students:

- Transfer Regents Scholars will be admitted to the Honors Program automatically.
- Each spring, the UHP leadership, working with staff in the Admissions Office, will identify the top 5-10% of newly-admitted transfer students. These students will be invited to apply for admission to the UHP. Again, application essays will be required so the UHP Admissions Committee can assess each student's skills and commitment.
- Admissions decisions will be made by the UHP Admissions Committee and new transfer students will be admitted for their first (fall) semester of enrollment.

### Continuing Enrollment

Once enrolled in the UHP, students must maintain high standards to continue their enrollment. To stay in good standing in the UHP, students must:

- Maintain a cumulative GPA of no less than 3.40, and have no term GPA below 3.0
- Attend an advising session every semester with the UHP Academic Advisor,
- Complete successfully (B+ or higher) at least one honors course/option every semester, and
- Participate actively in the UHP community, including activities, events, and governance.

Upon completion of the UHP requirements, students will have this accomplishment noted on their official transcript and in the Commencement program. Students also will receive a special medal, approved by the UHP Faculty Advisory Board, which they will be encouraged to wear at Commencement.

## **Resources**

### Faculty Involvement

Finding ways to involve UC Merced's outstanding faculty in the University Honors Program will be key to its success. The Task Force hopes and expects that Senate faculty will want to teach Honors courses and seminars, offer H-options, give periodic lectures to UHP students, interact with UHP students in informal settings and invite Honors students, if appropriate, to assist in their research. The Task Force recognizes all of the demands that are currently placed on Senate faculty. As indicated above, the Task Force recommends that teaching Honors courses or seminars be part of faculty members' regular teaching load.



Space

To achieve its goals, the UHP will need space. Long-term needs, to be requested in planning for the 2020 Project, include a space large enough to house the entire UHP, including offices for all staff members and faculty-in-residence, seminar rooms, and a gathering space for students. In addition, planning for residence hall construction should include housing for UHP learning communities. Until the 2020 Project is complete, the UHP will need offices for its director, an advisor and an administrative assistant. Also, the Interim Vice Chancellor for Student Affairs has agreed to provide UHP housing to the extent possible, given high demand for on-campus housing as undergraduate enrollments grow.

External Funding

Included in the Task Force's charge from Provost Peterson was a request to investigate the potential to fund some portion of Program expenses through fundraising. The co-chairs of the Honors Task Force met with the University Development and Alumni Relations staff in mid-April. We discussed the types of fundraising that occurs for other institutions' honors programs, including the naming of some honors programs/colleges after donors. The Development staff was encouraging and indicated their willingness to assist UHP staff, once in place, to identify fundraising priorities and connect with potential donors.

**Timeline for Implementation**

As we noted earlier in this report, the Task Force recommends that the UHP be phased in over five years. This will allow the Program to start small, develop curricula, work with the Admissions Office to implement and evaluate admissions processes, create policies and procedures, and organize co-curricular experiences.

The Task Force offers the following outline of many of the tasks that will need to be done to fully implement UC Merced's UHP once the necessary Senate and administrative entities grant their approval.

**Fall 2015:** Seek and obtain approval for the UC Merced University Honors Program.

**UHP Year One (Projected: Spring 2016-Summer 2017):**

- Appoint and implement UHP Faculty Advisory Board
- Faculty Advisory Board develops first-year curriculum; obtains UGC approval
- Develop a budget and obtain funds necessary to launch the five-year phase-in for the UHP, including funding for staff and faculty and funding (as needed) for curricular and co-curricular experiences
- Confirm arrangements for space (i.e., office space, student housing) needed to launch the five-year phase-in of the UHP
- Search for and hire director of the UHP who will report to the VPDUE.
- Plan created for initial co-curricular experiences (Note: We suggest that current Regents Scholars and other honors students be involved in this process)
- Develop UHP admissions process and invite students to apply for the next academic year (Fall 2017)
- Hire UHP advisor
- UHP director and Office of Development create a plan for fundraising projects and targets
- Develop marketing materials

**UHP Year Two (Projected: Fall 2017-Summer 2018):**

- Launch UHP in Fall 2017 (including first class of UHP students, first-year curricula and co-curricular experiences, housing)
- Develop sophomore interdisciplinary Honors courses
- Faculty Advisory Board develops policies for upper division UHP experiences/requirements, including Honors theses/capstone projects; UGC approval as needed
- Launch UHP Speakers Series
- Plan admissions process for continuing students to be implemented in Spring 2018 for Fall 2018 enrollment
- Refine first-year student admissions process and invite prospective students to apply for admissions for 2018
- Implement advising for prestigious scholarships and fellowships
- Evaluate outcomes and processes to identify necessary changes and improvements

**UHP Year Three (Projected: Fall 2018-Summer 2019)**

- Launch sophomore curriculum
- Finalize approval for upper-division curriculum requirements and plan for implementation in Fall 2019
- Develop and implement process for admitting transfer students
- UHP students apply for prestigious scholarships
- Evaluate outcomes and processes to identify necessary changes and improvements

**UHP Year Four (Projected: Fall 2019-Summer 2020)**

- Move into new space provided by 2020 Project
- Transfers enroll in Honors experiences
- Honors Advisory Board monitors quality of admissions process, diversity of the students and enrollment
- Community building activities expanded
- Evaluate outcomes and processes to identify necessary changes and improvements

**UHP Year Five (Projected: Fall 2020-Summer 2021)**

- First first-year class becomes seniors and completes Honors theses or capstone projects
- Honors Program enrollment is now close to 5 percent of undergraduate enrollment
- Honors curricular offerings are being expanded as number of students increase
- Fundraising targets are being met
- Evaluate outcomes and processes to identify necessary changes and improvements

**Budget**

We conclude this report with a sample budget for the first three years of the UHP. Once the UHP is approved, requests for new funding for the UHP will be made through the Office of the Provost.

	Year One	Year Two	Year Three
Honor's Director Salary (1 FTE)	\$92,700	\$95,481	\$98,345
Director's Benefits	\$37,080	\$38,192	\$39,338
Academic/Scholarship Advisor (1 FTE)	\$54,400	\$56,032	\$57,713
Advisor's Benefits	\$21,760	\$22,413	\$23,085
Administrative Assistant II (1 FTE)	\$38,188	\$39,334	\$40,514
AA II Benefits	\$15,276	\$15,734	\$16,206
Professional Travel/Memberships (e.g., National Collegiate Honors Council)	\$7,500	\$7,500	\$7,500
Supplies/Equipment	\$16,875	\$16,875	\$16,875
Professional Travel/Memberships	\$5,000	\$5,000	\$5,000
Student Outreach, Programs	\$10,000	\$12,500	\$15,000
<b>Total</b>	<b>\$298,779</b>	<b>\$309,061</b>	<b>\$329,576</b>

\*\* Salaries/Benefits 3% increase each year  
Standard calculation: Supplies/Equipment

## APPENDIX A

First-Year Statement of Intent to Register (SIR) by Quartile of Academic Rank  
UC Merced 2013-2015

2015 Academic Rank*		SIR	% of SIRS by Quartile
Q 1	1-2695	128	6%
Q2	2696-5390	337	17%
Q3	5391-8085	625	31%
Q4	8086-10780	924	46%
Total SIRS		2014	100%

2014 Academic Rank*		SIR	% of SIRS by Quartile
Q1	1-2449	105	8%
Q2	2450-4898	251	18%
Q3	4899-7347	422	30%
Q4	7348-9796	613	44%
Total SIRS		1391	100%

2013 Academic Rank*		SIR	% of SIRS by Quartile
Q1	1-2401	137	9%
Q2	2402-4802	296	19%
Q3	4803-7203	473	30%
Q4	7204-9604	648	42%
Total SIRS		1554	100%

\*Academic Rank = GPA+UC Score

## APPENDIX B

### High-Impact Educational Practices (Association of American Colleges and Universities, 2015)

#### **First-Year Seminars and Experiences**

Many schools now build into the curriculum first-year seminars or other programs that bring small groups of students together with faculty or staff on a regular basis. The highest-quality first-year experiences place a strong emphasis on critical inquiry, frequent writing, information literacy, collaborative learning, and other skills that develop students' intellectual and practical competencies. First-year seminars can also involve students with cutting-edge questions in scholarship and with faculty members' own research.

#### **Common Intellectual Experiences**

The older idea of a “core” curriculum has evolved into a variety of modern forms, such as a set of required common courses or a vertically organized general education program that includes advanced integrative studies and/or required participation in a learning community (see below). These programs often combine broad themes—e.g., technology and society, global interdependence—with a variety of curricular and cocurricular options for students.

#### **Learning Communities**

The key goals for learning communities are to encourage integration of learning across courses and to involve students with “big questions” that matter beyond the classroom. Students take two or more linked courses as a group and work closely with one another and with their professors. Many learning communities explore a common topic and/or common readings through the lenses of different disciplines. Some deliberately link “liberal arts” and “professional courses”; others feature service learning.

#### **Writing-Intensive Courses**

These courses emphasize writing at all levels of instruction and across the curriculum, including final-year projects. Students are encouraged to produce and revise various forms of writing for different audiences in different disciplines. The effectiveness of this repeated practice “across the curriculum” has led to parallel efforts in such areas as quantitative reasoning, oral communication, information literacy, and, on some campuses, ethical inquiry.

## **Collaborative Assignments and Projects**

Collaborative learning combines two key goals: learning to work and solve problems in the company of others, and sharpening one’s own understanding by listening seriously to the insights of others, especially those with different backgrounds and life experiences. Approaches range from study groups within a course, to team-based assignments and writing, to cooperative projects and research.

## **Undergraduate Research**

Many colleges and universities are now providing research experiences for students in all disciplines. Undergraduate research, however, has been most prominently used in science disciplines. With strong support from the National Science Foundation and the research community, scientists are reshaping their courses to connect key concepts and questions with students’ early and active involvement in systematic investigation and research. The goal is to involve students with actively contested questions, empirical observation, cutting-edge technologies, and the sense of excitement that comes from working to answer important questions.

## **Diversity/Global Learning**

Many colleges and universities now emphasize courses and programs that help students explore cultures, life experiences, and worldviews different from their own. These studies—which may address U.S. diversity, world cultures, or both—often explore “difficult differences” such as racial, ethnic, and gender inequality, or continuing struggles around the globe for human rights, freedom, and power. Frequently, intercultural studies are augmented by experiential learning in the community and/or by study abroad.

## **Service Learning, Community-Based Learning**

In these programs, field-based “experiential learning” with community partners is an instructional strategy—and often a required part of the course. The idea is to give students direct experience with issues they are studying in the curriculum and with ongoing efforts to analyze and solve problems in the community. A key element in these programs is the opportunity students have to both *apply* what they are learning in real-world settings and *reflect* in a classroom setting on their service experiences. These programs model the idea that giving something back to the community is an important college outcome, and that working with community partners is good preparation for citizenship, work, and life.

## **Internships**

Internships are another increasingly common form of experiential learning. The idea is to provide students with direct experience in a work setting—usually related to their career interests—and to give them the benefit of supervision and coaching from professionals in the field. If the internship is taken for course credit, students complete a project or paper that is approved by a faculty member.

## **Capstone Courses and Projects**

Whether they're called "senior capstones" or some other name, these culminating experiences require students nearing the end of their college years to create a project of some sort that integrates and applies what they've learned. The project might be a research paper, a performance, a portfolio of "best work," or an exhibit of artwork. Capstones are offered both in departmental programs and, increasingly, in general education as well.



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SANTA BARBARA • SANTA CRUZ

OFFICE OF THE PROVOST AND EXECUTIVE VICE CHANCELLOR

5200 N. LAKE ROAD  
MERCED, CA 95343  
(209) 228-4439

September 18, 2015

**TO: CRISTIAN RICCI, CHAIR, ACADEMIC SENATE**

**FROM: THOMAS W. PETERSON, PROVOST AND EVC**

A handwritten signature in black ink, reading "Thomas W. Peterson".

**RE: REPORT FROM THE TASK FORCE ON UNIVERSITY HONORS**

Attached for Academic Senate review and consideration is the final report from the Task Force on University Honors, co-chaired by Vice Provost and Dean of Undergraduate Education, Elizabeth Whitt and Special Assistant to the Chancellor, Jane Lawrence. I am currently reviewing the proposal and expect to submit my comments to the Senate shortly. However, I want you to know that I enthusiastically support the concepts behind this proposal, and anticipate only minor suggestions (if any) for revision.

**CC:** Susan Sims, Special Assistant to the Provost and Chief of Staff  
Fatima Paul, Interim Director, Academic Senate





UNIVERSITY COMMITTEE ON AFFIRMATIVE ACTION AND DIVERSITY (UCAAD)  
David Lopez-Carr, Chair  
[david.lopez-carr@ucsb.edu](mailto:david.lopez-carr@ucsb.edu)

ACADEMIC SENATE  
University of California  
1111 Franklin Street, 12<sup>th</sup> Floor  
Oakland, California 94607-5200

July 21, 2015

**MARY GILLY**  
**ACADEMIC COUNCIL CHAIR**

Dear Mary:

At its January meeting, UCAAD approved a proposal to amend Bylaw 140 to include the word “equity” in its title. The committee’s new name would read the University Committee on Affirmative Action, Diversity, and Equity (UCAADE).

**Proposal**

Senate Bylaw 140 defines the membership, duties, and title of the University Committee on Affirmative Action and Diversity (UCAAD). This Bylaw was last amended in 1997.

UCAAD would like to amend its Bylaw and change its name to include the word “equity.” No other changes would be made to the Bylaw or name at this time.

**Rationale**

In the past several years, the scope of UCAAD has broadened, reflecting the increasing spectrum and expression of diversity throughout the state. Rights, protections, and concerns for undocumented students, transgender individuals, and victims of sexual violence have been discussed at the division and systemwide levels, as have micro-aggressions and unperceived bias.

In response, UCAAD felt that its mission would be better expressed through the inclusion of the word “equity” in its name and bylaws. This addition is meant to underscore the attention UCAAD intends to focus on issues of equal treatment as well as its historical roles tied to affirmative action and diversity issues.

A “red line” version reflecting this change is included for your review.

Best regards,

A handwritten signature in blue ink, appearing to read "D. Lopez-Carr".

David Lopez-Carr, Ph.D.  
Chair, UCAAD

cc: Daniel Hare, Academic Council Vice Chair  
Hilary Baxter, Academic Senate Executive Director  
UCAAD Members  
Michael LaBriola, Senate Analyst

**140. Affirmative Action, ~~and~~ Diversity, and Equity** (Am 13 May 97)

- A. Membership shall be determined in accordance with Bylaw 128. One undergraduate and one graduate student shall sit with the Committee. [See [Bylaw 128.E.](#)] The Vice Chair shall be chosen in accordance with Bylaw 128.D.1. and 3. (Am 4 Jun 91; Am 28 May 03; Am 9 May 07)
- B. Duties. Consistent with Bylaw 40, the Committee shall: (Am 28 03)
  - 1. Confer with the President on general policies bearing on affirmative action, ~~and~~ diversity, and equity for academic personnel, students, and academic programs. (Am 28 May 2003; Am 12 May 2004)
  - 2. Establish basic policy and procedures for coordinating the work of the Divisional Committees concerned with affirmative action, ~~and~~ diversity, and equity. (Am 28 May 2003)
  - 3. Report annually to the Assembly the state of affirmative action, ~~and~~ diversity, and equity in the University. This report shall include a review of the annual reports of the Divisional Committees on Affirmative Action, ~~and~~ Diversity, and Equity (or equivalent committees). (Am 28 May 2003).
  - 4. Review the information on affirmative action, ~~and~~ diversity, and equity provided by the campus and University administrations and report said findings to the Academic Council. The information shall consist of data and analyses of working conditions, salaries, advancement, separation for women and ethnic minorities, and may also include data and analyses relating to lesbian, gay, bisexual, and transgender individuals. (Am 14 Oct 2010)
  - 5. Undertake studies of policies and practices affecting affirmative action, ~~and~~ diversity, and equity and make recommendations to appropriate University bodies. (Am 28 May 2003)

On July 29 2015, the Academic Council approved a Systemwide Senate review of modifications to two Academic Senate Regulations recommended by the Board of Admissions and Relations with Schools. Proposed changes are underlined and highlighted in yellow. Background for each is provided.

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## 1. REGULATION 417

*This chapter applies to students who submit an application for freshman admission to the University and have completed no term of course work at a postsecondary institution following graduation from high school (summer session excepted). Students who have completed Community college coursework prior to high school graduation will also be viewed as freshmen. High school graduates who have completed college-level work at an accredited postsecondary institution (except in the summer following high school graduation), shall be applicants for advanced standing under the provisions of Chapter 4. (En 17 June 2009)*

### BACKGROUND

When SR 417 was enacted in June 2009, the word “community” should not have been included. The actual intent, confirmed by the former OP Director of Admissions Dr. Susan Wilbur, was that all college/university units must be treated the same. As the regulation is now written, high school students who have completed college level courses at a four-year college/university, including a UC campus, would be excluded from being allowed to apply as freshmen applicants.

Striking the word “community” from the regulation, allows students who have completed four-year college/university coursework while enrolled in high school to apply as freshmen, which is consistent with the way in which we treat high school students who earn credit at community colleges.

## 2. REGULATION 621

[Recommended revisions are highlighted.]

*Advanced Placement Standardized Examination Credit (En 25 May 83)*

*Students who enter the University with advanced placement standardized examination credit (such as from College Board, International Baccalaureate Organization, Advanced Level and/or any other standardized examination that BOARS determines is acceptable for transfer credit) may exceed by the amount of this credit:*

- A. *the maximum unit limitations requiring the selection of a major field of study; and*
- B. *the maximum unit limitation requiring graduation.*

### BACKGROUND

This regulation, as currently written, appears to limit the standardized examination credit students may present to the University (in this case, the College Board’s “Advanced Placement” exams). It is possible that in 1983, when regulation 621 was enacted, UC enrolled few students who had presented other standardized exam credit, such as the International Baccalaureate (IB) program or Advanced-Level (A-Level) examinations. Since that time, however, the number of students seeking admission to UC from abroad has increased dramatically, while, at the same time, the number of domestic students who complete IB and AP examinations has also increased. As a result, it is recommended that this regulation be revised to encompass the fuller suite of standardized examinations for which the University awards unit credit.



OFFICE OF THE VICE PROVOST --  
ACADEMIC PERSONNEL

OFFICE OF THE PRESIDENT  
1111 Franklin Street, 11<sup>th</sup> Floor  
Oakland, California 94607-5200

October 1, 2015

COUNCIL OF VICE CHANCELLORS  
LABORATORY DIRECTOR ALIVISATOS  
ACADEMIC COUNCIL CHAIR HARE  
ANR VICE PRESIDENT HUMISTON

**Re: Systemwide Review of Proposed Revised Presidential Policy on Sexual Violence and Sexual Harassment**

Dear Colleagues:

Enclosed for Systemwide Review are proposed revisions to Presidential Policy on Sexual Violence and Sexual Harassment. Also enclosed is a cover letter from UC Senior Vice President Sheryl Vacca describing the history of the policy and the rationale for proposed revisions.


#### **Systemwide Review**

Systemwide Review is a public review distributed to the Executive Vice Chancellors, the Director, Lawrence Berkeley National Laboratory, and the Vice President of Agriculture and Natural Resources requesting that they inform the general University community and affected employees about policy proposals. Systemwide Review also includes a mandatory Senate review. Employees should be afforded the opportunity to review and comment on the draft policy, available online at: <http://www.ucop.edu/academic-personnel-programs/academic-personnel-policy/policies-under-review/index.html>. Enclosed is a Model Communication which may be used to inform non-exclusively represented employees affected by these proposals.

Vice President Dwaine Duckett is circulating the proposed revised policy to human resources leaders and staff, including the Chief Human Resources Officers and the Title IX Officers. Vice President Judy Sakaki is circulating the proposed revised policy to the student affairs leaders, student organizations, and staff. Comments from those groups will be submitted to either Vice President Duckett or Vice President Sakaki, as appropriate.

This letter and enclosures anticipate that you will begin Systemwide Review of the proposed draft and submit comments no later than **October 31, 2015**. Please send comments on the proposed policy to [ADV-VPCARLSON-SA@ucop.edu](mailto:ADV-VPCARLSON-SA@ucop.edu). Questions may be directed to Janet Lockwood at [Janet.Lockwood@ucop.edu](mailto:Janet.Lockwood@ucop.edu) or (510) 987-9499.

Sincerely,

  
Susan Carlson  
Vice Provost  
Academic Personnel and Programs

October 1, 2015

Page 2

Enclosures: Cover Letter from UC Senior Vice President Sheryl Vacca  
Proposed Revised Draft Presidential Policy on Sexual Violence and Sexual Harassment  
(clean copy and redline)  
Model Communication

cc: President Napolitano  
Chancellors  
Provost and Executive Vice President Dorr  
President's Advisory Group  
Executive Vice President Nava  
Senior Vice President Vacca  
Vice President Duckett  
Vice President Sakaki  
Vice Provosts/Vice Chancellors Academic Personnel/Academic Affairs  
Council of Graduate Deans  
Academic Personnel Directors  
Deputy General Counsel Friedlander  
Deputy General Counsel Woodall  
Executive Director Baxter  
Executive Director Tanaka  
Director Chester  
Director Henderson  
Director Jennings  
Director Lockwood  
Chief of Staff Grossman  
Deputy/Compliance Officer Lane  
Human Resources Policy Analyst Bello  
Senior Administrative Analyst Rupert  
Analyst Jordan



# Sexual Violence and Sexual Harassment

[Para la traducción en Español, oprima aquí](#)

[中國版本, 請按這裡](#)

Academic Officer:	Vice Provost – Academic Personnel and Programs
Academic Office:	APP – Academic Personnel and Programs
Student Officer:	VP – Student Affairs
Student Office:	SA – Student Affairs
Staff Officer:	VP – Human Resources
Staff Office:	HR – Human Resources
Issuance Date:	
Effective Date:	
Last Review Date	
Scope:	This Policy applies to all University employees, students and University campuses, the Lawrence Berkeley National Laboratory, Medical Centers, the Office of the President, Agriculture and Natural Resources, and all University programs and activities

**For assistance with incidents of dating violence, domestic violence, sexual assault, sexual violence, sexual harassment, and stalking, please contact your local CARE Advisor or Title IX Officer, at <http://sexualviolence.universityofcalifornia.edu/get-help/index.html>**

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## I. POLICY SUMMARY

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This *Policy* addresses the University of California’s responsibilities and procedures related to sexual violence and sexual harassment in order to ensure an equitable and inclusive education and employment environment free of sexual violence and sexual harassment. The *Policy* defines conduct prohibited by the University of California and explains the administrative procedures the University uses to resolve reports of sexual violence and sexual harassment.

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FOR QUESTIONS ABOUT THIS *POLICY*, PLEASE CONTACT:

	Academic	Student	Staff
Contact	Janet Lockwood	Eric Heng	Rachael Howard
Email:	Janet.Lockwood@ucop.edu	Eric.Heng@ucop.edu	Rachael.Howard@ucop.edu
Phone:	(510) 987-9499	(510) 987-0239	(510) 987-9859

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## II. DEFINITIONS

---

### A. Consent

Consent is *affirmative, conscious, voluntary, and revocable*. Consent to sexual activity requires of both persons an affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest, lack of resistance, or silence, alone, does not constitute consent. Affirmative consent must be ongoing throughout sexual activity and can be revoked at any time. The existence of a dating relationship or past sexual relations between the persons involved should never by itself be assumed to be an indicator of consent. Similarly, the existence of a subsequent dating relationship or subsequent sexual relations should not be assumed to be an indicator of consent to prior conduct.

The Respondent’s belief that the Complainant consented shall not provide a valid excuse where:

1. The Respondent’s belief arose from the Respondent’s own intoxication or recklessness;

2. The Respondent did not take reasonable steps, in the circumstances known to the Respondent at the time, to ascertain whether the Complainant affirmatively consented;
3. The Respondent knew or reasonably should have known that the Complainant was unable to consent because the Complainant was:
  - a. asleep or unconscious;
  - b. incapacitated due to the influence of drugs, alcohol, or medication, so that the Complainant could not understand the fact, nature, or extent of the sexual activity; or
  - c. unable to communicate due to a mental or physical condition.

*Incapacitation:* The physical and/or mental inability to make informed and rational judgments. States of incapacitation include, but are not limited to being semi-conscious, unconsciousness, or asleep. Alcohol, drugs, or other medication can also be a factor. Incapacitation is defined with respect to how the alcohol or other drugs that were consumed affect a person's decision-making capacity, awareness of consequences, ability to make fully informed judgments, and ability to communicate.

Being intoxicated by drugs, alcohol, or other medication does not give another party permission to ignore whether consent was given.

## **B. Prohibited Conduct**

### **1. Sexual Violence:**

- a. **Sexual Assault:** Sexual contact or penetration, as defined below, that occurs without the consent of the other person, or when the other person is unable to consent to the activity.
  - i. **Sexual Contact:** is defined as touching an intimate body part (genitals, anus, groin, breasts or buttocks), (i) unclothed or (ii) clothed. Note: This definition encompasses a broad spectrum of conduct, not all of which constitutes sexual violence. When reports alleging sexual contact are received, the Title IX Officer will determine whether the allegation should be treated as sexual violence or sexual harassment. (See FAQ for more information)
  - ii. **Sexual Penetration:** is defined as the penetration no matter how slight, of the vagina, anus, or mouth by a penis; or the vagina or anus by any body part or object.

**Note:** Actual or attempted sexual assault is aggravated (more serious) when it includes, but is not limited to, the following:

- Overcoming the will of Complainant by:
  - *force* (the use of physical force or inducing reasonable fear of immediate bodily injury);
  - *violence* (the use of physical force to cause harm or injury);
  - *menace* (a threat, statement, or act showing intent to injure);
  - *duress* (a direct or implied threat of force, violence, danger, hardship, or retribution that is enough to cause a reasonable



person of ordinary sensitivity, taking into account all circumstances including age and relationship, to do or submit to something that he or she would not otherwise do).

- deliberately causing a person to be incapacitated (through drugs or alcohol);
- taking advantage of the other person's incapacitation (including voluntary intoxication)
- Recording, photographing, transmitting, viewing or distributing intimate or sexual images without the knowledge and consent of all parties involved.

**b. Relationship Violence:**

- i. **Dating Violence:** Intentionally, or recklessly, causing, attempting, or threatening to cause bodily injury to the Complainant or another by a person who is or has been in a romantic or intimate relationship with the complainant as determined by the length, type, frequency of interaction between them. Dating violence also includes placing the Complainant in reasonable fear of serious bodily.
- ii. **Domestic Violence:** Intentionally, or recklessly, causing, attempting, or threatening to cause bodily injury to the Complainant or another by a person who is:
  - a current or former spouse or intimate partner of the Complainant; or
  - a person with whom the Complainant shares a child in common.

Domestic violence also includes placing the Complainant in reasonable fear of serious bodily.

- c. **Stalking:** repeated conduct directed at a Complainant (e.g., following, monitoring, observing, surveilling, threatening, communicating or interfering with property), of a sexual or romantic nature or motivation, that would cause a reasonable person to fear for his or her safety, or the safety of others, or to suffer substantial emotional distress.

Stalking of a non-sexual nature is addressed by other University including but not limited to the [Student Code of Conduct, Section 102.10](#).

- d. **Sexual Intercourse with a Minor** is sexual intercourse with a person under the age of 18.

**2. Sexual Harassment:**

**a. General Situations**

For all incidents other than those between students outside of an employment context (see below), sexual harassment is unwelcome sexual advances, unwelcome requests for sexual favors, and other unwelcome verbal or physical conduct of a sexual nature when:

- i. *Quid Pro Quo*: a person's submission to such conduct is implicitly or explicitly made the basis for employment decisions, academic evaluation, grades or advancement; or other decisions affecting participation in a University program or activity; or
- ii. *Hostile Environment*: such conduct is sufficiently severe or pervasive as to create a hostile environment that denies or adversely limits a person's participation in or benefit from the education, employment or other programs and services of the University; or it creates an environment that affects or interferes with a person's employment, work, education, and/or educational performance, and which a reasonable person would find to be intimidating, hostile or offensive.

Sexual harassment may include incidents between any members of the University community, including faculty and other academic appointees, staff, student employees, students, coaches, residents, interns, and non-student or non-employee participants in University programs (e.g., vendors, contractors, visitors, and patients).

**b. Sexual Harassment between students outside of an employment**

**context:** The University of California Policies Applying to Campus Activities, Organizations, and Students, [Policy 100.00 on Student Conduct and Discipline](#), Section 102.09, define sexual harassment of one student by another student as unwelcome conduct of a sexual nature that is so severe and/or pervasive, and objectively offensive, and that so substantially impairs a person's access to University programs or activities that the person is effectively denied equal access to the University's resources and opportunities. This definition does not apply to sexual violence, as defined in this Policy.

- c. Sexual harassment may occur in hierarchical relationships, between peers, or between individuals of any gender or gender identity. To determine whether the reported conduct constitutes sexual harassment, consideration shall be given to the totality of the circumstances, including the context in which the conduct occurred.

**Note On Sex Discrimination:** In addition to sexual harassment, discrimination based on sex, gender, gender identity, gender expression, sex- or gender-stereotyping, and sexual orientation violates law and other University policies. Such discrimination may also contribute to the creation of a hostile work or academic environment based on sex and thus constitute or contribute to sexual harassment.

**3. Retaliation**

Retaliation includes threats, intimidation, reprisals, and/or adverse employment or education actions against a person based on their report of or participation in the report, investigation, remedial, and/or disciplinary processes provided for in this Policy.

### C. Other Definitions

#### 1. **Confidential Resources:**

Employees who can provide confidential consultation in their professional capacity include the:

- a. CARE advocates,
- b. Ombuds,
- c. Licensed counselors in employee assistance programs,
- d. Licensed counselors in student counseling centers,
- e. Any persons with a professional license requiring confidentiality (excluding campus legal counsel), or someone who is supervised by such a person, and
- f. Any health sciences center employees with a professional license requiring confidentiality, or someone who is supervised by such a person.

Designation as a “Confidential Resource” for purposes of this *Policy* only exempts these individuals from reporting to the Title IX office. Individuals with other mandatory reporting obligations must still comply with the UC CANRA (Child Abuse and Neglect Reporting Act) Policy, reporting obligations as a Campus Security Authority (CSA) under the Clery Act, and other policies or laws that require reporting to campus or local law enforcement, or Child Protective Services.

2. **Complainant:** Any person who files a report of sexual harassment or sexual violence or any person who has been the alleged subject of sexual violence, sexual harassment or retaliation.
3. **Location:** “Location” is all University of California campuses, the Lawrence Berkeley National Laboratory, Medical Centers, the Office of the President, and Agriculture and Natural Resources.
4. **Preponderance of Evidence:** A standard of proof that requires that a fact be found when its occurrence, based on evidence, is more likely than not.
5. **Respondent:** A person alleged to have engaged in a Prohibited Conduct and about whom a report of sexual violence, sexual harassment or retaliation is made.
6. **Responsible Employee:** Any University employee who is not a confidential resource and who receives information about possible sexual violence or sexual harassment involving an ***undergraduate student*** must promptly notify the Title IX Officer or designee. This includes Resident Assistants, Graduate Teaching Assistants, and all other student employees, when disclosures are made to any of them in their capacities as employees.

Any of the following individuals who receive a report of sexual violence or sexual harassment from any other person affiliated with the University are responsible for promptly forwarding such reports to the Title IX Officer:

- Campus Police
- Human Resources staff, Academic Personnel Office staff, and Title IX Professionals

- Managers and Supervisors, including Deans, Department Chairs, and Directors of an Organized Research Unit (ORU)

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### III. POLICY STATEMENT

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#### A. *General*

The University of California is committed to creating and maintaining a community free of sexual violence and sexual harassment for every individual. Sexual violence and sexual harassment violate both law and University policy. Any member of the University community may report conduct that may constitute sexual violence or sexual harassment. The University will respond promptly and equitably to such reports, and will take appropriate action to stop, prevent, and remedy the sexual violence and sexual harassment, and when necessary, to discipline the Respondent.

To determine if there has been sexual violence or sexual harassment, the University may take into account *any* acts of harassment based on sex, gender, gender identity, gender expression, sex- or gender-stereotyping, or sexual orientation. Harassment that may not be sexual, but still contributes to a hostile work or academic environment, also could violate the University's non-discrimination policies.<sup>1</sup>

#### B. *Prohibited Conduct*

This Sexual Violence and Sexual Harassment Policy (hereafter referred to as *Policy*) prohibits sexual violence, sexual harassment, and retaliation as defined in Section II.

#### C. *Consensual Relationships*

While romantic and sexual relationships between members of the University community may begin as consensual, instances of sexual violence and sexual harassment may occur within such relationships. Accordingly, a report of sexual violence or sexual harassment that occurs within the context of a consensual relationship will be treated as any other report.

Because consensual romantic and sexual relationships between members of the University community may give rise to conflicts of interest, such relationships between a student and faculty member or other employees or between employees are also subject to other University policies, such as [The Faculty Code of Conduct](#), APM-015.II.A.6 & 7 and local policies.

#### C. *Protection for Complainants, Respondents, and Witnesses*

1. Immunity: To encourage reporting, neither a Complainant nor witness in an investigation of sexual violence will be subject to disciplinary sanctions for a violation of the relevant university conduct policy at or near the time of the

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<sup>1</sup> [University of California Nondiscrimination and Affirmative Action Policy Regarding Academic and Staff](#); [Nondiscrimination and Affirmative Action Policy Statement for University of California](#); [Academic Personnel Manual \(APM\) Section 035, Affirmative Action and Nondiscrimination in Employment](#); [Personnel Policies for Staff Members 12, Nondiscrimination in Employment](#); [University of California Policies Applying to Campus Activities, Organizations, and Students](#); and [Nondiscrimination Policy Statement for University of California Publications Regarding Student-Related Matters](#).

incident, unless the violation placed the health or safety of another at risk, involves plagiarism, cheating, or academic dishonesty, or was otherwise egregious.

2. **Retaliation:** Retaliation against someone for reporting or participating in an investigation and related processes is prohibited. See Prohibited Conduct in this *Policy*.
3. **Privacy:** The University will protect the privacy of individuals involved in a report of sexual violence or sexual harassment to the extent permitted by law and by University policy. However, it should be recognized that an investigation may involve interviews with a number of persons to inquire if they have relevant evidence, and extremely sensitive information may be gathered. While such information is considered confidential, University policy may also require the disclosure of certain information during or following an investigation. Efforts will be made to redact written reports and to protect the privacy of individuals, to the extent possible.

#### **D. Free Speech and Academic Freedom**

The faculty and other academic appointees, staff, and students of the University of California enjoy significant free speech protections guaranteed by the First Amendment of the United States Constitution and Article I, Section I of the California Constitution. This *Policy* is intended to protect members of the University community from discrimination, not to regulate protected speech. This *Policy* shall be implemented in a manner that recognizes the importance of rights to freedom of speech and expression.

The University also has a compelling interest in free inquiry and the collective search for knowledge and thus recognizes principles of academic freedom as a special area of protected speech. Consistent with these principles, no provision of this *Policy* shall be interpreted to prohibit conduct that is legitimately related to the course content, teaching methods, scholarship, or public commentary of an individual faculty member or the educational, political, artistic, or literary expression of students in classrooms and public forums. (See APM-010 and 015.)

However, freedom of speech and academic freedom are not limitless and do not protect speech or expressive conduct that violates federal or state anti-discrimination laws.

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## **IV. COMPLIANCE / RESPONSIBILITIES**

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### **A. Implementation of the Policy**

Executive Officers (the University President, Chancellor, Lawrence Berkeley National Laboratory Director, or Vice President of Agriculture and Natural Resources) or their designees, have the authority to develop procedures and supplementary information to support the implementation of this *Policy*. Responsible Officers (Vice Provost-Academic Personnel and Programs, the Vice President of Student Affairs and Vice President of Human Resources) will apply appropriate and consistent interpretations of this *Policy* that do not result in substantive changes to the *Policy*.

The Executive Officer, or their designee, at each location, must establish and implement local procedures consistent with this *Policy*. Exceptions to local procedures required by the *Policy* must be approved by the Executive Officer or designee.

**B. Revisions to the Policy**

The President approves the *Policy* and any revisions. The Responsible Officers have the authority to recommend revisions to the *Policy* consistent with approval authorities and applicable Bylaws, Standing Orders, and Policies of The Regents. The UC Provost and Executive Vice President of Academic Affairs, and the UC Executive Vice President – Chief Operating Officer have the authority to ensure that the *Policy* is reviewed regularly and updated in a manner that is consistent with other University policies.

**C. Approval of Actions**

Actions within the *Policy* must be approved according to local procedures.

**D. Compliance with the Policy**

The Executive Officer at each location will designate the local management office that is responsible for monitoring, enforcing, and reporting *Policy* compliance.

The Senior Vice President – Chief Compliance and Audit Officer will periodically audit and monitor compliance with the *Policy*.

**E. Additional Enforcement Information**

The U.S. Equal Employment Opportunity Commission (EEOC) and the California Department of Fair Employment and Housing (DFEH) investigate reports of unlawful harassment, and sexual violence in employment. The U.S. Department of Education Office for Civil Rights (OCR) investigates reports of unlawful harassment and sexual violence by students in educational programs or activities. These agencies may serve as fact finders and attempt to facilitate the voluntary resolution of disputes. For more information, contact the nearest office of the EEOC, DFEH or OCR.

**F. Noncompliance with the Policy**

Engaging in Prohibited Conduct, defined in this *Policy*, is governed by this *Policy* and the [Policy on Student Conduct and Discipline](#), Personnel Policies for Staff Members [61](#), [62](#), [63](#), [64](#), [65](#), and [67](#) pertaining to disciplinary and separation matters, [The Faculty Code of Conduct \(APM - 015\)](#) and [University Policy on Faculty Conduct and the Administration of Discipline \(APM - 016\)](#), [Non-Senate Academic Appointees/Corrective Action and Dismissal \(APM-150\)](#), and as applicable, collective bargaining agreements, and other policies. See Section VI and Appendices I and II. Non-compliance with this *Policy*, other than violations of Prohibited Conduct, may result in employment or educational consequences up to and including informal counseling, education, adverse performance evaluations, corrective actions, and termination.

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## V. REQUIRED PROCEDURES

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### A. *Procedures for Reporting and Responding to Reports of Sexual Harassment Or Sexual Violence*

#### 1. **Reporting**

Reports, including reports by Complainants and reports by a third party including anonymous reports, of Prohibited Conduct may be brought to the Title IX Officer or to a Responsible Employee who shall forward the report to the Title IX Officer. If the person to whom harassment normally would be reported is the individual accused of harassment, reports may be made to another Responsible Employee.

#### **Note: Timelines for Making Reports**

Reports of sexual violence or sexual harassment should be brought forward as soon as possible. While all incidents should be reported even if significant time has elapsed, prompt reporting will better enable the University to respond, investigate, provide an appropriate remedy, and impose discipline if appropriate.

#### 2. **Initial Assessment of a Report**

As soon as practicable after receiving a report, the Title IX Officer will make an initial assessment of the report to determine whether the report, on its face, alleges a violation set forth in Prohibited Conduct defined in Section II; and such conduct has a sufficient nexus with the University for it to intervene.

- a. **Immediate Health and Safety** When a report of sexual violence has been made, the Title IX Officer, in coordination with the Case Management Team (see Section V below), shall make an immediate assessment concerning the health and safety of the individual and the campus community, implement remedies immediately necessary (including stay away orders), and inform the Complainant of campus and community resources, rights and reporting options (including the right to make reports to the police), and a written explanation of available rights and options. (See Appendix IV and Location Responsibilities in Section V).

Failure to comply with the terms of such Health, Safety and Educational Responses may be considered a separate violation of this *Policy*.

- b. **Jurisdiction over Reports of Sexual Violence or Sexual Harassment**

The University has jurisdiction over alleged violations of this *Policy* by students, staff and other academic appointees that occur on University grounds and facilities such as offices and residence halls, or that occur in connection with University activities, programs, or events. In addition, the University has discretion under this *Policy* to exercise jurisdiction over conduct that occurs off-campus but affects the learning or working environment. For incidents involving student Respondents, the University may exercise jurisdiction over off-campus conduct that would violate other University Policies if it occurred on campus. Please refer to Section IV of the [Student Conduct Code](#) for further information about the University's exercise of off-campus jurisdiction in such cases.

#### 3. **Notifications**

Individuals making reports shall be informed about:

- Policies applying to confidentiality of reports under this *Policy*.
- The range of possible outcomes of the report, including Health and Safety measures, remedies, disciplinary actions that might be taken against the Respondent, and information about the procedures leading to such outcomes.

#### 4. Overview of Resolution Processes

The University has several resolution processes for addressing reports of sexual violence and sexual harassment. These include procedures for Alternative Resolution, procedures for Formal Investigation, and filing reports or grievances under applicable University complaint resolution or grievance procedures.

##### a. Alternative Resolution

After a preliminary inquiry into the facts which does not involve a Formal Investigation and Report, the Title IX Officer may initiate an Alternative Resolution which permits a variety of options, including:

- mediation (except in cases of sexual violence);
- separating the parties;
- providing for safety;
- referring the parties to counseling;
- taking disciplinary action;
- conducting targeted preventive educational and training programs;
- conducting a follow-up review to ensure that the resolution has been implemented effectively.

Alternative Resolution may be especially useful when a Report is made by a third party or anonymously; when a Formal Investigation is not likely to lead to a satisfactory outcome; when both parties prefer an informal process; or in cases involving less serious violations. The Complainant and Respondent have the right to request a Formal Investigation at any time and may be accompanied by a support person throughout the process.

##### b. Formal Investigation

In cases where Alternative Resolution is inappropriate or unsuccessful, the location may conduct a Formal Investigation. Where an individual has requested an investigation, that request will be considered, but is not determinative.

However, if the Complainant requests that no investigation occur, the Title IX Officer shall determine whether the allegations nonetheless require an investigation to mitigate an apparent risk to the campus community. If determining not to proceed with an investigation, the Title IX Officer shall inform the Complainant that the ability to provide remedies may be limited, but the Title IX Officer shall nonetheless afford such remedies as are consistent with maintaining confidentiality and the absence of an administrative finding.

When the Title IX Officer determines to conduct an investigation, the Complainant and Respondent will be provided with a written summary of the allegations, the procedures that will be followed, resources available to them and a copy of the *Policy*. If proceeding with an investigation, the Title IX Officer shall attempt to maintain the identity of the Complainant confidential from the



Respondent or inform the Complainant that such confidentiality cannot be maintained.

The investigation shall be completed promptly, typically within 60 working days of its initiation, unless extended by the Title IX Officer for good cause, with written notice to the Complainant and Respondent of the reason for the extension and the projected new timeline. If the alleged conduct is also the subject of a criminal investigation, the Title IX Office will coordinate its investigation with the police but must act promptly without delaying its investigation until the conclusion of the criminal investigation.

The investigation generally includes interviews with the Complainant and Respondent, if available, and witnesses and a review of documents as appropriate. Disclosure of facts to persons interviewed shall be limited to what is reasonably necessary to conduct a fair and thorough investigation. Participants in an investigation may be advised to maintain confidentiality when essential to protect the integrity of the investigation.

The Complainant or Respondent may have a representative present when personally interviewed and at any related meeting. Other witnesses may have a representative present at the discretion of the investigator or as required by University policy or collective bargaining agreement.

**c. Grievance Procedures for Employees**

Instead of, or in addition to, reporting under this *Policy* to the Title IX Officer or other Responsible Employee, an individual who believes they have been subjected to Prohibited Conduct (See Section II.B) can file a grievance. That grievance must meet all of the requirements, including time limits for filing, under the applicable complaint resolution or grievance procedure, listed in *Appendix I: University Complaint Resolution and Grievance Procedures*. Any report filed under an alternative report or grievance procedure will be forwarded to the Title IX Officer for consideration and will be held in abeyance pending resolution under this *Policy*. If a Formal Investigation is conducted under this *Policy*, this investigation will substitute for fact-finding provided under any other report or grievance process. If a Complainant utilizes an alternative University report process, such as a grievance under APM-140, a charge under the Faculty Code of Conduct, or a Whistleblower Report (or Whistleblower Retaliation Complaint), the University officer receiving that report shall forward the report to the Title IX Officer for processing under this *Policy*. After completion of the process under this *Policy*, the report that had been filed via the alternative report process may be reactivated but *only* as a means of appeal by the Complainant.

**5. The Investigation Report**

The investigator will prepare a written report that includes a statement of the allegations and issues, the positions of the Complainant and Respondent, a summary of the evidence, an explanation why any proffered evidence was not investigated, findings of fact, an analysis and determination by the investigator, made by a preponderance of the evidence standard, whether this *Policy* has been violated.

The Complainant and Respondent will be simultaneously informed in writing of:

- the outcome of the investigation and its rationale;
- any rights and procedures for the Complainant and Respondent to appeal;
- any change to the results that occur prior to the time that such results become final; and when results become final;
- how to obtain a copy of the Investigation Report, which shall be redacted to protect the privacy of any personal and confidential information other than information regarding the person who is provided with the report. See APM-160 and other policies governing privacy.

The Report may be used as evidence in related disciplinary and grievance proceedings.

Any conclusion in a Report finding sexual violence, sexual harassment, or retaliation that involves an assessment of academic merit (either individual or programmatic) or academic freedom may only be made following a referral of that assessment to and an opportunity within 10 working days for a response from the Chief Academic Officer or delegee.

## **6. Remedy**

- a. If the Report finds a violation of Prohibited Conduct, the University shall take prompt and effective steps reasonably calculated to stop the violation, prevent its recurrence, and, as appropriate, remedy its effects in order to eliminate a hostile environment. For a list of available remedies, see Appendix IV.
- b. To the extent that the remedy has not already been provided in the normal course of the University's educational processes, the Title IX Officer, in consultation with appropriate administrators will oversee the implementation of this Remedy.
- c. The Complainant will be sent a notice documenting any individual remedies offered or provided to the Complainant, and other steps taken to eliminate the hostile environment. The Respondent will be informed of stay away orders, but should not be notified of other individual remedies offered or provided to the Complainant.

## **7. Discipline**

- a. The Title IX Officer shall forward the Investigation Report (with any necessary redactions) to the appropriate administrator responsible for discipline.
- b. Any member of the University community who is found to have engaged in sexual violence or sexual harassment may be subject to disciplinary action depending on the seriousness of the violation, up to and including dismissal in accordance with the applicable University disciplinary procedure (Appendix II: University Disciplinary Procedures) or other University policy.
- c. At the conclusion of any disciplinary proceeding, the administrator of the disciplinary process shall simultaneously inform the Complainant and the Respondent in writing of:

- i. the outcome of the disciplinary proceeding, including the final determination with respect to the alleged offense, any sanction that is imposed, and the rationale for the results;
- ii. any right and procedures, if available, to appeal the outcome;
- iii. any subsequent change to the results and when results will become final.

**B. Location Responsibilities**

Each location must do the following:

1. Designate and provide adequate resources to a Title IX Officer. The responsibilities of the Title IX Officer include, but may not be limited to, the duties listed below:
  - a. Coordinate with other responsible units to ensure that local sexual violence and sexual harassment prevention education and training programs are offered and provided, as required by the *Policy*.
  - b. Provide educational materials to promote compliance with the *Policy* and familiarity with local reporting procedures.
  - c. Provide training for University employees who are responsible for reporting or responding to reports of sexual harassment.
  - d. Provide prompt and equitable response to reports of sexual violence or sexual harassment according to the *Policy*.
  - e. Maintain records of reports of sexual violence and sexual harassment at the location, as well as any actions taken in response to reports, including records of investigations, resolutions, and disciplinary action, as appropriate.
  - f. Identify and address any patterns or systemic problems that arise during the review of sexual violence and sexual harassment reports.
  - g. Post on the Title IX website the names and contact information for the Title IX Officer as well as any additional designated, trained, sexual harassment or sexual violence advisors.
2. Designate persons who can offer consultations without reporting them to the Title IX Officer, to any member of the University community seeking information, or advice about making a report of sexual violence and/or sexual harassment. Each location will post information about how and where to contact confidential resources on its web site.

Individuals who consult with such resources will be advised that their discussions in these settings are *not* considered actual reports of sexual violence, sexual harassment or retaliation. Without additional action by the individual, these discussions will not result in any formal action by the University to resolve their concerns.

3. Establish an independent, confidential Advocacy Office for sexual violence, dating violence, domestic violence, stalking, and sexual assault called *CARE: Advocacy Office for Sexual and Gender-Based Violence and Misconduct*.

4. Provide a “Respondent Services Coordinator” that facilitates fair and equitable services for the Respondent.
5. Establish a consistent response team model consisting of two teams:
  - a. A Case Management Team (CMT) which maintains consistent coordination of reported sexual violence cases, ensures all cases are addressed promptly and equitably, and ensures the response is trauma-informed; and
  - b. A Coordinated Community Review Team (CCRT) responsible for a campus collaborative approach to preventing and addressing sexual violence. The CCRT serves in an advisory capacity to campus leadership and community members about best practices in policies, education, prevention and response to sexual violence.

Note: The requirements of #3, 4, and 5 above are for locations with students only. However, ANR, UCOP, and LBNL should coordinate delivery of these requirements with associated campuses or affiliated organizations.

6. Provide mandatory annual training and education about sexual violence and sexual harassment prevention to all students, faculty, other academic appointees, and staff.

Offer primary prevention programs and awareness campaigns to the University community, to promote ongoing awareness of sexual violence including preventing dating violence, domestic violence, sexual assault, and stalking. These campaigns will include, but are not limited to, education about the definition of consent, consensual relationships, options for bystander intervention, trauma-informed approaches, and risk reduction awareness information. These programs are to promote behaviors that foster healthy and respectful relationships, while also encouraging a safe environment for bystanders to intervene in a potential case of dating violence, domestic violence, sexual assault, and stalking.

7. Follow University established and approved processes for adjudication, investigation, and sanctioning.
8. Offer comprehensive, annual training, for individuals conducting Formal Investigations of reports or conducting hearings on responding to sexual violence, including trauma-informed approaches.
9. Publicize a location-specific process for reporting sexual violence or sexual harassment.
10. Provide written explanation of rights and available options as outlined in this *Policy* including:
  - a. How and to whom to report alleged violations.
  - b. Options for reporting to and/or notifying law enforcement and campus authorities; the right to be assisted by campus authorities in notifying law enforcement authorities, if the Complainant so chooses; and the right to decline to notify such authorities.

- c. The rights of Complainants regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by criminal or civil courts, as well as the University’s responsibilities to comply with such orders.
  - d. The importance of preserving evidence that may assist in proving that a criminal offense occurred or in obtaining a protection order.
  - e. Counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services available both within the institution and the community.
  - f. Options for, and available assistance to, change academic, living, transportation, and working situations, if the Complainant requests and if such options are reasonably available—regardless of whether the Complainant chooses to report the crime to campus police or local law enforcement.
  - g. Applicable procedures for institutional disciplinary action.
11. Distribute and post this *Policy*. Each location is required to distribute this *Policy* to students, faculty, other academic appointees and staff, by such means as websites, student information boards, student handbook, faculty handbook and staff websites and information boards and during training and student orientation.
12. The Title IX Officer is responsible for maintaining records relating to sexual violence and sexual harassment reports, investigations, and resolutions. Records will be maintained according to University records policies. Records within the scope of the Clery Act will be retained for 7 years, according to federal law. All records pertaining to pending litigation, or a request for records will be maintained according to instructions from legal counsel.

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## VI. RELATED INFORMATION

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- A. [University of California Standards of Ethical Conduct](#)
- B. [University of California Statement of Ethical Values](#)

### Academic Personnel Manual

- A. [Academic Personnel Manual \(APM\) Section 015](#), The Faculty Code of Conduct (referenced in Section III.D, footnote 1)
- B. [Academic Personnel Manual \(APM\) Section 016, University Policy on Faculty Conduct and the Administration of Discipline](#) (referenced in Section III.D, footnote 1)
- C. [Academic Personnel Manual \(APM\) Section 035, Affirmative Action and Nondiscrimination in Employment](#) (referenced in Section III.D, footnote 2)
- D. [Academic Personnel Manual \(APM\) Section 150](#), Non-Senate Academic Appointees/Corrective Action and Dismissal

### Presidential Policies and Guidelines

- A. [Nondiscrimination Policy Statement for University of California Publications Regarding Student-Related Matters](#) (referenced in Section III.D, footnote 2)
- B. [Personnel Policies for Staff Members 12 \(Nondiscrimination in Employment\)](#) (referenced in Section III.D, footnote 2)
- C. [Business and Finance Bulletin RMP-2: Records Retention and Disposition: Principles, Processes, and Guidelines](#)
- D. Guidelines on Sexual Violence and Sexual Harassment Outcome Reporting
- E. [Policy on Student Conduct and Discipline](#)
- F. [Student-Related Policy Applying to Nondiscrimination on the Basis of Sex](#)
- G. [University of California Nondiscrimination and Affirmative Action Policy Regarding Academic and Staff Employment](#) (referenced in Section III.D, footnote 2)
- H. [UC Business and Finance Bulletin RMP-8. Legal Requirements on Privacy of and Access to Information](#)
- I. [University of California Policies Applying to Campus Activities, Organizations, and Students](#) (referenced in Section III.D, footnote 2)
- J. [University of California Non-Discrimination Policy](#)  
[Federal and State Regulations](#)
- A. [Government Code 12950.1 Nondiscrimination and Affirmative Action Policy Statement for University of California Publications Regarding Employment Practices](#) (referenced in Section III.D, footnote 2)
- B. [Violence Against Women Reauthorization Act \(VAWA\) of 2013](#)

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## VII. FREQUENTLY ASKED QUESTIONS

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1. **Who can be considered an advisor or representative as described in this Policy?**  
A representative includes any individual who provides the Complainant or Respondent with support, guidance, or advice (including attorneys). The institution cannot limit the choice of a representative, but may establish certain restrictions regarding the extent to which the representative can participate in the proceedings as long as the restrictions apply equally to both parties.
2. **What is a “result” or “outcome” of a disciplinary proceeding?**  
A result or outcome includes a written description of any initial, temporary, and final decision made by any official or authorized person, that aims to resolve a disciplinary matter within the institution. The result must include any **sanctions** imposed by the institution. The result must also include **the rationale for the result and the sanctions**.
3. **Does Dating or Domestic Violence include psychological or emotional abuse?**  
Although this type of conduct does not rise to the level of violence as these terms are defined by the Violence Against Women Reauthorization Act, the University offers prevention education on identifying abusive behavior and reducing the risk of such

behavior. The University also offers counseling and support services to members of the University community who have been subject to, or have been found to have engaged in, this type of conduct.

**4. Why might Sexual Contact constitute sexual violence in some cases but sexual harassment in others?**

Sexual contact encompasses a broad spectrum of conduct, some of which constitutes sexual assault, but some of which is better treated as sexual harassment. One example of sexual contact that could be considered as sexual assault under this Policy is when a Respondent is accused of groping the Complainant's breast under the Complainant's clothing and without any indication of consent. An example of sexual contact that could be considered as sexual harassment is an allegation that the Respondent patted the Complainant's buttocks over the Complainant's clothing. While the example of groping might be resolved through a Formal Investigation, the patting example would generally be handled through Alternative Resolution. The Title IX Officer will review all sexual contact allegations to determine the best procedure for resolving the report based on the totality of the circumstances.

**5. Does Sexual Assault also include “rape” and “sexual battery” as those terms are used in the criminal law context?**

Yes. The types of conduct prohibited by this Policy include “rape” and “sexual battery” as defined in the Penal Code. This Policy also prohibits additional types of nonconsensual sexual contact. For additional assistance with any questions about whether a specific type of conduct violates this Policy, or the law, please contact your local CARE Advocate, UC Police, or Title IX Officer.

**6. Once the outcome of an investigation or disciplinary proceeding under this Policy is disclosed to the Complainant, can the Complainant be asked to keep this information confidential?**

The Complainant can be advised of the confidential and sensitive nature of personnel and student disciplinary matters that arise under this Policy, and in appropriate circumstances, such as in connection with a settlement of a matter, may be asked not to further disclose it.

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## VIII. REVISION HISTORY

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07/01/2015 –

02/25/2004 - This policy was reformatted into the standard University of California policy template effective.

Future revisions to this policy will be circulated under standard procedures for Presidential Policies; in the case of this policy, the review will include circulation under the standard Academic Personnel Manual (APM) process, with final authority resting with the President.

As a result of the issuance of this policy, the following documents are rescinded as of the effective date of this policy and are no longer applicable:

- University of California Policy on Sexual Harassment, dated February 10, 2006

- University of California Procedures for Responding to Reports of Sexual Harassment, dated December 14, 2004
- University of California Policy on Sexual Harassment and Complaint Resolution Procedures, dated April 23, 1992
- University of California Policy on Sexual Harassment and Complaint Resolution Procedures, dated March 10, 1986



**APPENDIX I: Applicable Complaint Resolution and Grievance Policies**

Academic Personnel:

Members of the Academic Senate

[Senate Bylaw 335](#)

Non-Senate Academic Appointees

[APM - 140](#)

Exclusively Represented Academic Appointees

Applicable collective bargaining agreement

Students:

[Policies Applying to Campus Activities, Organizations and Students, Section 110.00](#)

Staff Personnel:

Senior Managers

[PPSM II-70](#)

Managers and Senior Professionals,  
Salary Grades VIII and IX

[PPSM 71](#)

Managers and Senior Professionals,  
Salary Grades I – VII

[PPSM 70](#)

Professional and Support Staff

[PPSM 70](#)

Exclusively Represented Staff Personnel

Applicable collective bargaining agreement

Lawrence Berkeley National Laboratory Employees

[Applicable Laboratory policy](#)

All:

The [University of California Policy on Reporting and Investigating Allegations of Suspected Improper Governmental Activities \(Whistleblower Policy\)](#) and the [University of California Policy for Protection of Whistleblowers from Retaliation and Guidelines for Reviewing Retaliation Complaints \(Whistleblower Protection Policy\)](#), which govern the reporting and investigation of violations of state or federal laws or regulations and University policy, including sexual harassment.

## APPENDIX II: University Disciplinary Procedures

The following are the disciplinary procedures and policies if a report of sexual harassment or sexual violence results in a recommendation for disciplinary action:

- A. [The Faculty Code of Conduct \(APM - 015\)](#) (as approved by the Assembly of the Academic Senate and by The Regents)
- outlines the ethical and professional standards which University faculty are expected to observe, and
  - identifies various forms of unacceptable behavior which apply in cases of sexual violence or sexual harassment.

Because the forms of unacceptable behavior listed in *The Faculty Code of Conduct* also apply to sexual violence or sexual harassment, a violation of the University's *Policy on Sexual Harassment and Sexual Violence* may constitute a violation of the *Faculty Code of Conduct*. The [University Policy on Faculty Conduct and the Administration of Discipline \(APM - 016\)](#), as approved by the Assembly of the Academic Senate and by The Regents, outlines sanctions and disciplinary procedures for faculty.

- B. Provisions of the policy on [Non-Senate Academic Appointees/Corrective Action and Dismissal \(APM - 150\)](#) (which are applicable to non-exclusively represented academic appointees) and collective bargaining agreements that are applicable to exclusively represented academic appointees allow for corrective action or dismissal for conduct which violates University policy.
- C. The [Policies Applying to Campus Activities, Organizations, and Students](#) sets forth in Section 100.00 the types of student misconduct that are subject to discipline and the types of disciplinary actions that can be imposed for each of those violations of University policies or campus procedures.
- D. Provisions of the [Personnel Policies for Staff Members](#), and the Lawrence Berkeley National Laboratory personnel policies (applicable to non-exclusively represented staff employees), and collective bargaining agreements (applicable to exclusively represented staff employees) prohibit conduct that violates University policy for sexual violence or sexual harassment and provide for disciplinary action for violating University policy.
- [PPSM-62: Corrective Action](#)
  - [PPSM-63: Investigatory Leave](#)
  - [PPSM-64: Termination of Career Employees – Professional and Support Staff](#)
  - [PPSM-65: Termination of Career Employees - Managers & Senior Professionals, Salary Grades I through VII](#)
  - [PPSM-67: Termination of Career Employees – Managers & Senior Professionals, Salary Grades VIII and IX](#)
  - [PPSM II-64 \(Termination of Appointment\)](#)

# Sexual Violence and Sexual Harassment



## APPENDIX III: SAMPLE Policy Fact Sheet

The University of California is committed to creating and maintaining an atmosphere free of harassment, exploitation, and/or intimidation for every individual in our community. The University will respond promptly and equitably to reports of sexual violence and sexual harassment, and will take appropriate action to prevent, to correct, and when necessary, to discipline behavior that violates the Sexual Violence and Sexual Harassment policy.

**For assistance with incidents of dating violence, domestic violence, sexual assault, sexual violence, sexual harassment, and stalking, please contact:**

On Campus Resources	
<p><b>CARE Advocate</b> Confidential 24 hour counselor available for crisis support and referral services</p> <p>(510) 642-4444 <a href="mailto:CAREAdvisor@campus.edu">CAREAdvisor@campus.edu</a></p>	<p><b>The UC Police Department</b> (510) 643-7985 (24-hour line) (510) 642-3333 (24-hour emergency line)</p>
Off Campus Resources	
<p><b><u>A Safe Place</u></b> Oakland hotline, shelter, crisis referral, advocacy, counseling, emergency food, clothing and transportation. <b>24-hr. crisis line: (510) 536-SAFE (7233)</b></p>	<p><b><u>BAWAR</u></b> 24-hr hotline staffed by trained counselors. Accompanies survivors to police dept, hospitals &amp; courts. Offers short term counseling and support groups, and referrals for long-term counseling. Special outreach to Latina survivors. <b>24-hr. crisis line: (510) 845-RAPE (7273)</b></p>

### What do I do if I've been sexually assaulted?

- **Find a safe location away from your attacker.** If you cannot get somewhere safe, call 911 right away.
- **Get medical attention.** Do not shower, eat, drink go to the bathroom, brush your teeth or change your clothes before going to the hospital.
  - If you want to change your clothes, put them in a paper (not plastic) bag and bring them to the hospital.
  - Seeking medical attention right away will reduce your risk of pregnancy and STI's.
- **Seek support.** Sexual assault is a traumatic experience. If you feel comfortable, seek support from a CARE Advisor, friend, or family member.

### How can I help someone who may have been sexually harassed or sexually assaulted??

- Remember that the victim's wellbeing must be considered before all other matters.
- Immediately reporting a case to the police could be more traumatic for the victim than beneficial. Let them make the decision to report (or not report).
- Talk to the person and reinforce that they are not at fault. However, if the individual does not wish to talk to you, respect their decision.

- Contact resources above for information on how to best support a friend through his or her healing process.

See the [UC Sexual Violence and Sexual Harassment policy, for further information on:](#)

- Prohibited conduct and Affirmative Consent
- Confidentiality of Reports of Sexual Violence and Sexual Harassment
- Procedures for Reporting and Responding to Reports of Sexual Violence or Sexual Harassment
- University Complaint Resolution and Grievance Procedures

## APPENDIX IV – Remedies

At any time during the investigation, the investigator may recommend that interim protections or remedies for the parties or witnesses be provided by appropriate University officials. These protections or remedies may include separating the parties, placing limitations on contact between the parties, or making alternative working or student housing arrangements. Failure to comply with the terms of interim protections may be considered a separate violation of this *Policy*.

Remedies include but are not limited to:

- i. *Campus Services Generally*: Inform the Complainant and Respondent about and refer to Campus services that are available to all students and in many cases to others: academic support including tutoring, counseling, disability services, health and mental health services, family planning services, survivor advocacy, housing assistance, legal assistance; information about the right to report a crime to campus or local law enforcement, and written materials prepared by the Title IX Officer pursuant to V.B below.
- ii. *Campus Services Modified For Students*:
  - If a campus service is not generally available or a fee is imposed, the Title IX Officer will arrange for access or the elimination of fees when appropriate.
  - Comprehensive, holistic survivor services including additional medical, counseling and academic support services.
  - Any other accommodations or protective measures that are reasonably available once a Complainant has requested them.
- iii. *Additional Educational Remedies For Students*<sup>2</sup>:
  - Change advisors, class sections and similar schedule adjustments.
  - Arrange extra time for the Complainant to complete academic requirements of a class or program, to re-take a class or withdraw from a class without an academic or financial penalty if the University delayed such accommodations after it reasonably should have known of the violation.
  - Review any disciplinary actions taken against the Complainant subsequent to the incident described in the Report to determine whether there is a causal connection between the violation and the Complainant's misconduct.
- iv. *Remedies Available To Employees, Including Student Employees*:
  - Transfer to a different supervisor, workstation, unit, department, or position for which the employee is qualified provided that, in the case of a Complainant's transfer, the change is voluntary and equitable.
- v. *Training And Education Of The Respondent*: The Title IX Coordinator may require that the Respondent undergo training, including sexual harassment training, anger management training, and periodic refresher classes.

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<sup>2</sup>April 29, 2014 A-6 providing safety

**vi. No Contact Remedies:**

- Complainant and Respondent Options:
  - a) The Title IX Officer will notify the Complainant and Respondent of options to avoid contact and assist the Complainant and Respondent to change academic and extracurricular activities or living, transportation, dining, and working situations as appropriate,
  - b) assist the Complainant and Respondent to apply for no contact orders; and,
  - c) when appropriate, arrange for effective escort services to ensure that the Complainant and Respondent can move safely between classes and activities.
  
- Respondent's Restrictions: *some of which may be imposed by Title IX Officer, all of which may be implemented by agreement, and the more serious of which may be imposed only pursuant to Discipline*
  - a) Allow the Complainant to take the regular sections of courses while arranging for the Respondent to take the same courses online or through independent study;
  - b) Moving the Respondent to a different residence hall;
  - c) Forbidding the Respondent to participate in specific athletic or extracurricular events or social clubs (including fraternities or sororities);
  - d) Requiring that the Respondent stay away from the Complainant for a period of time (up to the Complainant's graduation or other departure from the campus) via scheduling or class changes;
  - e) Prohibiting the Respondent from attending school for a period of time, or transferring the Respondent to another campus; and
  - f) If a Respondent presents an ongoing safety risk, excluding the Respondent from campus.

**vii. Other Remedies Devised By The Title IX Officer Or Other Administrator.**



# Sexual Violence and Sexual Harassment

[Para la traducción en Español, oprima aquí](#)

[中國版本, 請按這裡](#)

Academic Officer:	Vice Provost – Academic Personnel and Programs
Academic Office:	APAPP – Academic Personnel and Programs
Student Officer:	VP – Student Affairs
Student Office:	SA – Student Affairs
Staff Officer:	VP – Human Resources
Staff Office:	HR – Human Resources
Issuance Date:	June 17, 2015
Effective Date:	June 17, 2015 to December 31, 2015
Last Review Date:	June 17, 2015
Scope:	This <del>policy</del> Policy applies to all University employees and students and University campuses, the Lawrence Berkeley National Laboratory, Medical Centers, the Office of the President, Agriculture and Natural Resources, and all University programs and activities

**For assistance with incidents of dating violence, domestic violence, sexual assault, sexual violence, sexual harassment, ~~sexual violence~~, and stalking, please contact your local CARE Advisor or Title IX Officer, at <http://sexualviolence.universityofcalifornia.edu/get-help/index.html>**

## I. POLICY SUMMARY

The University of California is committed to creating and maintaining a community where all individuals who participate in University programs and activities can work and learn together in an atmosphere free of harassment, exploitation, or intimidation. Every member of the community should be aware that the University prohibits sexual harassment and sexual violence, and that such behavior violates both law and University policy. The University will respond promptly and effectively to reports of sexual harassment and sexual violence, and will take appropriate action to prevent, to

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University of California ~~Policy~~ ~~SHSV~~  
~~Sexual Harassment and Sexual Violence~~  
~~Sexual Violence and Sexual Harassment~~

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~~correct, and when necessary, to discipline behavior that violates this policy on Sexual Harassment and Sexual Violence (hereafter referred to as *Policy*).~~

~~This *Policy* applies to all University of California employees and students at its campuses, the Lawrence Berkeley National Laboratory, the Medical Centers, the Office of the President ("locations"), Agriculture and Natural Resources, and its University programs and activities. This *Policy* furthers the University's commitment to compliance with the law and to the highest standards of ethical conduct as outlined in the University's Statement of Ethical Values and Standards of Ethical Conduct.~~

~~It is the policy of the University not to engage in discrimination against or harassment of any person associated with the University of California.~~

~~This *Policy* addresses the University of California's responsibilities and procedures related to sexual violence and sexual harassment in order to ensure an equitable and inclusive education and employment environment free of sexual violence and sexual harassment. The *Policy* defines conduct prohibited by the University of California and explains the administrative procedures the University uses to resolve reports of sexual violence and sexual harassment.~~

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FOR QUESTIONS ABOUT THIS ~~POLICY~~POLICY, PLEASE CONTACT:

Academic

Student

Staff

Contact	<a href="#">Janet Lockwood</a>	<a href="#">Eric Heng</a>	<a href="#">Rachael Howard</a>
Email:	<a href="mailto:Janet.Lockwood@ucop.edu">Janet.Lockwood@ucop.edu</a>	<a href="mailto:Eric.Heng@ucop.edu">Eric.Heng@ucop.edu</a>	<a href="mailto:Rachael.Howard@ucop.edu">Rachael.Howard@ucop.edu</a>
Contact:	<a href="#">Janet Lockwood</a>	<a href="#">Eric Heng</a>	<a href="#">Jeannene Whalen</a>
Email:	<a href="mailto:Janet.Lockwood@ucop.edu">Janet.Lockwood@ucop.edu</a>	<a href="mailto:Eric.Heng@ucop.edu">Eric.Heng@ucop.edu</a>	<a href="mailto:Jeannene.Whalen@ucop.edu">Jeannene.Whalen@ucop.edu</a>
Phone:	(510) 987-9499	(510) 987-0239	(510) 987- <del>0853</del> <b>9859</b>

# Sexual Violence and Sexual Harassment



## II. DEFINITIONS

### A. Consent

Consent is affirmative, conscious, voluntary, and revocable. Consent to sexual activity requires of both persons an affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest, lack of resistance, or silence, alone, does not constitute consent. Affirmative consent must be ongoing throughout sexual activity and can be revoked at any time. The existence of a dating relationship or past sexual relations between the persons involved should never by itself be assumed to be an indicator of consent. Similarly, the existence of a subsequent dating relationship or subsequent sexual relations should not be assumed to be an indicator of consent to prior conduct.

The Respondent's belief that the Complainant consented shall not provide a valid excuse where:

1. The Respondent's belief arose from the Respondent's own intoxication or recklessness;
2. The Respondent did not take reasonable steps, in the circumstances known to the Respondent at the time, to ascertain whether the Complainant affirmatively consented;
3. The Respondent knew or reasonably should have known that the Complainant was unable to consent because the Complainant was:
  - a. asleep or unconscious;
  - b. incapacitated due to the influence of drugs, alcohol, or medication, so that the Complainant could not understand the fact, nature, or extent of the sexual activity; or
  - c. unable to communicate due to a mental or physical condition.

Incapacitation: The physical and/or mental inability to make informed and rational judgments. States of incapacitation include, but are not limited to being semi-conscious, unconsciousness, or asleep. Alcohol, drugs, or other medication can also be a factor. Incapacitation is defined with respect to how the alcohol or other drugs that were consumed affect a person's decision-making capacity, awareness of consequences, ability to make fully informed judgments, and ability to communicate.

Being intoxicated by drugs, alcohol, or other medication does not give another party permission to ignore whether consent was given.

### B. Prohibited Conduct

#### 1. Sexual Violence:

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**a. Sexual Assault:** Sexual contact or penetration, as defined below, that occurs without the consent of the other person, or when the other person is unable to consent to the activity.

**i. Sexual Contact:** is defined as touching an intimate body part (genitals, anus, groin, breasts or buttocks), (i) unclothed or (ii) clothed. Note: This definition encompasses a broad spectrum of conduct, not all of which constitutes sexual violence. When reports alleging sexual contact are received, the Title IX Officer will determine whether the allegation should be treated as sexual violence or sexual harassment. (See FAQ for more information)

**ii. Sexual Penetration:** is defined as the penetration no matter how slight, of the vagina, anus, or mouth by a penis; or the vagina or anus by any body part or object.

**Note:** Actual or attempted sexual assault is aggravated (more serious) when it includes, but is not limited to, the following:

- Overcoming the will of Complainant by:
  - force (the use of physical force or inducing reasonable fear of immediate bodily injury);
  - violence (the use of physical force to cause harm or injury);
  - menace (a threat, statement, or act showing intent to injure);
  - duress (a direct or implied threat of force, violence, danger, hardship, or retribution that is enough to cause a reasonable person of ordinary sensitivity, taking into account all circumstances including age and relationship, to do or submit to something that he or she would not otherwise do).
  - deliberately causing a person to be incapacitated (through drugs or alcohol);
  - taking advantage of the other person's incapacitation (including voluntary intoxication)
- Recording, photographing, transmitting, viewing or distributing intimate or sexual images without the knowledge and consent of all parties involved.

**b. Relationship Violence:**

**i. Dating Violence:** Intentionally, or recklessly, causing, attempting, or threatening to cause bodily injury to the Complainant or another by a person who is or has been in a romantic or intimate relationship with the complainant as determined by the length, type, frequency of interaction between them. Dating violence also includes placing the Complainant in reasonable fear of serious bodily.

**ii. Domestic Violence:** Intentionally, or recklessly, causing, attempting, or threatening to cause bodily injury to the Complainant or another by a person who is:

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- ~~• a current or former spouse or intimate partner of the Complainant; or~~
- ~~• a person with whom the Complainant shares a child in common.~~

~~Domestic violence also includes placing the Complainant in reasonable fear of serious bodily.~~

~~c. **Stalking:** repeated conduct directed at a Complainant (e.g., following, monitoring, observing, surveilling, threatening, communicating or interfering with property), of a sexual or romantic nature or motivation, that would cause a reasonable person to fear for his or her safety, or the safety of others, or to suffer substantial emotional distress.~~

~~Stalking of a non-sexual nature is addressed by other University including but not limited to the Student Code of Conduct, Section 102.10.~~

~~d. **Sexual Intercourse with a Minor** is sexual intercourse with a person under the age of 18.~~

~~2. **Sexual Harassment** is defined as:~~

~~a. **General Situations**~~

~~For all incidents other than those between students outside of an employment context (see below), sexual harassment is unwelcome sexual advances, unwelcome requests for sexual favors, and other unwelcome verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment is when:~~

~~i. *Quid Pro Quo:* a person's submission to such conduct that explicitly or is implicitly affects a person's employment or or explicitly made the basis for employment decisions, academic evaluation, grades or advancement; or other decisions affecting participation in a University program or activity; or~~

~~ii. *Hostile Environment:* such conduct is sufficiently severe or pervasive as to create a hostile environment that denies or adversely limits a person's participation in or benefit from the education or, employment or other programs and services of the University; or it creates an environment that affects or interferes with a person's employment, work-, education, and/or educational performance or creates an environment such that, and which a reasonable person would find the conduct to be intimidating, hostile, or offensive. Sexual harassment includes sexual violence (see definition below). The University will respond to reports of any such conduct in accordance with the Policy.~~

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Sexual harassment may include incidents between any members of the University community, including faculty and other academic appointees, staff, student employees, students, coaches, residents, interns, and non-student or non-employee participants in University programs (e.g., vendors, contractors, visitors, and patients). ~~Sexual harassment may occur in hierarchical relationships, between peers, or between individuals of the same sex or opposite sex. To determine whether the reported conduct constitutes sexual harassment, consideration shall be given to the record of the conduct as a whole and to the totality of the circumstances, including the context in which the conduct occurred.~~

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~~b. Consistent with the Sexual Harassment between students outside of an employment context: The University of California Policies Applying to Campus Activities, Organizations, and Students, Policy 100.00 on Student Conduct and Discipline, Policy 100.00 on Student Conduct and Discipline, Section 102.09, define sexual harassment of one student by another student is defined as unwelcome conduct of a sexual nature that is so severe and/or pervasive, and objectively offensive, and that so substantially impairs a person's access to University programs or activities that the person is effectively denied equal access to the University's resources and opportunities. This definition does not apply to sexual violence, as defined in this Policy.~~

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~~Sexual Violence is defined as physical sexual acts engaged without the consent harassment may occur in hierarchical relationships, between peers, or between individuals of the other person or when the other person is unable to consent to the activity. Sexual violence includes sexual assault, rape, battery, and sexual coercion; domestic violence; dating violence; and stalking.~~

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~~iii. Abuse: means intentionally any gender or recklessly causing or attempting to cause bodily injury, or placing another person in reasonable apprehension of imminent serious bodily injury to himself or herself, or another gender identity. To determine whether the reported conduct constitutes sexual harassment, consideration shall be given to the totality of the circumstances.~~

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~~Domestic Violence is defined as abuse committed against an adult or a minor who is a spouse or former spouse, cohabitant or former cohabitant, or someone with whom the abuser has a child, has an existing dating or engagement relationship, or has had a former dating or engagement relationship.~~

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~~**Sexual Assault** occurs when physical sexual activity is engaged without the consent of the other person or when the other person is unable to consent to the activity. The activity or conduct may include physical force, violence, threat, or intimidation, ignoring the objections of the other person, causing the other person's intoxication or incapacitation through the use of drugs or alcohol, or taking advantage of the other person's incapacitation (including voluntary intoxication).~~

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~~**Consent** is informed. Consent is an affirmative, unambiguous, and conscious decision by each participant to engage in mutually agreed-upon sexual activity.~~

~~Consent is voluntary. It must be given without coercion, force, threats, or intimidation. Consent means positive cooperation in the act or expression of intent to engage in the act pursuant to an exercise of free will.~~

~~Consent is revocable. Consent to some form of sexual activity does not imply consent to other forms of sexual activity. Consent to sexual activity on one occasion is not consent to engage in sexual activity on another occasion. A current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Even in the context of a relationship, there must be mutual consent to engage in sexual activity. Consent must be ongoing throughout a sexual encounter and can be revoked at any time. Once consent is withdrawn, the sexual activity must stop immediately.~~

~~Consent cannot be given when a person is incapacitated. A person cannot consent if s/he is unconscious or coming in and out of consciousness. A person cannot consent if s/he is under the threat of violence, bodily injury or other forms of coercion. A person cannot consent if his/her understanding of the act is affected by a physical or mental impairment.~~

~~For purposes of this Policy, the age of consent is consistent with California Penal Code Section 261.5.~~

~~**Incapacitation** is defined as the physical and/or mental inability to make informed, rational judgments. States of incapacitation include, but are not limited to, unconsciousness, sleep, and blackouts. Where alcohol, drugs or other medication are involved, incapacitation is defined with respect to how the alcohol or other drugs consumed affects a person's decision-making capacity, awareness of consequences, ability to make fully informed judgments, and inability to communicate. Being intoxicated by drugs, alcohol or other medication does not absolve one's responsibility to obtain consent. The factors to be considered when determining whether consent was given include whether the accused knew, or whether a reasonable person should have known, that the complainant was incapacitated.~~

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c. **Stalking** is behavior in which a person repeatedly engages in the conduct directed at a specific person that places that person in reasonable fear of his or her safety or the safety of others occurred.

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**Executive Officer:** The **Note On Sex Discrimination:** In addition to sexual harassment, discrimination based on sex, gender, gender identity, gender expression, sex- or gender-stereotyping, and sexual orientation violates law and other University policies. Such discrimination may also contribute to the creation of a hostile work or academic environment based on sex and thus constitute or contribute to sexual harassment.

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**3. Retaliation**

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Retaliation includes threats, intimidation, reprisals, and/or adverse employment or education actions against a person based on their report of or participation in the report, investigation, remedial, and/or disciplinary processes provided for in this Policy.

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**C. Other Definitions**

**1. Confidential Resources:**

Employees who can provide confidential consultation in their professional capacity include the:

- a. CARE advocates,
- b. Ombuds, President, Chancellor,
- c. Licensed counselors in employee assistance programs,
- d. Licensed counselors in student counseling centers,
- e. Any persons with a professional license requiring confidentiality (excluding campus legal counsel), or someone who is supervised by such a person, and
- f. Any health sciences center employees with a professional license requiring confidentiality, or someone who is supervised by such a person.

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Designation as a "Confidential Resource" for purposes of this Policy only exempts these individuals from reporting to the Title IX office. Individuals with other mandatory reporting obligations must still comply with the UC CANRA (Child Abuse and Neglect Reporting Act) Policy, reporting obligations as a Campus Security Authority (CSA) under the Clery Act, and other policies or laws that require reporting to campus or local law enforcement, or Child Protective Services.

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**2. Complainant:** Any person who files a report of sexual harassment or sexual violence or any person who has been the alleged subject of sexual violence, sexual harassment or retaliation.

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**3. Location:** "Location" is all University of California campuses, the Lawrence Berkeley National Laboratory, Director, or Vice, Medical Centers, the Office of the President of Agricultural, and Agriculture, and Natural Resources.

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- 4. Preponderance of Evidence: A standard of proof that requires that a fact be found when its occurrence, based on evidence, is more likely than not.
- 5. Respondent: A person alleged to have engaged in a Prohibited Conduct and about whom a report of sexual violence, sexual harassment or retaliation is made.
- 6. Responsible Employee: Any University employee who is not a confidential resource and who receives information about possible sexual violence or sexual harassment involving an undergraduate student must promptly notify the Title IX Officer or designee. This includes Resident Assistants, Graduate Teaching Assistants, and all other student employees, when disclosures are made to any of them in their capacities as employees.

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Any of the following individuals who receive a report of sexual violence or sexual harassment from any other person affiliated with the University are responsible for promptly forwarding such reports to the Title IX Officer:

- Campus Police
- Human Resources staff, Academic Personnel Office staff, and Title IX Professionals
- Managers and Supervisors, including Deans, Department Chairs, and Directors of an Organized Research Unit (ORU)

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### III. POLICY STATEMENT

~~A.~~

#### ~~A. General~~

~~The University prohibits sexual harassment of California is committed to creating and maintaining a community free of sexual violence and sexual violence. Such behavior violates harassment for every individual. Sexual violence and sexual harassment violate both law and University policy. Any member of the University community may report conduct that may constitute sexual violence or sexual harassment. The University will respond promptly and effectively equitably to such reports of sexual harassment, and sexual violence and will take appropriate action to stop, prevent, to correct and remedy the sexual violence and sexual harassment, and when necessary, to discipline behavior that violates this Policy. the Respondent.~~

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~~B. To determine if there has been sexual violence or sexual harassment, the University may take into account any acts of harassment based on sex, gender, gender identity, gender expression, sex- or gender-stereotyping, or sexual orientation. Harassment that may not be sexual, but still contributes to a hostile work or academic environment, also could violate the University's non-discrimination policies.<sup>1</sup>~~

<sup>1</sup> University of California Nondiscrimination and Affirmative Action Policy Regarding Academic and Staff; Nondiscrimination and Affirmative Action Policy Statement for University of California;



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~~**B. Prohibited Acts**~~~~Conduct,~~

~~This Sexual Violence and Sexual Harassment Policy (hereafter referred to as *Policy*) prohibits sexual violence, sexual harassment, and sexual violence retaliation as defined in Section II. Conduct by an employee that is sexual harassment or sexual violence in violation of this *Policy* is considered to be outside the course and scope of employment.~~

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~~**C. Consensual Relationships**~~

~~This *Policy* covers unwelcome conduct of a sexual nature. Consensual romantic relationships between members of the University community are subject to other University policies. For example, policies governing faculty-student relationships are detailed in The Faculty Code of Conduct.<sup>2</sup> Locations may have local policies pertaining to consensual relationships. While romantic and sexual relationships between members of the University community may begin as consensual, they may evolve into situations that lead to charges of sexual harassment or sexual violence; instances of sexual violence and sexual harassment may occur within such relationships. Accordingly, a report of sexual violence or sexual harassment that occurs within the context of a consensual relationship will be treated as any other report.~~

~~**D. Gender Identity, Gender Expression, or Sexual Orientation Discrimination**~~

~~Harassment that is not sexual in nature but is based on gender, gender identity, gender expression, sex or gender stereotyping, or sexual orientation also is prohibited by the University's nondiscrimination policies<sup>3</sup> if it denies or limits a person's ability to participate in or benefit from University educational programs, employment, or services. While discrimination based on these factors may be distinguished from sexual~~

~~Academic Personnel Manual (APM) Section 035, Affirmative Action and Nondiscrimination in Employment; Personnel Policies for Staff Members 12, Nondiscrimination in Employment; University of California Policies Applying to Campus Activities, Organizations, and Students; and Nondiscrimination Policy Statement for University of California Publications Regarding Student-Related Matters.~~

~~<sup>2</sup>The Faculty Code of Conduct may be found in the Academic Personnel Manual (APM) Section 015.~~

~~<sup>3</sup>University of California Nondiscrimination and Affirmative Action Policy Regarding Academic and Staff~~

~~Employment; Nondiscrimination and Affirmative Action Policy Statement for University of California~~

~~Publications Regarding Employment Practices; Academic Personnel Manual (APM) Section 035, Affirmative Action and Nondiscrimination in Employment; Personnel Policies for Staff~~

~~Members 12, Nondiscrimination in Employment; University of California Policies Applying to Campus Activities, Organizations, and Students; and Nondiscrimination Policy Statement for~~

~~University of California Publications Regarding Student-Related Matters.~~

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~~harassment, these types of discrimination may contribute to the creation of a hostile work or academic environment. Thus, in determining whether a hostile environment due to sexual harassment exists, the University may take into account acts of discrimination based on gender, gender identity, gender expression, sex or gender stereotyping, or sexual orientation.~~

~~E. Because consensual romantic and sexual relationships between members of the University community may give rise to conflicts of interest, such relationships between a student and faculty member or other employees or between employees are also subject to other University policies, such as The Faculty Code of Conduct, APM-015.II.A.6 & 7 and local policies.~~

#### ~~4. Protection for Retaliation~~

~~This *Policy* prohibits retaliation against a person who reports sexual harassment or sexual violence, assists someone with a report of sexual harassment or sexual violence, or participates in any manner in an investigation or resolution of a sexual harassment or sexual violence report. Retaliation includes threats, intimidation, reprisals, and/or adverse actions related to employment or education.~~

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#### ~~F. Student Amnesty~~

~~C. Complainants and witnesses, who are students, and who participate, Respondents, and Witnesses~~

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- ~~1. Immunity: To encourage reporting, neither a Complainant nor witness in an investigation of sexual violence will not be subject to disciplinary sanctions for a violation of the University's student relevant university conduct policy at or near the time of the incident, unless the institution determines that the violation was egregious, including, but not limited to, an action that places violation placed the health or safety of any other person another, at risk or, involves plagiarism, cheating, or academic dishonesty, or was otherwise egregious.~~

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#### ~~G. Dissemination of the Policy, Educational Programs, and Employee Training~~

~~As part of the University's commitment to providing a working and learning environment free from sexual harassment and sexual violence, this *Policy* shall be disseminated widely to the University community through publications, websites, new employee orientations, student orientations, and other appropriate channels of communication. The locations shall make preventive educational materials and prevention training available to all members of the University community to promote compliance with this *Policy* and familiarity with local procedures. The locations shall designate University employees responsible for reporting sexual harassment and sexual violence and make available prevention training to designated employees. In addition, the University will provide annual training to investigators and hearing officers. Each location shall post a copy of this *Policy* in a prominent place on its website (See Section V. Procedures).~~

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~~**H. Reporting Sexual Harassment or Sexual Violence**~~

~~Any member of the University community may report conduct that may constitute sexual harassment or sexual violence to any supervisor, manager, or Title IX Officer (Sexual Harassment Officer). Supervisors, managers, and other designated employees are responsible for promptly forwarding such reports to the Title IX Officer (Sexual Harassment Officer) or other local official designated to review and investigate sexual harassment and sexual violence complaints. Any manager, supervisor, or designated employee responsible for reporting or responding to sexual harassment or sexual violence who knew about the incident and took no action to stop it or failed to report the prohibited act may be subject to disciplinary action.~~

- ~~2. Each location shall identify confidential resources, including but not limited to the CARE Advocate and Campus Retaliation: Retaliation against someone for reporting or participating in an investigation and related processes is prohibited. See Prohibited Conduct in this Policy.~~
- ~~3. Privacy: The University will protect the privacy of individuals involved in a report of sexual violence or sexual harassment to the extent permitted by law and by University policy. However, it should be recognized that an investigation may involve interviews with a number of persons to inquire if they have relevant evidence, and extremely sensitive information may be gathered. While such information is considered confidential, University policy may also require the disclosure of certain information during or following an investigation. Efforts will be made to redact written reports and to protect the privacy of individuals, to the extent possible.~~

~~**Ombuds**, with whom members of the University community can consult for advice and information regarding making a report of sexual harassment or sexual violence. Requests regarding the confidentiality of reports of sexual harassment or sexual violence will be considered in determining an appropriate response; however, such requests will be considered in the dual contexts of the University's obligation to ensure a working and learning environment free from sexual harassment and sexual violence and the due process rights of the accused to be informed of the allegations and their source. See Section V.E and F for more information regarding confidentiality and privacy. Also, an individual may file a complaint or grievance alleging sexual harassment or sexual violence under the applicable University complaint resolution or grievance procedure (Section V. Procedures; Appendix I: University Complaint Resolution and Grievance Procedures).~~

~~**I. Response to Reports of Sexual Harassment or Sexual Violence**~~

~~The locations shall provide prompt and effective response to reports of sexual harassment or sexual violence, which may include Early Resolution, Formal Investigation, and/or targeted prevention training or educational programs. See Section V, Procedures for more information.~~

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If an individual reports to the University that the individual has been a victim of domestic violence, dating violence, sexual assault, or stalking, s/he shall be provided with a written explanation of the individual's rights and options whether the offense occurred on or off campus or on any University location.

Upon a finding of sexual harassment or sexual violence, the University may offer remedies to the individual or individuals harmed by the harassment and/or violence consistent with applicable complaint resolution and grievance procedures (*Appendix I: University Complaint Resolution and Grievance Procedures*). Such remedies may include counseling, an opportunity to repeat course work without penalty, changes to student housing assignments, or other appropriate interventions, such as changes in academic, living, transportation, or working situations.

~~Any member of the University community who is found to have engaged in sexual harassment or sexual violence is subject to disciplinary action including dismissal in accordance with the applicable University disciplinary procedure (*Appendix II: University Disciplinary Procedures*) or other University policy. Generally, disciplinary action will be recommended when the conduct is sufficiently severe, persistent, or pervasive that it alters the conditions of employment or limits the opportunity to participate in or benefit from educational programs.~~

**D. J. Free Speech and Academic Freedom**

~~As participants in a public university, the~~The faculty and other academic appointees, staff, and students of the University of California enjoy significant free speech protections guaranteed by the First Amendment of the United States Constitution and Article I, Section I of the California Constitution. ~~This Policy is intended to protect members of the University community from discrimination, not to regulate protected speech. This Policy shall be implemented in a manner that recognizes the importance of rights to freedom of speech and expression.~~

The University also has a compelling interest in free inquiry and the collective search for knowledge and thus recognizes principles of academic freedom as a special area of protected speech. Consistent with these principles, no provision of this ~~Policy~~ shall be interpreted to prohibit conduct that is legitimately related to the course content, teaching methods, scholarship, or public commentary of an individual faculty member or the educational, political, artistic, or literary expression of students in classrooms and public forums. ~~(See APM-010 and 015.)~~

However, freedom of speech and academic freedom are not limitless and do not protect speech or expressive conduct that violates federal or state anti-discrimination laws.

**A. K. Additional Enforcement Information**

The federal Equal Employment Opportunity Commission (EEOC) and the California Department of Fair Employment and Housing (DFEH) investigate complaints of unlawful harassment, including sexual violence, in employment. The U.S.

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~~Department of Education Office for Civil Rights (OCR) investigates complaints of unlawful harassment and sexual violence by students in educational programs or activities. These agencies may serve as neutral fact finders and attempt to facilitate the voluntary resolution of disputes with the parties. For more information, contact the nearest office of the EEOC, DFEH or OCR.~~

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#### IV. COMPLIANCE / RESPONSIBILITIES

##### A.

##### A. Implementation of the Policy

~~Responsible Executive Officers (the University President, Chancellor, Lawrence Berkeley National Laboratory Director, or Vice President of Agriculture and Natural Resources) or their designees, have the authority to develop procedures or other and supplementary information to support the implementation of this Policy. Responsible Officers may (Vice Provost-Academic Personnel and Programs, the Vice President of Student Affairs and Vice President of Human Resources) will apply appropriate and consistent interpretations to clarify the of this Policy provided that the interpretations do not result in substantive changes to the Policy.~~

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~~The Executive Officer, or their designee, at each location is authorized to, must establish and is responsible for implement local procedures to implement the Policy. Local procedures must be consistent with the this Policy. Exceptions to local procedures required by the Policy must be approved by the Executive Officer or designee.~~

~~Executive Officers and Responsible Officers are authorized to determine responsibilities and authorities at secondary administrative levels to establish local procedures necessary to implement the Policy.~~

~~Each location is responsible for describing each type of disciplinary proceeding used by the location. This includes the steps, anticipated timelines, and decision-making process for each type of disciplinary proceedings. The procedures must also describe how the location determines which type of proceeding to use based on the circumstances of an allegation.~~

##### B.

##### B. Revisions to the Policy

~~The President approves the Policy and has the authority to approve any revisions upon recommendation by the Responsible Officers.~~

~~The Responsible Officers have the authority to initiate recommend revisions to the Policy consistent with approval authorities and applicable Bylaws, Standing Orders, and Policies of The Regents.~~

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The UC Provost and Executive Vice President of Academic Affairs, and the UC Executive Vice President – Chief Operating Officer have the authority to ensure that the *Policy* is reviewed regularly and updated in a manner that is consistent with other University policies.

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**C. ~~C.~~ Approval of Actions**

Actions within the *Policy* must be approved ~~in accordance with~~ according to local procedures.

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**D. ~~D.~~ Compliance with the Policy**

The Executive Officer at each location will designate the local management office that is responsible for monitoring, enforcing, and reporting *Policy* compliance.

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The Senior Vice President – Chief Compliance and Audit Officer will periodically audit and monitor compliance with the *Policy*.

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**E. Additional Enforcement Information**

The U.S. Equal Employment Opportunity Commission (EEOC) and the California Department of Fair Employment and Housing (DFEH) investigate reports of unlawful harassment, and sexual violence in employment. The U.S. Department of Education Office for Civil Rights (OCR) investigates reports of unlawful harassment and sexual violence by students in educational programs or activities. These agencies may serve as fact finders and attempt to facilitate the voluntary resolution of disputes. For more information, contact the nearest office of the EEOC, DFEH or OCR.

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**E.**

**F. Noncompliance with the Policy**

~~Noncompliance with the *Policy* is managed in accordance with~~ Engaging in Prohibited Conduct, defined in this *Policy*, is governed by this *Policy* and the Policy on Student Conduct and Discipline, Personnel Policies for Staff Members 61, 62, 63, 64, 65, and 67 pertaining to disciplinary and separation matters, and in accordance with other University policies, including but not limited to 61, 62, 63, 64, 65, and 67 pertaining to disciplinary and separation matters, The Faculty Code of Conduct (APM - 015) and University Policy on Faculty Conduct and the Administration of Discipline (APM - 016), Non-Senate Academic Appointees/Corrective Action and Dismissal (APM - 150) or, as applicable, collective bargaining agreements. Reference Section VI and Appendices I and II.

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Non-Senate Academic Appointees/Corrective Action and Dismissal (APM-150), and as applicable, collective bargaining agreements, and other policies. See Section VI and Appendices I and II. Non-compliance with this *Policy*, other than violations of Prohibited Conduct, may result in employment or educational consequences up to and including informal counseling, education, adverse performance evaluations, corrective actions, and termination.

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## V. REQUIRED PROCEDURES

### A. ~~Location Responsibilities~~

The locations shall:

1. ~~Establish an independent, confidential Advocacy Office for sexual misconduct (sexual violence, dating violence, domestic violence, stalking, and sexual assault) called CARE: Advocacy Office for Sexual and Gender-Based Violence and Misconduct;~~
2. ~~Provide mandatory sexual harassment prevention training and education to the University community. Additionally consistent with California Government Code 12950.1, provide sexual harassment and abusive conduct prevention training and education to each supervisory employee;~~
3. ~~Provide mandatory prevention education programs to all incoming students and new employees, and ongoing prevention and awareness campaigns to the University community, to promote awareness of rape and acquaintance rape, domestic violence, dating violence, sexual assault, and stalking, including the definition of consent, options for bystander intervention, and risk reduction awareness information;~~
4. ~~Provide mandatory comprehensive annual training on issues related to responding to sexual violence as defined in this Policy, including trauma-informed approaches, for individuals conducting formal investigations of reports or conducting hearings;~~
5. ~~Provide all members of the University community with a process for reporting sexual harassment or sexual violence in accordance with the Policy;~~
6. ~~Identify internal and external resources for reporting sexual harassment or sexual violence, including law enforcement, medical, and victim support services;~~
7. ~~Provide prompt and effective response to reports of sexual harassment, sexual violence, or reports of retaliation related to reports of sexual harassment or sexual violence in accordance with the Policy;~~
8. ~~Provide written notification as outlined in Section V.B.1 of the Policy; and~~
9. ~~Designate trained individuals, including, or other than, the Title IX Officer (Sexual Harassment Officer) to serve as resources for members of the University community who have questions or concerns regarding behavior that may be sexual harassment or sexual violence.~~

10. ~~Proceedings will incorporate these additional elements:~~

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- ~~a. Timely notice of meetings at which the accused or complainant, or both, may be present.~~
- ~~b. Timely access to the complainant, the accused, and appropriate officials to any information that will be used after the fact-finding investigation but during informal and formal disciplinary meetings and hearings.~~
- ~~c. Is conducted by officials who do not have a conflict of interest or bias for or against the complainant or the accused.~~

~~Title IX Officer (Sexual Harassment Officer)~~

~~Each location shall designate a single Title IX Officer (Sexual Harassment Officer). The names and contact information for the Title IX Officer (Sexual Harassment Officer) and any designated trained sexual harassment or sexual violence advisors shall be posted with the *Policy* and local procedures on the location's website and be readily accessible to the University community. The responsibilities of the Title IX Officer (Sexual Harassment Officer) include, but may not be limited to, the duties listed below:~~

- ~~(a) Coordinate with other responsible units to ensure that local sexual harassment and sexual violence prevention education and training programs are offered and provided as required by the *Policy*;~~
- ~~(b) Disseminate the *Policy* widely to the University community;~~
- ~~(c) Provide educational materials to promote compliance with the *Policy* and familiarity with local reporting procedures;~~
- ~~(d) Train University employees responsible for reporting or responding to reports of sexual harassment;~~
- ~~(e) Provide prompt and effective response to reports of sexual harassment or sexual violence in accordance with the *Policy*;~~
- ~~(f) Maintain records of reports of sexual harassment and sexual violence at the location and actions taken in response to reports, including records of investigations, voluntary resolutions, and disciplinary action, as appropriate; and~~
- ~~(g) Identify and address any patterns or systemic problems that arise during the review of sexual harassment and sexual violence complaints.~~

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~~A. **B. Procedures for Reporting and Responding to Reports of Sexual Harassment or Sexual Violence**~~

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~~All members of the University community are encouraged to contact the Title IX Officer (Sexual Harassment Officer) if they observe or encounter conduct that may be subject to the Policy. This includes conduct by employees, students, or third parties.~~

~~1. Reporting~~

~~Reports of sexual harassment or sexual violence, including reports by Complainants and reports by a third party including anonymous reports, of Prohibited Conduct may be brought to the Title IX Officer (Sexual Harassment Officer), or to any manager, supervisor, or other designated employee responsible for responding to reports of sexual harassment or sexual violence, or to a Responsible Employee who shall forward the report to the Title IX Officer. If the person to whom harassment normally would be reported is the individual accused of harassment, reports may be made to another manager, supervisor, or designated employee. Managers, supervisors, and designated employees are required to notify the Title IX Officer (Sexual Harassment Officer) or other appropriate official designated to review and investigate sexual harassment complaints when a report is received. Responsible Employee.~~

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~~Note: Timelines for Making Reports~~

~~Reports of sexual violence or sexual harassment or sexual violence should be brought forward as soon as possible after the alleged conduct occurs. While there is no stated timeframe for reporting all incidents should be reported even if significant time has elapsed, prompt reporting will better enable the University to respond to the report, determine the issues, and investigate, provide an appropriate remedy and/or action. All incidents should be reported even if a significant amount of time has passed. However, delaying a report and impose discipline if appropriate.~~

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~~2. Initial Assessment of a Report~~

~~As soon as practicable after receiving a report, the Title IX Officer will make an initial assessment of the report may impede the University's ability to conduct an investigation and/or take appropriate remedial actions. to determine whether the report, on its face, alleges a violation set forth in Prohibited Conduct defined in Section II; and such conduct has a sufficient nexus with the University for it to intervene.~~

~~1. Required Notifications For Reports of Sexual Violence~~

~~a. The University will provide Immediate Health and Safety When a report of sexual violence has been made, the Title IX Officer, in coordination with the Case Management Team (see Section V below), shall make an immediate assessment concerning the health and safety of the individual and the campus community, implement remedies immediately necessary (including stay away orders), and inform the Complainant of campus and community resources, rights and reporting options (including the right to make reports to the police), and a written~~

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~~explanation of available rights and options, including procedures to follow, when the~~ (See Appendix IV and Location Responsibilities in Section V).

~~Failure to comply with the terms of such Health, Safety and Educational Responses may be considered a separate violation of this Policy.~~

**~~b. Jurisdiction over Reports of Sexual Violence or Sexual Harassment~~**

~~The University has jurisdiction over alleged violations of this Policy by students, staff and other academic appointees that occur on University grounds and facilities such as offices and residence halls, or that occur in connection with University activities, programs, or events. In addition, the University has discretion under this Policy to exercise jurisdiction over conduct that occurs off-campus but affects the learning or working environment. For incidents involving student or employee who has been a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the offense occurred on campus. Respondents, the University may exercise jurisdiction over off-campus conduct that would violate other University Policies if it occurred in connection with any University program. The written on campus. Please refer to Section IV of the Student Conduct Code for further information shall include about the University's exercise of off-campus jurisdiction in such cases.~~

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~~(a) **Notifications** How and to whom the alleged offense should be reported;~~

~~(b) options for reporting to law enforcement and University authorities, including the option to notify local or University law enforcement authorities; the right to be assisted by University authorities in notifying law enforcement authorities if the complainant so chooses and the right to decline to notify such authorities;~~

~~(c) the rights of complainants regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by criminal or civil courts and the University's responsibilities regarding such orders;~~

~~(d) the importance of preserving evidence as may be necessary to prove criminal domestic violence, dating violence, sexual assault, or stalking, or to obtain a protection order;~~

~~(e) existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services available both within the institution and the community;~~

~~(f) options for, and available assistance to, change academic, living, transportation, and working situations, if requested by the complainant and if reasonably available, regardless of whether the victim chooses to report the crime to University police or local law enforcement;~~

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~~(g) Any applicable procedures for institutional disciplinary action.~~

~~2. Options for Resolution~~

~~Individuals reporting sexual harassment or sexual violence shall be informed about options for resolving potential violations of the Policy. These options shall include procedures for Early Resolution, procedures for Formal Investigation, and filing complaints or grievances under applicable University complaint resolution or grievance procedures. Individuals making reports also shall be informed about policies applying to confidentiality of reports under this Policy (see Section V.G below). Locations shall respond to the greatest extent possible to reports of sexual harassment and sexual violence brought anonymously or brought by third parties not directly involved in the asserted offenses. However, the response to such reports may be limited if information contained in the report cannot be verified by independent facts.~~

~~3. Individuals reporting sexual harassment and sexual violence shall be informed about the~~

~~Individuals making reports shall be informed about:~~

- ~~• Policies applying to confidentiality of reports under this Policy.~~
- ~~• The range of possible outcomes of the report, including interim protections, remedies for the individual harmed by the incident, and Health and Safety measures, remedies, disciplinary actions that might be taken against the accused as a result of the report, including Respondent, and information about the procedures leading to such outcomes.~~

~~An individual who is subjected to retaliation (e.g., threats, intimidation, reprisals, or adverse employment or educational actions) for having made a report of sexual harassment or sexual violence in good faith, who assisted someone with a report of sexual harassment or sexual violence, or who participated in any manner in an investigation or resolution of a report of sexual harassment or sexual violence, may make a report of retaliation under these procedures. The report of retaliation shall be subject to the procedures in Section V.B.3 and Section V.B.4 below.~~

~~4. Procedures for Early Overview of Resolution Processes~~

~~The University has several resolution processes for addressing reports of sexual violence and sexual harassment. These include procedures for Alternative Resolution, procedures for Formal Investigation, and filing reports or grievances under applicable University complaint resolution or grievance procedures.~~

~~3.a. Alternative Resolution~~

~~After a preliminary inquiry into the facts which does not involve a Formal Investigation and Report, the Title IX Officer may initiate an Alternative Resolution which permits a variety of options, including:~~

- ~~• mediation (except in cases of sexual violence);~~

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~~The goal of Early Resolution is to resolve concerns at the earliest stage possible with the cooperation of all parties involved. Locations are encouraged to utilize Early Resolution options when the parties desire to resolve the situation cooperatively and/or when a Formal Investigation is not likely to lead to a satisfactory outcome. Participation in the Early Resolution process is voluntary. Early Resolution may include an inquiry into the facts, but typically does not include a formal investigation. Means for Early Resolution shall be flexible and encompass a full range of possible appropriate outcomes.~~

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- ~~• Early Resolution includes options such as mediating an agreement between the parties, separating the parties;~~
- ~~• providing for safety;~~
- ~~• referring the parties to counseling programs, negotiating an agreement for;~~
- ~~• taking disciplinary action;~~
- ~~• conducting targeted preventive educational and training programs, or providing remedies for the individual harmed by the offense. Early Resolution also includes options such as discussions with the parties, making recommendations for resolution, and;~~
- ~~• conducting a follow-up review after a period of time to assure ensure that the resolution has been implemented effectively. Early Resolution may be appropriate for responding to anonymous reports and/or third party reports. Steps taken to encourage Early Resolution and agreements reached through Early Resolution efforts should be documented.~~

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~~While the University encourages Early Resolution of a complaint, the University does not require that parties participate in Early Resolution prior to the University's decision to initiate a Formal Investigation. Some reports of sexual harassment or sexual violence may not be appropriate for mediation but may require a Formal Investigation at the discretion of the Title IX Officer (Sexual Harassment Officer) or other appropriate official designated to review and investigate sexual harassment complaints. The University will not compel a complainant to engage in mediation. Mediation, even if voluntary, may not be used in cases involving sexual violence.~~

#### *Procedures for*

~~Alternative Resolution may be especially useful when a Report is made by a third party or anonymously; when a Formal Investigation is not likely to lead to a satisfactory outcome; when both parties prefer an informal process; or in cases involving less serious violations. The Complainant and Respondent have the right to request a Formal Investigation at any time and may be accompanied by a support person throughout the process.~~

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**4.b. Formal Investigation**

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~~In cases where Early Alternative Resolution is inappropriate or in cases where Early Resolution is unsuccessful, the location may conduct a Formal Investigation. ~~In such cases, the individual making the report may be encouraged to file a written request for Formal Investigation. The wishes of the individual making the~~ Where an individual has requested an investigation, that request shall ~~will~~ be considered, but are ~~is~~ not determinative, in the decision to initiate a Formal Investigation of a report of sexual harassment or sexual violence. In cases where there is no written request, the Title IX Officer (Sexual Harassment Officer) or other appropriate official designated to review and investigate sexual harassment complaints, potentially in consultation with the administration, may initiate a Formal Investigation after making a preliminary inquiry into the facts.~~

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~~In cases where a complainant states he or she does not want to pursue a Formal Investigation, the Title IX Officer (Sexual Harassment Officer) should inform the complainant that the ability to investigate may be limited. When determining whether to go forward with a Formal Investigation, the Title IX Officer (Sexual Harassment Officer) may consider: 1) the seriousness of the allegation, 2) in the case of a student complainant, the age of the student, 3) whether there have been other complaints or reports against the accused, and 4) the rights of the accused individual to receive information about the complainant and the allegations if formal proceedings with sanctions may result from the investigation. Even if a complainant does not want to pursue an investigation, under some circumstances, the Title IX Officer (Sexual Harassment Officer) may have an obligation to investigate a complaint, such as when there is a risk to the University community, if the accused remains on campus or at the University location. The complainant should be made aware of this independent obligation to investigate the complaint.~~

~~In order to provide a prompt, fair, and impartial investigation~~ However, if the Complainant requests that no investigation occur, the Title IX Officer shall determine whether the allegations nonetheless require an investigation to mitigate an apparent risk to the campus community. If determining not to proceed with an investigation, the Title IX Officer shall inform the Complainant that the ability to provide remedies may be limited, but the Title IX Officer shall nonetheless afford such remedies as are consistent with maintaining confidentiality and the absence of an administrative finding.

~~When the Title IX Officer determines to conduct an investigation, the Complainant and Respondent will be provided with a written summary of the allegations, the procedures that will be followed, resources available to them and a copy of the Policy. If proceeding with an investigation, the Title IX Officer shall attempt to maintain the identity of the Complainant confidential from the~~

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~~Respondent or inform the Complainant that such confidentiality cannot be maintained.~~

~~(a) The investigation shall be completed promptly, typically within 60 working days of its initiation, unless extended by the Title IX Officer for good cause, with written notice to the Complainant and Respondent of reports of sexual harassment the reason for the extension, and/or sexual violence shall incorporate the following standards:~~

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~~i. The individual(s) accused of conduct violating the Policy shall be provided a copy of the written request for Formal Investigation or otherwise given a full and complete written statement of the allegations, and a copy of the Policy; and~~

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~~ii. The individual(s) conducting the investigation shall be familiar with the Policy, have training or experience in conducting investigations, and as relevant to the investigation, be familiar with policies and procedures specific to students, staff, faculty, academic appointees, and visitors. For cases involving allegations of sexual violence, the individual(s) conducting the investigation must receive annual training on issues related to sexual violence. Such training includes how to conduct an investigation that protects the safety of the complainants and promotes accountability.~~

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~~(b) the projected new timeline. If the alleged conduct is also the subject of a criminal investigation, the location may not wait for the Title IX Office will coordinate its investigation with the police but must act promptly without delaying its investigation until the conclusion of the criminal investigation to begin an investigation pursuant to this Policy. However, the location may need to coordinate its fact-finding efforts with the police investigation. Once notified that the police department has completed its gathering of evidence (not the ultimate outcome of the investigation or the filing of any criminal charges), the location must promptly resume and complete its fact-finding for the sexual harassment or sexual violence investigation.~~

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~~(c) The investigation generally shall include includes interviews with the parties Complainant and Respondent, if available, interviews with other and witnesses as needed, and a review of relevant documents as appropriate. Disclosure of facts to parties and witnesses interviewed shall be limited to what is reasonably necessary to conduct a fair and thorough investigation. Participants in an investigation shall may be advised that maintaining to maintain confidentiality is when essential to protect the integrity of the investigation.~~

~~(d) The investigator shall apply a preponderance of evidence standard to determine whether there has been a violation of this Policy.~~

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~~(e) Upon request, the complainant and the accused may each. The Complainant or Respondent may have a representative present when he or she is personally interviewed, and at any subsequent proceeding or related meeting. Other witnesses may have a representative present at the discretion of the investigator or as required by applicable University policy or collective bargaining agreement.~~

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~~(f) At any time during the investigation, the investigator may recommend that interim protections or remedies for the parties or witnesses be provided by appropriate University officials. These protections or remedies may include separating the parties, placing limitations on contact between the parties, or making alternative working or student housing arrangements. Failure to comply with the terms of interim protections may be considered a separate violation of this Policy.~~

**c. Grievance Procedures for Employees**

~~Instead of, or in addition to, reporting under this Policy to the Title IX Officer or other Responsible Employee, an individual who believes they have been subjected to Prohibited Conduct (See Section II.B) can file a grievance. That grievance must meet all of the requirements, including time limits for filing, under the applicable complaint resolution or grievance procedure, listed in Appendix I: University Complaint Resolution and Grievance Procedures. Any report filed under an alternative report or grievance procedure will be forwarded to the Title IX Officer for consideration and will be held in abeyance pending resolution under this Policy. If a Formal Investigation is conducted under this Policy, this investigation will substitute for fact-finding provided under any other report or grievance process. If a Complainant utilizes an alternative University report process, such as a grievance under APM-140, a charge under the Faculty Code of Conduct, or a Whistleblower Report (or Whistleblower Retaliation Complaint), the University officer receiving that report shall forward the report to the Title IX Officer for processing under this Policy. After completion of the process under this Policy, the report that had been filed via the alternative report process may be reactivated but only as a means of appeal by the Complainant.~~

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~~5. The investigation shall be completed as promptly as possible and in most cases within 60 working days of the date the request for formal investigation was filed. This deadline may be extended on approval by a designated University official. Extensions of timeframes will only be made for good cause, with Investigation Report~~

~~(g) The investigator will prepare a written notice to the complainant and the accused of the delay, and the reason for the delay.~~

~~(h) Generally, an investigation results in a written report that at a minimum, includes a statement of the allegations and issues, the positions of the parties Complainant and Respondent, a summary of the evidence, an explanation why any proffered evidence was not investigated, findings of fact, an analysis and a determination by the investigator, made by a preponderance of the evidence standard.~~

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whether this *Policy* has been violated. ~~The report also may contain a recommendation for actions to resolve the complaint, including preventive educational programs, remedies for the complainant, and a referral to disciplinary procedures as appropriate. The report is submitted to a designated University official with authority to implement the actions necessary to resolve the complaint. The report may be used as evidence in other related procedures, such as subsequent complaints, grievances and/or disciplinary actions.~~

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- (i) ~~The complainant shall be informed if there were findings made that the *Policy* was or was not violated and of actions taken to resolve the complaint, if any. At the conclusion of any University disciplinary proceeding, the complainant and the accused will be informed of the outcome of that proceeding, including the final determination with respect to the alleged offense, any sanction that is imposed against the accused, and the rationale for the result and sanctions, consistent with Section V.E.~~

~~The complainant~~ The Complainant and Respondent will be simultaneously informed in writing of:

- ~~the outcome of the investigation and its rationale;~~
- ~~any rights and procedures for the Complainant and Respondent to appeal;~~
- ~~any change to the results that occur prior to the time that such results become final; and the accused may request when results become final;~~
- ~~how to obtain a copy of the investigative report pursuant to University policy governing privacy and access to personal information.<sup>4</sup> However, in accordance with University policy, the report~~ Investigation Report, which shall be redacted to protect the privacy of any personal and confidential information regarding all individuals other than the information regarding the person who is provided with the report. See APM-160 and other policies governing privacy.

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The Report may be used as evidence in related disciplinary and grievance proceedings.

Any conclusion in a Report finding sexual violence, sexual harassment, or retaliation that involves an assessment of academic merit (either individual requesting or programmatic) or academic freedom may only be made following a referral of that assessment to and an opportunity within 10 working days for a response from the Chief Academic Officer or delegee.

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## 6. Remedy

- a. If the Report finds a violation of Prohibited Conduct, the University shall take prompt and effective steps reasonably calculated to stop the violation, prevent its

<sup>4</sup>UC Business and Finance Bulletin RMP 8, Legal Requirements on Privacy of and Access to Information.

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~~recurrence, and, as appropriate, remedy its effects in order to eliminate a hostile environment. For a list of available remedies, see Appendix IV.~~

~~(j)b. To the extent that the remedy has not already been provided in the normal course of the ~~report~~. University's educational processes, the Title IX Officer, in consultation with appropriate administrators will oversee the implementation of this Remedy.~~

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~~c. The Complainant will be sent a notice documenting any individual remedies offered or provided to the Complainant, and other steps taken to eliminate the hostile environment. The Respondent will be informed of stay away orders, but should not be notified of other individual remedies offered or provided to the Complainant.~~

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### ~~7. Discipline~~

~~a. The Title IX Officer shall forward the Investigation Report (with any necessary redactions) to the appropriate administrator responsible for discipline.~~

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~~b. Any member of the University community who is found to have engaged in sexual violence or sexual harassment may be subject to disciplinary action depending on the seriousness of the violation, up to and including dismissal in accordance with the applicable University disciplinary procedure (Appendix II: University Disciplinary Procedures) or other University policy.~~

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~~(k)c. At the conclusion of any disciplinary proceeding, the complainant and the accused will be administered by the administrator of the disciplinary process shall simultaneously inform the Complainant and the Respondent in writing of:~~

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~~i. The outcome of any University disciplinary proceeding, including the final determination with respect to the alleged offense, any sanction that is imposed against the accused, and the rationale for the result and the sanction, consistent with Section V.E.; results;~~

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~~ii. Any right and any procedures for both the complainant and accused, if available, to appeal the outcome of;~~

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~~ii. any University disciplinary proceeding;~~

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~~iii. Any subsequent change to the results that occur prior to the time that such and when results will become final; and,~~

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~~iv. When results become final.~~

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~~**C.—Complaints or Grievances Involving Allegations of Sexual Harassment or Sexual Violence**~~

~~An individual who believes he or she has been subjected to sexual harassment or sexual violence may file a complaint or grievance pursuant to the applicable complaint resolution or grievance procedure listed in *Appendix I: University Complaint Resolution and Grievance Procedures*. Such complaint or grievance may be filed either instead of or in addition to making a report of sexual harassment to the Title IX Officer (Sexual Harassment Officer) or other appropriate official designated to review and investigate sexual harassment and sexual violence complaints under this *Policy*. A complaint or grievance alleging sexual harassment or sexual violence must meet all the requirements under the applicable complaint resolution or grievance procedure, including time limits for filing.~~

~~If a complaint or grievance alleging sexual harassment or sexual violence is filed in addition to a report made to the Title IX Officer (Sexual Harassment Officer) or other appropriate official designated to review and investigate sexual harassment complaints under this *Policy*, the complaint or grievance shall be held in abeyance subject to the requirements of any applicable complaint resolution or grievance procedure, pending the outcome of the Early Resolution or Formal Investigation procedures. If the individual wishes to proceed with the complaint or grievance, the Early Resolution or Formal Investigation shall constitute the first step or steps of the applicable complaint resolution or grievance procedure.~~

~~An individual who has made a report of sexual harassment or sexual violence also may file a complaint or grievance alleging that the actions taken in response to the report of sexual harassment or sexual violence did not follow *Policy*. Such a complaint or grievance may not be filed to address a disciplinary sanction imposed upon the accused. Any complaint or grievance regarding the resolution of a report of sexual harassment or sexual violence must be filed in a timely manner. The time period for filing begins on the date the individual was notified of the outcome of the sexual harassment or sexual violence investigation or other resolution process pursuant to this *Policy*, and/or of the actions taken by the administration in response to the report of sexual harassment or sexual violence, whichever is later.~~

~~**D.—Remedies and Referral to Disciplinary Procedures**~~

~~Findings of *Policy* violations may be considered to determine remedies for individuals harmed by the sexual harassment or sexual violence and shall be referred to applicable local disciplinary procedures (*Appendix II*). Procedures under this *Policy* shall be coordinated with applicable local complaint resolution, grievance, and disciplinary procedures to avoid duplication in the fact-finding process whenever possible. Violations of the *Policy* may include engaging in sexual harassment or sexual violence, retaliating against a complainant reporting sexual harassment or sexual violence, or violating interim protections. Investigative reports made pursuant to this *Policy* may be~~

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~~used as evidence in subsequent complaint resolution, grievance, and disciplinary proceedings as permitted by the applicable procedures.~~

~~**E. Privacy**~~

~~The University shall protect the privacy of individuals involved in a report of sexual harassment or sexual violence to the extent permitted by law and University policy. A report of sexual harassment or sexual violence may result in the gathering of extremely sensitive information about individuals in the University community. While such information is considered confidential, University policy regarding access to public records and disclosure of personal information may require disclosure of certain information concerning a report of sexual harassment or sexual violence. In such cases, every effort shall be made to redact the records in order to protect the privacy of individuals. Absent exceptional circumstances, the complainant shall be informed of the final results of a disciplinary proceeding against the accused, including information regarding disciplinary action taken against the accused. Any exception to this disclosure requirement must be approved by the Executive Officer.~~

~~**F. Confidentiality of Reports of Sexual Harassment and Sexual Violence**~~

~~**B. Location Responsibilities**~~

~~Each location shall identify confidential must do the following:~~

- ~~1. Designate and provide adequate resources to a Title IX Officer. The responsibilities of the Title IX Officer include, but may not be limited to, the duties listed below:
  - ~~a. Coordinate with whom members other responsible units to ensure that local sexual violence and sexual harassment prevention education and training programs are offered and provided, as required by the Policy.~~
  - ~~b. Provide educational materials to promote compliance with the Policy and familiarity with local reporting procedures.~~
  - ~~c. Provide training for University employees who are responsible for reporting or responding to reports of sexual harassment.~~
  - ~~d. Provide prompt and equitable response to reports of sexual violence or sexual harassment according to the Policy.~~
  - ~~e. Maintain records of reports of sexual violence and sexual harassment at the location, as well as any actions taken in response to reports, including records of investigations, resolutions, and disciplinary action, as appropriate.~~
  - ~~f. Identify and address any patterns or systemic problems that arise during the review of sexual violence and sexual harassment reports.~~
  - ~~g. Post on the Title IX website the names and contact information for the Title IX Officer as well as any additional designated, trained, sexual harassment or sexual violence advisors.~~~~

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~~2. Designate persons who can offer consultations without reporting them to the Title IX Officer, to any member of the University community can consult for seeking information, or advice and information regarding about making a report of sexual harassment or sexual violence. These resources provide individuals who may be interested in bringing a report of sexual harassment or sexual violence with a safe place to discuss their concerns and learn about the procedures and potential outcomes involved. These resources shall be posted on the location's website. Confidential resources could include campus embuds, the CARE advocacy office and/or licensed counselors in employee assistance programs or student counseling centers. violence and/or sexual harassment. Each location will post information about how and where to contact confidential resources on its web site.~~

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~~Individuals who consult with ~~confidentialsuch~~ resources shallwill be advised that their discussions in these settings are ~~not~~ considered ~~actual~~ reports of sexual violence, sexual harassment or sexual violence and that withoutretaliation. Without additional action by the individual, ~~thethese~~ discussions will not result in any formal action by the University to resolve their concerns.~~

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~~3. Establish an independent, confidential Advocacy Office for sexual violence, dating violence, domestic violence, stalking, and sexual assault called CARE: Advocacy Office for Sexual and Gender-Based Violence and Misconduct.~~

~~4. Provide a "Respondent Services Coordinator" that facilitates fair and equitable services for the Respondent.~~

~~5. Establish a consistent response team model consisting of two teams:  
a. A Case Management Team (CMT) which maintains consistent coordination of reported sexual violence cases, ensures all cases are addressed promptly and equitably, and ensures the response is trauma-informed; and~~

~~b. A Coordinated Community Review Team (CCRT) responsible for a campus collaborative approach to preventing and addressing sexual violence. The CCRT serves in an advisory capacity to campus leadership and community members about best practices in policies, education, prevention and response to sexual violence.~~

~~44- Note: The requirements of #3, 4, and 5 above are for locations with students only. However, ANR, UCOP, and LBNL should coordinate delivery of these requirements with associated campuses or affiliated organizations.~~

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~~6. Provide mandatory annual training and education about sexual violence and sexual harassment prevention to all students, faculty, other academic appointees, and staff.~~

~~Offer primary prevention programs and awareness campaigns to the University community, to promote ongoing awareness of sexual violence including preventing dating violence, domestic violence, sexual assault, and stalking. These campaigns will include, but are not limited to, education about the definition of consent.~~

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consensual relationships, options for bystander intervention, trauma-informed approaches, and risk reduction awareness information. These programs are to promote behaviors that foster healthy and respectful relationships, while also encouraging a safe environment for bystanders to intervene in a potential case of dating violence, domestic violence, sexual assault, and stalking.

7. Follow University established and approved processes for adjudication, investigation, and sanctioning.
8. Offer comprehensive, annual training, for individuals conducting Formal Investigations of reports or conducting hearings on responding to sexual violence, including trauma-informed approaches.
9. Publicize a location-specific process for reporting sexual violence or sexual harassment.

Provide written ~~The locations shall notify the University community that certain University employees, such as the Title IX Officer (Sexual Harassment Officer), managers, supervisors, and other designated employees have an obligation to respond to reports of sexual harassment or sexual violence, even if the individual making the report requests that no action be taken. An individual's requests regarding the confidentiality of reports of sexual harassment or sexual violence will be considered in determining an appropriate response; however, such requests will be considered in the dual contexts of the University's legal obligation to ensure a working and learning environment free from sexual harassment and sexual violence and the due process rights of the accused to be informed of the allegations and their source. Some level of disclosure may be necessary to ensure a complete and fair investigation, although the University will comply with requests for confidentiality to the extent possible.~~

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#### ~~**G. Retention of Records Regarding Reports of Sexual Harassment and Sexual Violence**~~

10. The office of the Title IX Officer (Sexual Harassment Officer) explanation of rights and available options as outlined in this *Policy* including:
  - a. How and to whom to report alleged violations.
  - b. Options for reporting to and/or notifying law enforcement and campus authorities; the right to be assisted by campus authorities in notifying law enforcement authorities, if the Complainant so chooses; and the right to decline to notify such authorities.
  - c. The rights of Complainants regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by criminal or civil courts, as well as the University's responsibilities to comply with such orders.
  - d. The importance of preserving evidence that may assist in proving that a criminal offense occurred or in obtaining a protection order.
  - e. Counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services available both within the institution and the community.

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- f. Options for, and available assistance to, change academic, living, transportation, and working situations, if the Complainant requests and if such options are reasonably available—regardless of whether the Complainant chooses to report the crime to campus police or local law enforcement.
- g. Applicable procedures for institutional disciplinary action.

11. Distribute and post this Policy. Each location is required to distribute this Policy to students, faculty, other academic appointees and staff, by such means as websites, student information boards, student handbook, faculty handbook and staff websites and information boards and during training and student orientation.

12. The Title IX Officer is responsible for maintaining records relating to sexual violence and sexual harassment and sexual violence reports, investigations, and resolutions. Records shall will be maintained in accordance with according to University records policies. Records that fall under within the purview scope of the Clery Act will be retained for 7 years in accordance with, according to federal law. All records pertaining to pending litigation, or a request for records shall will be maintained in accordance with according to instructions from legal counsel.

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## VI. RELATED INFORMATION

### A. University of California Standards of Ethical Conduct

• ~~A. Violence Against Women Reauthorization Act (VAWA) of 2013~~

• ~~B. University of California Statement of Ethical Values~~

• ~~Academic Personnel Manual Standards of Ethical Conduct~~

• ~~A. Academic Personnel Manual (APM) Section 015, The Faculty Code of Conduct (referenced in Section III.D, footnote 1)~~

• ~~Academic Personnel Manual (APM) Section 016, University Policy on Faculty Conduct and the Administration of Discipline (referenced in Section III.D,~~

~~B. footnote 1)~~

• ~~C. Academic Personnel Manual (APM) Section 035, Affirmative Action and Nondiscrimination in Employment (referenced in Section III.D, footnote 2)~~

• ~~D. Academic Personnel Manual (APM) Section 150, Academic Personnel Manual (APM) Section 150, Non-Senate Academic Appointees/Corrective Action and Dismissal~~

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- ~~• Nondiscrimination and Affirmative Action Policy Statement for University of California Publications Regarding Employment Practices (referenced in Section III.D, footnote 2)~~

Presidential Policies and Guidelines

- ~~• A. Nondiscrimination Policy Statement for University of California Publications Regarding Student-Related Matters (referenced in Section III.D, footnote 2)~~
- ~~• B. Personnel Policies for Staff Members 12 (Nondiscrimination in Employment) (referenced in Section III.D, footnote 2)~~
  - ~~• Policy on Student Conduct and Discipline~~
- ~~• C. Business and Finance Bulletin RMP-2: Records Retention and Disposition: Principles, Processes, and Guidelines~~
- ~~D. Guidelines on Sexual Violence and Sexual Harassment Outcome Reporting~~
- ~~E. Policy on Student Conduct and Discipline~~
- ~~• F. Student-Related Policy Applying to Nondiscrimination on the Basis of Sex~~
- ~~• G. University of California Nondiscrimination and Affirmative Action Policy Regarding Academic and Staff Employment (referenced in Section III.D, footnote 2)~~
- ~~• H. UC Business and Finance Bulletin RMP-8, Legal Requirements on Privacy of and Access to Information (referenced in Section V, footnote 4)~~
- ~~• I. University of California Policies Applying to Campus Activities, Organizations, and Students (referenced in Section III.D, footnote 2)~~
- ~~• J. Business and Finance Bulletin RMP-2: Records Retention and Disposition: Principles, Processes, and Guidelines~~
- ~~• K. University of California Non-Discrimination Policy~~

Federal and State Regulations

- ~~B. Government Code 12950.1 Nondiscrimination and Affirmative Action Policy Statement for University of California Publications Regarding Employment Practices (referenced in Section III.D, footnote 2)~~
- ~~• C. Violence Against Women Reauthorization Act (VAWA) of 2013~~
  - ~~• U.S. Department of Education Campus Safety and Security Resources (Clery)~~
  - ~~• California Government Code 12950.1~~

~~VII:~~

**VII. FREQUENTLY ASKED QUESTIONS**

FAQ's are available at <http://sexualviolence.universityofcalifornia.edu/fag/index.html>

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**1. Who can be considered an advisor or representative as described in this Policy?**

A representative includes any individual who provides the Complainant or Respondent with support, guidance, or advice (including attorneys). The institution cannot limit the choice of a representative, but may establish certain restrictions regarding the extent to which the representative can participate in the proceedings as long as the restrictions apply equally to both parties.

**2. What is a “result” or “outcome” of a disciplinary proceeding?**

A result or outcome includes a written description of any initial, temporary, and final decision made by any official or authorized person, that aims to resolve a disciplinary matter within the institution. The result must include any **sanctions** imposed by the institution. The result must also include **the rationale for the result and the sanctions**.

**3. Does Dating or Domestic Violence include psychological or emotional abuse?**

Although this type of conduct does not rise to the level of violence as these terms are defined by the Violence Against Women Reauthorization Act, the University offers prevention education on identifying abusive behavior and reducing the risk of such behavior. The University also offers counseling and support services to members of the University community who have been subject to, or have been found to have engaged in, this type of conduct.

**4. Why might Sexual Contact constitute sexual violence in some cases but sexual harassment in others?**

Sexual contact encompasses a broad spectrum of conduct, some of which constitutes sexual assault, but some of which is better treated as sexual harassment. One example of sexual contact that could be considered as sexual assault under this Policy is when a Respondent is accused of groping the Complainant's breast under the Complainant's clothing and without any indication of consent. An example of sexual contact that could be considered as sexual harassment is an allegation that the Respondent patted the Complainant's buttocks over the Complainant's clothing. While the example of groping might be resolved through a Formal Investigation, the patting example would generally be handled through Alternative Resolution. The Title IX Officer will review all sexual contact allegations to determine the best procedure for resolving the report based on the totality of the circumstances.

**5. Does Sexual Assault also include “rape” and “sexual battery” as those terms are used in the criminal law context?**

Yes. The types of conduct prohibited by this Policy include “rape” and “sexual battery” as defined in the Penal Code. This Policy also prohibits additional types of nonconsensual sexual contact. For additional assistance with any questions about whether a specific type of conduct violates this Policy, or the law, please contact your local CARE Advocate, UC Police, or Title IX Officer.

**6. Once the outcome of an investigation or disciplinary proceeding under this Policy is disclosed to the Complainant, can the Complainant be asked to keep this information confidential?**

The Complainant can be advised of the confidential and sensitive nature of personnel and student disciplinary matters that arise under this Policy, and in appropriate

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~~circumstances, such as in connection with a settlement of a matter, may be asked not to further disclose it.~~

## VIII. REVISION HISTORY

~~07/01/2015 –~~

~~02/25/2004 - This policy was reformatted into the standard University of California policy template effective.~~

### ~~VIII.~~

~~Future revisions to this policy will be circulated under standard procedures for Presidential Policies; in the case of this policy, the review will include circulation under the standard Academic Personnel Manual (APM) process, with final authority resting with the President.~~

~~June 17, 2015 – The policy was updated on an Interim basis effective until December 31, 2015. The interim issuance brings the policy into compliance with federal and state regulations, while the Policy undergoes full review and vetting. Once the review process is complete, the policy will be reissued at the start of 2016.~~

~~February 25, 2014 – This policy was reformatted into the standard University of California policy template effective.~~

~~As a result of the issuance of this policy, the following documents are rescinded as of the effective date of this policy and are no longer applicable:~~

- ~~• University of California Policy on Sexual Harassment, dated February 10, 2006~~
- ~~• University of California Procedures for Responding to Reports of Sexual Harassment, dated December 14, 2004~~
- ~~• University of California Policy on Sexual Harassment and Complaint Resolution Procedures, dated April 23, 1992~~
- ~~• University of California Policy on Sexual Harassment and ~~complaint~~Complaint Resolution Procedures, dated March 10, 1986~~

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**APPENDIX I: ~~University~~Applicable Complaint Resolution and Grievance ProceduresPolicies**

~~Applicable complaint resolution and grievance procedures for members of the University community:~~

~~Academic Personnel;~~

~~Members of the Academic Senate [Senate Bylaw 335](#)~~

~~Non-Senate Academic Appointees [APM - 140](#)~~

~~Exclusively Represented Academic Appointees Applicable collective bargaining agreement~~

~~Students;~~

~~[Policies Applying to Campus Activities, Organizations and Students, Section 110.00](#)~~

~~Staff Personnel;~~

~~Senior Managers [PPSM II-70](#)~~

~~Managers and Senior Professionals, Salary Grades VIII and IX [PPSM 71](#)~~

~~Managers and Senior Professionals, Salary Grades I - VII; ~~and~~ [PPSM 70](#)~~

~~Professional and Support Staff [PPSM 70](#)~~

~~Exclusively Represented Staff Personnel Applicable collective bargaining agreement~~

~~Lawrence Berkeley National Laboratory Employees [Applicable Laboratory policy](#)~~

~~All:~~

~~The [University of California Policy on Reporting and Investigating Allegations of Suspected Improper Governmental Activities \(Whistleblower Policy\)](#) and the [University of California Policy for Protection of Whistleblowers from Retaliation and Guidelines for Reviewing Retaliation Complaints \(Whistleblower Protection Policy\)](#), which govern the reporting and investigation of violations of state or federal laws or regulations and University policy, including sexual harassment.~~

University of California ~~Policy~~ ~~SHSV~~  
~~Sexual Harassment and Sexual Violence~~  
~~Sexual Violence and Sexual Harassment~~

**Interim Policy**

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**APPENDIX II: University Disciplinary Procedures**

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~~Applicable~~ The following are the disciplinary ~~action~~ procedures and policies if a report of sexual harassment or sexual violence results in a recommendation for disciplinary action:

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A. The Faculty Code of Conduct (APM - 015) (as approved by the Assembly of the Academic Senate and by The Regents)

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- ~~• outlines the~~ ethical and professional standards which University faculty are expected to observe. ~~It also, and~~
- ~~• identifies various forms of unacceptable behavior which are applicable apply in cases of sexual harassment violence or sexual violence harassment.~~

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Because the forms of unacceptable behavior listed in The Faculty Code of Conduct ~~are interpreted to also~~ apply to sexual ~~harassment violence~~ or sexual ~~violence harassment~~, a violation of the University's Policy on Sexual Harassment and Sexual Violence ~~constitutes may constitute~~ a violation of the Faculty Code of Conduct. The University Policy on Faculty Conduct and the Administration of Discipline (APM - 016), as approved by the Assembly of the Academic Senate and by The Regents, outlines sanctions and disciplinary procedures for faculty.

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B. Provisions of the policy on Non-Senate Academic Appointees/Corrective Action and Dismissal (APM - 150) (which are applicable to non-exclusively represented academic appointees) and collective bargaining agreements (that are applicable to exclusively represented academic appointees) provide allow for corrective action or dismissal for conduct which violates University policy.

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~~C. The Policies Applying to Campus Activities, Organizations, and Students~~ C. The Policies Applying to Campus Activities, Organizations, and Students sets forth in Section 100.00 the types of student misconduct that are subject to discipline and the types of disciplinary actions that ~~may can~~ be imposed for ~~violation each of those violations~~ of University policies or campus procedures.

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D. Provisions of the Personnel Policies for Staff Members, and the Lawrence Berkeley National Laboratory personnel policies (applicable to non-exclusively represented staff employees), and collective bargaining agreements (applicable to exclusively represented staff employees) prohibit conduct ~~which that~~ violates University policy ~~with respect to for sexual violence or sexual harassment or sexual violence~~ and provide for disciplinary action for ~~violation of violating~~ University policy.

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- PPSM-62: Corrective Action
- PPSM-63: Investigatory Leave
- PPSM-64: Termination of Career Employees – Professional and Support Staff
- PPSM-65: Termination of Career Employees - Managers & Senior Professionals, Salary Grades I through VII
- PPSM-67: Termination of Career Employees – Managers & Senior Professionals, Salary Grades VIII and IX

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University of California ~~Policy~~ ~~SHSV~~  
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- PPSM II-64 (Termination of Appointment)

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# Sexual Harassment and Sexual Violence

## Sexual Violence and Sexual Harassment

### APPENDIX III: SAMPLE Policy Fact Sheet

The University of California is committed to creating and maintaining an atmosphere free of harassment, exploitation, and/or intimidation for every individual in our community. The University will respond promptly and equitably to reports of sexual violence and sexual harassment, and will take appropriate action to prevent, to correct, and when necessary, to discipline behavior that violates the Sexual Violence and Sexual Harassment policy.

**For assistance with incidents of dating violence, domestic violence, sexual assault, sexual violence, sexual harassment, and stalking, please contact:**

On Campus Resources	
<p><b>CARE Advocate</b> Confidential 24 hour counselor available for crisis support and referral services</p> <p>(510) 642-4444 CAREAdvisor@campus.edu</p>	<p><b>The UC Police Department</b> (510) 643-7985 (24-hour line) (510) 642-3333 (24-hour emergency line)</p>
Off Campus Resources	
<p><b>A Safe Place</b> Oakland hotline, shelter, crisis referral, advocacy, counseling, emergency food, clothing and transportation. <b>24-hr. crisis line: (510) 536-SAFE (7233)</b></p>	<p><b>BAWAR</b> 24-hr hotline staffed by trained counselors. Accompanies survivors to police dept, hospitals &amp; courts. Offers short term counseling and support groups, and referrals for long-term counseling. Special outreach to Latina survivors. <b>24-hr. crisis line: (510) 845-RAPE (7273)</b></p>

### What do I do if I've been sexually assaulted?

- **Find a safe location away from your attacker.** If you cannot get somewhere safe, call 911 right away.
- **Get medical attention.** Do not shower, eat, drink go to the bathroom, brush your teeth or change your clothes before going to the hospital.
  - If you want to change your clothes, put them in a paper (not plastic) bag and bring them to the hospital.
  - Seeking medical attention right away will reduce your risk of pregnancy and STI's.
- **Seek support.** Sexual assault is a traumatic experience. If you feel comfortable, seek support from a CARE Advisor, friend, or family member.

### How can I help someone who may have been sexually harassed or sexually assaulted??

- Remember that the victim's wellbeing must be considered before all other matters.

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~~Sexual Harassment and Sexual Violence~~

Sexual Violence and Sexual Harassment

- Immediately reporting a case to the police could be more traumatic for the victim than beneficial. Let them make the decision to report (or not report).
- Talk to the person and reinforce that they are not at fault. However, if the individual does not wish to talk to you, respect their decision.
- Contact resources above for information on how to best support a friend through his or her healing process.

**See the UC Sexual Violence and Sexual Harassment policy, for further information on:**

- Prohibited conduct and Affirmative Consent
- Confidentiality of Reports of Sexual Violence and Sexual Harassment
- Procedures for Reporting and Responding to Reports of Sexual Violence or Sexual Harassment
- University Complaint Resolution and Grievance Procedures

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~~Sexual Harassment and Sexual Violence~~  
~~Sexual Violence and Sexual Harassment~~

**APPENDIX IV – Remedies**

~~(+) At any time during the investigation, the investigator may recommend that interim protections or remedies for the parties or witnesses be provided by appropriate University officials. These protections or remedies may include separating the parties, placing limitations on contact between the parties, or making alternative working or student housing arrangements. Failure to comply with the terms of interim protections may be considered a separate violation of this Policy.~~

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Remedies include but are not limited to:

*i. Campus Services Generally:* Inform the Complainant and Respondent about and refer to Campus services that are available to all students and in many cases to others: academic support including tutoring, counseling, disability services, health and mental health services, family planning services, survivor advocacy, housing assistance, legal assistance; information about the right to report a crime to campus or local law enforcement, and written materials prepared by the Title IX Officer pursuant to V.B below.

*ii. Campus Services Modified For Students:*

- If a campus service is not generally available or a fee is imposed, the Title IX Officer will arrange for access or the elimination of fees when appropriate.
- Comprehensive, holistic survivor services including additional medical, counseling and academic support services.
- Any other accommodations or protective measures that are reasonably available once a Complainant has requested them.

*iii. Additional Educational Remedies For Students<sup>5</sup>:*

- Change advisors, class sections and similar schedule adjustments.
- Arrange extra time for the Complainant to complete academic requirements of a class or program, to re-take a class or withdraw from a class without an academic or financial penalty if the University delayed such accommodations after it reasonably should have known of the violation.
- Review any disciplinary actions taken against the Complainant subsequent to the incident described in the Report to determine whether there is a causal connection between the violation and the Complainant's misconduct.

*iv. Remedies Available To Employees, Including Student Employees:*

- Transfer to a different supervisor, workstation, unit, department, or position for which the employee is qualified provided that, in the case of a Complainant's transfer, the change is voluntary and equitable.

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<sup>5</sup>April 29, 2014 A-6 providing safety



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~~Sexual Harassment and Sexual Violence~~

~~Sexual Violence and Sexual Harassment~~

~~v. Training And Education Of The Respondent. The Title IX Coordinator may require that the Respondent undergo training, including sexual harassment training, anger management training, and periodic refresher classes.~~

~~vi. No Contact Remedies:~~

~~• Complainant and Respondent Options:~~

- ~~a) The Title IX Officer will notify the Complainant and Respondent of options to avoid contact and assist the Complainant and Respondent to change academic and extracurricular activities or living, transportation, dining, and working situations as appropriate,~~
- ~~b) assist the Complainant and Respondent to apply for no contact orders; and,~~
- ~~c) when appropriate, arrange for effective escort services to ensure that the Complainant and Respondent can move safely between classes and activities.~~

~~• Respondent's Restrictions: some of which may be imposed by Title IX Officer, all of which may be implemented by agreement, and the more serious of which may be imposed only pursuant to Discipline~~

- ~~a) Allow the Complainant to take the regular sections of courses while arranging for the Respondent to take the same courses online or through independent study;~~
- ~~b) Moving the Respondent to a different residence hall;~~
- ~~c) Forbidding the Respondent to participate in specific athletic or extracurricular events or social clubs (including fraternities or sororities);~~
- ~~d) Requiring that the Respondent stay away from the Complainant for a period of time (up to the Complainant's graduation or other departure from the campus) via scheduling or class changes;~~
- ~~e) Prohibiting the Respondent from attending school for a period of time, or transferring the Respondent to another campus; and~~
- ~~f) If a Respondent presents an ongoing safety risk, excluding the Respondent from campus.~~

~~vii. Other Remedies Devised By The Title IX Officer Or Other Administrator,~~

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THE REGENTS OF THE UNIVERSITY OF CALIFORNIA  
OFFICE OF ETHICS, COMPLIANCE AND AUDIT SERVICES



1111 Franklin Street, 5th Floor • Oakland, California 94607-5200 • (510) 987-0479 • FAX (510) 287-3334

September 30, 2015

**VICE PRESIDENT DUCKETT  
VICE PROVOST CARLSON  
VICE PRESIDENT SAKAKI**

**SUBJECT:** Updated Presidential Policy on Sexual Violence and Sexual Harassment

I am attaching a revised final draft of the University of California's Presidential Policy on Sexual Violence and Sexual Harassment (formerly Sexual Harassment and Sexual Violence). After a concerted effort by the Policy Work Group throughout this past summer, this Policy is now ready for systemwide review and vetting. We would like to have this policy disseminated to your respective representative groups, i.e. senior campus leaders, faculty, other academic appointees, staff, and students. **Comments on the draft Policy are due no later than October 31, 2015.**

Background: In February 2015, the University of California circulated for review a draft revised Presidential Policy on Sexual Harassment and Sexual Violence that brought the University into compliance with the requirements of the Violence Against Women Act (VAWA) that was reauthorized by President Obama in 2013. In addition, this proposed revision updated the University's Policy and Procedures on preventing and responding to sexual violence and sexual assault to reflect the recommendations of the *President's Task Force on Preventing and Responding to Sexual Violence and Sexual Assault*.

The revised February 2015 draft policy was vetted with several audiences including faculty, staff and students. We received significant feedback on the February 2015 draft and as a result the President issued an interim policy asking the Policy Work Group to review the comments received—especially those from the Academic Senate and faculty representatives. Consequently, on June 25, 2015, the University of California issued a revised Interim Presidential Policy on Sexual Harassment and Sexual Violence. The President directed that a final Policy be ready for approval by January 2016.

Current Status: Over the summer, the Policy Work Group comprised of representatives from Student Affairs, Academic Personnel and Programs, Human Resources, Office of General Counsel, Title IX, and Compliance evaluated the regulations and reviewed the revised policy and comments received. The Policy Work Group was augmented with additional representatives chosen from the Academic Senate and the office of Academic Personnel and Programs. The goals of the Policy Work Group's efforts—staffed by my office--were to:

1. Incorporate the final regulations and requirements of VAWA into UC's policy;
2. Address outstanding issues/questions from the previous Policy and Interim Policy as promised by President Napolitano;

3. Review comments received during the vetting process for the February and June versions of the policy and incorporate where necessary.
4. Assure the Policy was consistent with the efforts and requirements of the President's Task Force on Preventing and Responding to Sexual Violence and Sexual Assault (SVSA); and,
5. Improve accessibility and readability by the broader University community including students, parents and community members.

After a concerted effort over the summer, the University's Policy on Sexual Violence and Sexual Harassment is now ready for its final review and vetting. We would like to have this policy disseminated to your respective representative groups, i.e. senior campus leaders, faculty, other academic appointees, staff, and students. **Comments are due no later than October 31, 2015 (as agreed by Academic Senate Leadership and Office of Academic Personnel and Programs).** This timeframe will allow us to review the comments received and complete the final policy for the President by the January 2016 deadline.

The current revised draft (attached) has the following key revisions:

- Incorporates any new VAWA regulations and recent legislation requirements.
- Incorporates recommendations of the California State Auditor Audit Findings and President's Task Force on SVSA to require mandatory education for faculty, other academic appointees, staff, and students. (Mandatory sexual harassment and prevention education for faculty is already required and we are planning to utilize this training to incorporate VAWA requirements and University SVSA Task Force changes).
- Reorganization of the Policy for clarity.
- Updates the definition of consent and adds additional definitions to improve readability, consistency and understanding
- Includes "amnesty" provision for reporting as per California Statute for students and applies the amnesty possibility for faculty and staff.
- Clarifies that the policy addresses only "sexual harassment" as required by VAWA. (Other forms of harassment, i.e., that are non-sexual in nature, including non-sexual hostility and stalking is covered in other policies).
- Complies with the President's directive to disclose disciplinary actions to complainants.

I am pleased to present this draft policy to your offices for vetting as required by our Presidential policy development process. Please be sure all comments are received by **October 31, 2015** so we can finalize the policy for the President's signature by January 2016.

Sincerely,



Sheryl Vacca  
Senior Vice President  
Chief Compliance and Audit Officer

Attachment

cc Provost and Executive Vice President Dorr  
Chief Operating Officer Nava  
Chief of Staff Grossman

Instructions: This tab was created to allow faculty input on how to grow the graduate student population to 12% by 2020. Student and faculty projections are based on current trajectories. Faculty can input figures into unshaded cells based on where they expect program growth to occur. Metrics at the bottom of the sheet show how projections impact campus metrics such as student/faculty ratios and the % of grad students. The overall campus student totals are locked but undergraduates figures will increase/decrease as changes are made to projected graduate student totals. Additional lines are included for potential new graduate programs coming online by 2020. THIS VERSION INCLUDES UPDATED(1-18-2015) PROJECTIONS FROM ALL GRADUATE GROUPS

**Table 00  
OVERVIEW: FALL HEADCOUNTS, 2010-11 TO 2023-24**

	Actual					Projections					
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
<b>A. General Campus</b>											
<b>1. FALL ENROLLMENTS - MASTERS</b>											
Applied Mathematics	7	2	1	-	1	1	2	2	2	3	3
Biological Engineering & Small Scale Technologies	5	2	4	5	2	1	5	5	5	5	5
Chemistry & Chemical Biology	-	-	-	-	-	-	-	-	-	-	-
Cognitive & Information Sciences	-	-	-	-	-	-	-	10	20	25	30
Electrical Engineering & Computer Science	1	1	1	4	7	11	23	28	30	32	32
Environmental Systems	11	8	13	7	7	8	11	25	30	33	35
Mechanical Engineering & Applied Mechanics	6	4	3	4	5	5	9	12	14	17	19
Physics	3	2	1	-	1	1	2	2	2	2	2
Psychology	-	-	-	-	-	-	-	-	-	-	-
Quantitative & Systems Biology	6	7	11	14	4	3	8	10	10	12	12
Social Sciences	-	-	-	-	-	1	-	-	-	-	-
World Cultures	4	4	7	9	10	6	3	-	-	-	-
Public Health	-	-	-	-	-	-	2	4	5	7	9
Management	-	-	-	-	-	-	2	4	7	9	11
New Group	-	-	-	-	-	-	-	-	-	-	-
Interdisciplinary Humanities						5	13	18	22	26	30
<b>Subtotal:Masters</b>	<b>43</b>	<b>29</b>	<b>41</b>	<b>43</b>	<b>37</b>	<b>42</b>	<b>80</b>	<b>120</b>	<b>147</b>	<b>171</b>	<b>188</b>
<b>2. FALL ENROLLMENTS - Ph.D</b>											
Applied Mathematics	11	14	19	19	22	21	28	33	36	40	45
Biological Engineering & Small Scale Technologies	17	18	20	17	21	21	29	34	37	42	47
Chemistry & Chemical Biology	-	-	-	19	21	31	46	62	80	100	100
Cognitive & Information Sciences	-	8	14	24	25	24	30	34	37	40	45
Electrical Engineering & Computer Science	22	24	27	30	30	30	32	34	36	38	40
Environmental Systems	31	33	29	25	36	37	43	50	57	65	73
Mechanical Engineering & Applied Mechanics	11	11	19	21	25	30	36	46	56	67	76
Physics	28	33	44	34	38	39	45	47	51	55	60
Psychology	-	11	26	36	37	42	51	57	63	67	72
Quantitative & Systems Biology	35	38	45	47	51	62	69	78	87	96	105
Social Sciences	30	20	23	21		11	-	-	-	-	-
World Cultures	15	21	22	23	16	11	10	6	3	-	-
Public Health	-	-	-	-	6		26	34	40	44	48
Sociology	-	-	-	-	11	17	22	27	32	35	35
Economics	-	-	-	-	-		12	11	22	21	32
Political Science	-	-	-	-	9	12	15	17	19	20	20
Management	-	-	-	-	-						
Interdisciplinary Humanities	-	-	-	-	2	20	30	44	57	70	80
<b>Subtotal: Ph.D</b>	<b>200</b>	<b>231</b>	<b>288</b>	<b>316</b>	<b>350</b>	<b>408</b>	<b>524</b>	<b>614</b>	<b>713</b>	<b>800</b>	<b>878</b>
<b>3. Faculty FTE</b>											
<b>Ladder Rank</b>	123	128	150	157	190	195	209	224	239	254	269
<i>Annual growth</i>		5	24	7	23	5	14	15	15	15	15
<i>Annual percent growth</i>		4.1%	18.8%	4.7%	21.0%	2.6%	7.2%	7.2%	6.7%	6.3%	5.9%
<b>Lecturers</b>	93	97	125	129	139	204	227	251	276	300	324
<i>Annual growth</i>		4	39	4	10	65	23	24	25	24	24
<i>Annual percent growth</i>		4.3%	40.2%	3.2%	7.8%	46.8%	11%	11%	10%	9%	8%
<b>TOTAL</b>	216	225	275	286	330	399	436	475	515	554	593
<i>Annual growth</i>		9	63	11	34	69	37	39	40	39	39
<i>Annual percent growth</i>		4.2%	28.0%	4.0%	11.9%	20.9%	9%	9%	8%	8%	7%
<b>4. Undergraduate Projections</b>	4,138	4,938	5,431	5,837	5,884	6,210	6,749	7,288	7,955	8,716	9,311
<b>5. Campus Student Projections</b>	4,381	5,198	5,760	6,195	6,268	6,660	7,353	8,022	8,815	9,687	10,377
<b>6. Grad Student %</b>	5.5%	5.0%	5.7%	5.8%	6.2%	6.8%	8.2%	9.1%	9.8%	10.0%	10.3%
<b>7. Grad Students per LR Faculty</b>	2.0	2.0	2.2	2.3	2.0	2.3	2.9	3.3	3.6	3.8	4.0
<b>8. UG Student Faculty Ratio</b>	19.2	21.9	19.7	20.4	17.8	15.6	15.5	15.3	15.4	15.7	15.7
<b>9. Grad Students</b>	243	260	329	359	387	450	604	734	860	971	1,066

**UC Merced Policy and Procedure Manual**  
**Chapter xx, Campus Organization and Management**  
**Section xx, Establishment or Revision of Academic Degree Programs**  
**Approved:** December 1, 2014  
**Supersedes:** Version dated 5.31.2011.

**Source Document:** “*Systemwide Review Process of Academic Programs, Academic Units, and Research Units*” (see [http://www.ucop.edu/institutional-research-academic-planning/\\_files/compendium\\_sept2014.pdf](http://www.ucop.edu/institutional-research-academic-planning/_files/compendium_sept2014.pdf)) and “*Coordinating Committee on Graduate Affairs Handbook*” (see <http://senate.universityofcalifornia.edu/committees/ccga/CCGAHandbookJune2014Final.pdf>)

Exhibit B, Flow Chart -- Approval Process for Academic Degree Programs

I. Purpose

This section describes the formal steps to be taken in planning, preparation, transmittal, review, implementation, and discontinuation of academic degree programs at UCM.

II. Policy

A. For the purpose of this policy, an academic degree program is considered any regularized sequence of courses leading to a degree, including those programs sponsored by groups of faculty from different academic units. Proposals to offer new degree titles are also covered by this procedure.

B. The process for the creation or discontinuation of academic degree programs shall be in accordance with the University's system of shared governance and shall be consistent with the relevant University-wide policy statements cited in this section. A summary of the UC system requirements and guidelines for approval of a new program or degree title is given in the *Compendium*, Section II.

With the exception of undergraduate degree programs involving a title unique to the Division, all actions involving **undergraduate** degree programs are carried out at the campus level and there is no systemwide review (*Compendium*, section II.A.). Proposals for all new **graduate** degree programs, including self-supporting degree programs, multi-campus degree programs, and degree programs jointly sponsored by UC campus(es) and other higher education institutions (e.g., CSU), are reviewed systemwide (*Compendium*, II.B.1).

C. Campuses should include anticipated actions such as the establishment of new academic programs in the campus Five-Year Perspective at least one year prior to the proposal being reviewed on campus (two years for proposed new schools and colleges).

D. Each party in the process will expedite consideration of pending proposals. Substantive revisions to proposals should be re-reviewed by advisory parties. Revised proposals require approval by parties with authority to approve or reject a proposal.

III. Planning

A planning pre-proposal must be submitted to Periodic Review Oversight Committee (PROC) for review and comment in advance of the development of a proposal. Pre-proposals may be submitted by the first Friday in September or January for PROC review that semester. This pre-proposal is a two-page document that consists of a brief description of the anticipated program, degree objectives, funding,

resources needed, faculty associated with the program, enrollment projections, timeline for development of the proposal, relationship of the proposed program to existing programs and academic plan, and employment implications (see Compendium Appendix B.1).

#### IV. Preparation

Proposal Initiation: The academic unit or graduate group chair initiates the proposal. The initiator shall consult with review committees (Undergraduate Council, Graduate Council, and/or School or College Executive Committee), Vice Provost and Dean for Undergraduate Education, Vice Provost and Dean of Graduate Education, WSCUC Accreditation Liaison Officer and with the lead dean(s) of affected schools or colleges for input and assistance in proposal preparation and requirements.

##### A. Graduate Degree Program

Proposals for new graduate degree program or changes to existing graduate degree programs should follow the format and guidelines described in Appendix B of the UC Academic Senate *Coordinating Committee on Graduate Affairs (CCGA) Handbook* and policies of the Graduate Council (GC) and the Committee on Academic Planning and Resource Allocation (CAPRA).

##### B. Undergraduate Degree Program

Proposals for a new degree program should follow the policies and guidelines of the Undergraduate Council (UGC) and Committee on Academic Planning and Resource Allocation (CAPRA).

#### V. Transmittal

A. The program proposal and recommendation of the school or college Executive Committee, and the recommendation of the lead dean are submitted to the Divisional Academic Senate office for transmittal to the Graduate Council or Undergraduate Council, the Committee on Academic Planning and Resource Allocation, and any other standing Senate committees that might or might not wish to opine.

B. The proposal and copies of these recommendations are simultaneously sent to the chairs of all the Executive Committees of the schools/colleges, Provost and Executive Vice Chancellor, the Vice Provost and Dean of Graduate Education, the Vice Provost and Dean of Undergraduate Education, and the WSCUC Accreditation Liaison Officer.

#### VI. Procedures for Review and Approval

##### A. Parties to the Review

1. Academic Senate Review: The Academic Senate reviews the proposal's merit, value, and contributions to UCM.
2. Administrative Review: The Provost and Executive Vice Chancellor, the Vice Provost and Dean of Graduate Education, and the Vice Provost and Dean of Undergraduate Education review the proposal for concerns related to academic planning and resource requirements.
3. WASC Senior College and University Commission (WSCUC)<sup>1</sup> Review: The WSCUC substantive change specialist should be consulted to determine whether the proposed change requires review and approval by WSCUC. If WSCUC review is required, the responsible faculty must prepare the

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<sup>1</sup> Formally known as the Western Association of Schools and Colleges (WASC),

required substantive change documentation for WSCUC review, in consultation with the campus WSCUC Academic Liaison Officer and WSCUC Substantive Change Specialist.

4. Review by Affected Units: The affected unit(s) (e.g., Bylaw 55 units, graduate groups, undergraduate programs, and organized research units) within a college or school affected by the proposed program shall review and approve the proposal. The recommendation shall be reported as a vote of the Academic Senate members of the affected unit(s). If the proposed program is associated with faculty in more than one school or college, affected units in each school or college shall review the proposal.

## B. Processes for the Review

### 1. Process for Undergraduate Programs

- a. Recommendation to Executive Committee and Lead Dean: The recommendation of the affected unit(s) is forwarded to the Executive Committee of the affected school(s) or college(s) in which the degree is to be offered, and to the lead dean of the school(s) or college(s).
- b. Executive Committee Action: The Executive Committee of the school(s) or college(s) makes a recommendation to approve or reject the proposal following the procedures specified in the bylaws of the school or college.
- c. Action by Lead Dean: The lead dean(s) of the school, college, or division provides an independent recommendation regarding resource support for the program, including faculty affiliated with the program, projected student enrollment, staff support, and space. The recommendation must also address resource impacts on other academic programs.
- d. Distribution to Divisional Academic Senate and Campus Administration:
  - i. The proposal package including recommendations from the school or college Executive Committee and the recommendation of the lead dean is forwarded to the Divisional Academic Senate office for transmittal to the Undergraduate Council, the Committee on Academic Planning and Resource Allocation, Graduate Council, and any other standing Senate committees that might or might not wish to opine.
  - ii. The proposal package and copies of these recommendations are simultaneously sent to the chairs of the Executive Committees of the undergraduate schools/colleges, the Provost and Executive Vice Chancellor, the Vice Provost and Dean of Undergraduate Education, the Vice Provost and Dean of Graduate Education, and the WSCUC Accreditation Liaison Officer.
- e. Senate Reviews and Actions:
  - i. The Committee on Academic Planning and Resource Allocation submits its evaluation of resources to the Undergraduate Council and the Divisional Council.
  - ii. The Undergraduate Council reviews the proposal, taking account of recommendations from the Committee on Academic Planning and Resource Allocation, and the advice of the lead dean(s) and Vice Provost and Dean for Undergraduate Education, and Provost and Executive Vice Chancellor (See section IV.B.1.f.i). The Undergraduate Council approves or rejects the proposal on behalf of the Divisional Academic Senate.
  - iii. Undergraduate Council approval, CAPRA evaluation, and comments from any other standing committees are forwarded to the Divisional Council for comment, synthesis, and transmittal to the Vice Provost and Dean for Undergraduate Education.
- f. Administrative Actions:
  - i. The Vice Provost and Dean of Undergraduate Education submits an evaluation of the program to the Undergraduate Council and the Provost and Executive Vice Chancellor.
  - ii. The Provost and Executive Vice Chancellor reviews the proposal and consults with appropriate members of the administration to determine if the action will be supported by the campus, including providing appropriate resources, and advises the Chancellor.
  - iii. If the proposal is approved by the Chancellor and if WSCUC review and approval for

substantive change is required, the Chancellor's Office notifies the WSCUC Academic Liaison Officer and WSCUC Substantive Change Specialist, who prepares and transmits documentation for WSCUC review in collaboration with the program faculty. Until such time as WSCUC has completed the substantive change review process and approval has been received, all publications or announcements regarding new or modified degree programs should contain an asterisk or footnote indicating that the program is “pending approval by our regional accreditor, the WASC Senior College and University Commission (WSCUC).”

iv. The Chancellor transmits campus approval to the Chair of the Divisional Council, the Provost and Executive Vice Chancellor, the Vice Provost and Dean for Undergraduate Education, Vice Provost and Dean of Graduate Education, lead deans of schools or colleges, Vice-Chancellor for Student Affairs, Vice Chancellor for Planning and Budget, WSCUC Accreditation Liaison Officer, and the Offices of Accounting & Financial Services, Undergraduate Admissions, University Communications, Institutional Research and Decision Support, the Registrar; Divisional Academic Senate; and UC Provost and relevant UC Office of the President staff.

## 2. Process for Graduate Programs

- a. Recommendation to Executive Committee and Lead Dean: The recommendation of the affected unit(s) is forwarded to the Executive Committee of the affected school(s) or college(s) in which the degree is to be offered, and to the lead dean of the school(s) or college(s).
- b. Executive Committee Action: The Executive Committee of the school(s) or college(s) makes a recommendation to approve or reject the proposal following the procedures specified in the bylaws of the school or college.
- c. Action by the Lead Dean: The lead dean of the graduate program provides an independent recommendation regarding support for the program, including faculty affiliated with the program, projected student enrollment, staff support, and space. The recommendation must also address resource impacts on other academic programs.
- d. Distribution to the Divisional Academic Senate and Campus Administration:
  - i. The proposal package including recommendations from the school or college Executive Committee and the lead dean are submitted to the Divisional Academic Senate office for transmittal to the Graduate Council, the Committee on Academic Planning and Resource Allocation, Graduate Council, and other standing Senate committees that might or might not wish to opine.
  - ii. The proposal package and copies of these approvals and recommendations are simultaneously sent to the Provost and Executive Vice Chancellor, the Vice Provost and Dean of Graduate Education, the Vice Provost and Dean of Undergraduate Education, and the WSCUC Accreditation Liaison Officer.
- e. Senate Reviews and Actions:
  - i. The Committee on Academic Planning and Resource Allocation submits its evaluation of resources to the Graduate Council and to the Divisional Council.
  - ii. The Graduate Council reviews the proposal, taking into account recommendations from the Committee on Academic Planning and Resource Allocation, any other Senate standing committees, and the initial and/or final recommendation of the lead dean, the advice of the Vice Provost and Dean of Graduate Education (see section IV.2.d.i) and the Provost and Executive Vice Chancellor. The Graduate Council approves or rejects the proposal on behalf of the Divisional Academic Senate.
  - iii. Graduate Council approval, CAPRA evaluation, and comments from any other standing committees are forwarded to the Divisional Council for comment, synthesis, and transmittal to the Vice Provost and Dean of Graduate Education, who transmits to the Provost and Executive Vice Chancellor.
- f. Administrative Actions:



- i. The Vice Provost and Dean of Graduate Education submits an evaluation of the program to the Graduate Council and Provost and Executive Vice Chancellor.
- ii. The Provost and Executive Vice Chancellor reviews the proposal and consults with appropriate members of the administration to determine if the degree program will be supported by the campus, including provision of appropriate resources. If the Provost and Executive Vice Chancellor approves the proposal, a recommendation is forwarded to the Chancellor.
- iii. If the Chancellor approves, the Chancellor or designee transmits the proposal, campus approvals and recommendations to the Coordinating Committee on Graduate Affairs and the Office of the President for systemwide approval. Copies are sent to the Provost and Executive Vice Chancellor, Vice Provost and Dean of Graduate Education, the Chair of the Divisional Academic Senate, the Chair of the Graduate Council, the WSCUC Accreditation Liaison Officer, and the Divisional Academic Senate Office.
- iv. When approved by systemwide Academic Senate and the Office of the President, the Chancellor and/or Chair of the Divisional Academic Senate notifies the Provost and Executive Vice Chancellor, Chair of the Graduate Council, and the Vice Provost and Dean of Graduate Education. The latter, in turn, notifies the graduate program, the Vice Provost and Dean of Undergraduate Education, the Vice Chancellor for Planning and Budget, the WSCUC Accreditation Liaison Officer, the Offices of Graduate Admissions, University Communications, Institutional Research and Decision Support, and the Registrar.
- v. After approval by the Office of the President and if WSCUC review and approval for substantive change is required, the Chancellor's Office notifies the WSCUC Academic Liaison Officer and WSCUC Substantive Change Specialist, who prepares and transmits documentation for WSCUC review in collaboration with the program faculty. Until such time as WSCUC has completed the substantive change review process and approval has been received, all publications or announcements regarding new or modified degree programs should contain an asterisk or footnote indicating that the program is “pending approval by our regional accreditor, the WASC Senior College and University Commission (WSCUC).”

## VII. Implementation

A. Upon receipt of final WSCUC approval, if required, the Registrar’s Office will determine what changes are needed to the Classification of Instructional Programs (CIP) code(s), if a new Banner program/major code(s) should be created, and if updates are required for MyAudit encoding and Banner degree audit form codes, the Registrar’s Office also notifies the UC Office of the President of any changes.

B. The Graduate Division is responsible for confirming the effective term for the graduate program, confirming needed course or subject code changes, updating the graduate admissions application, ensuring the new program will be captured on the Graduate Admissions file to the UC Office of the President, and formalizing the appointment of the Graduate Group Chair.

## VIII. Discontinuation of Program or Degree Title

Proposals to discontinue a program or degree title should be founded on considerations as careful and thorough as those for establishment. The same senate committees and administrative officers should have the opportunity to participate in the review of proposals to discontinue academic programs. Normally, a proposal to discontinue a program or title will precede periodic review of the program conducted by the Periodic Review Oversight Committee (PROC) or pertinent senate council (Graduate Council or Undergraduate Council). In the case of a graduate program, the Coordinating Committee on Graduate Affairs (CCGA) must approve discontinuation or a change in degree title. The UCOP Policy on Transfer, Consolidation, Disestablishment, and Discontinuance of Academic Programs and Units, UC

Compendium and in the case of graduate programs, the CCGA Handbook, should be consulted for details. The following information must be included in any proposal to discontinue a program or degree title:

1. Justification of the proposed action including analysis of costs and benefits to the campus and expected budgetary impact; a statement about the expected impact to enrollment, changes in staffing and space requirements.
2. A phase-out plan that includes an explicit description of the accommodations to students, faculty, staff, and non-academic appointees.
3. A complete statement of all steps required for adoption and implementation of the proposal and the timetable of target dates for completion of each step.
4. Explanation of the method of consultation that was employed in the review process with students and faculty members from potentially affected programs and with appropriate college or Academic Senate committees.
5. Description of the relationship of the proposal to the campus and unit's academic plan.
6. Appended comments of students, faculty, academic non-Senate appointees, and committees.

#### IX. References and Related Policies

*UC Academic Senate Coordinating Committee on Graduate Affairs (CCGA) Handbook (revised 2014).*

*UC Merced, Undergraduate Council, Policy and Procedure for Review and Approval of Undergraduate Degree Programs (revised Oct., 2007).*

*UC Merced, Graduate Council, Procedures for Submitting Proposals for Graduate Programs (revised Dec., 2014).*

*Systemwide Review Process of Academic Programs, Academic Units, and Research Units (revised Sept. 2014).*

## GRADUATE COUNCIL (GC)

### Process for Establishing Concentrations and Designated Emphasis within Graduate Degree Programs

Approved on ?

#### 1) Introduction

- a) Graduate programs may want formal acknowledgement on student transcripts of specific, focused coursework completed within the graduate program, or formal acknowledgement on the transcript of additional graduate coursework and other requirements met at the University of California, Merced within a specific field of study outside of a student's graduate program. For example, such acknowledgement may be necessary when applying for a teaching position at a community college, or may be desirable as a complement to information available in a letter of recommendation prepared by the student's advisor.
- b) Such formal acknowledgment is established by a graduate program for all students within the program, rather than on a case-by-case basis, via the mechanisms described herein. Such acknowledgement is only available for programs that have been subject to review and approval by Graduate Council and, as necessary, CCGA. There are two options (i.e., Concentrations and Designated Emphases). There is no option for a "custom" concentration or emphasis.

#### 2) Definitions and Criteria

- a) **Concentration** - A subcurriculum such as a new method of inquiry or an important field of application that may be interdisciplinary and is applicable to an existing graduate program. It usually consists of a coordinated set of at least 4 graduate level courses (in addition to independent research/study) delivered by the graduate program faculty in conjunction with examinations and a thesis and/or dissertation, and is joined with established graduate program curricula in a manner such that the requirements of the graduate program and the concentration are met concurrently. Concentrations have significant research and teaching components and must be approved by the Graduate Council. The availability of concentrations is noted in each program's description in the *General Catalog*. Each concentration and its requirements are described, and a summary of all concentrations are provided. It is the responsibility of the graduate group to review and update the catalog text pertaining to concentrations, so that current practice is officially recorded. Concentrations are usually reflected explicitly in the content and tenor of the thesis and/or dissertation. The graduate group is also responsible for tracking the concentration(s) of students in the program and providing that information to the Registrar upon the student's completion of all requirements for the degree.

i) **Primary Concentration** – A primary concentration is listed on a student's transcript.

ii) **Secondary Concentration** – A secondary concentration is available only to PhD students and is not listed on a student's transcript.

44 b) **Designated Emphasis** - A program of study, often interdisciplinary, that focuses on a  
45 specific area of scholarship and does not reside in the student's graduate program. A  
46 designated emphasis exists as an external, free-standing graduate program, only open to  
47 PhD students already accepted into another graduate program at the University of  
48 California, Merced. It has a defined course of study (in addition to independent  
49 research/study) that is the same regardless of a student's primary program of study and  
50 provides somewhat less depth and expertise in a subject (usually three graduate level  
51 courses) than the student's primary program of study. The subject matter of the  
52 designated emphasis is integrated into the dissertation, but the coursework and other  
53 requirements are *in addition to* degree requirements for students who are not  
54 participating in a designated emphasis. Students do not apply to a designated emphasis  
55 as part of their admission to UC Merced, but may apply to one with the consent of their  
56 advisor during their course of study, usually prior to taking his/her Qualifying  
57 Examination. A designated emphasis is not required as part of any graduate degree. A  
58 designated emphasis must be approved by the Graduate Council. The designated  
59 emphasis is listed on the student's transcript. The offering of designated emphasis is  
60 noted in the *General Catalog*. The requirements are specified under the offering  
61 program's description. Programs other than the offering program may wish to include  
62 the option of pursuing a designated emphasis in their catalog descriptions, and point  
63 students towards suggested possible emphases, according to disciplinary affinity and  
64 program history.

65  
66 **3) Process for Establishing a Concentration**

- 67 a) Complete and submit a dated "Graduate Group Summary Form" describing the existing  
68 program. If officially establishing an existing concentration, the accompanying cover  
69 letter should reference the appropriate pages describing the requirements for the  
70 concentration(s) within the approved CCGA proposal (and date of approval).
- 71 b) A request to revise an existing, or establish a new, concentration must also include the  
72 following appendices:  
73
- 74 (1) Request for Approval to Modify Graduate Degree Requirements Form, including  
75 a letter describing the revised or new concentration, the rationale for revision or  
76 addition, the need, and the potential resource implications. Please note that  
77 WSCUC Substantive Change review may be required if the proposed alterations  
78 would result in a "significantly different degree program."
  - 79 (2) Revised and Dated Graduate Group Summary Form
  - 80 (3) Revised Graduate Group Catalog Copy
  - 81 (4) Revised Graduate Group Website Copy
  - 82 (5) Revised/New and Complete Course Request Form Packet(s)
  - 83 (6) Letter(s) of Support from the Lead Dean and affected graduate groups, if  
84 appropriate.
- 85  
86

- 87 c) Routing Process
- 88 i) For concentration(s) as described in the original, approved CCGA proposal:
- 89 (1) Graduate Group submits the dated Graduate Group Summary Form and cover
- 90 letter to the Graduate Council
- 91 (2) Graduate Council conducts a preliminary review and sends the form and cover
- 92 letter to the Office of Institutional Assessment, Vice Provost and Dean of
- 93 Graduate Education, and the Office of the Registrar for comment.
- 94 (3) Once comments are received, the Graduate Council reviews comments and
- 95 approves or rejects the Graduate Group's request to acknowledge an existing
- 96 concentration. Graduate Council's decision is communicated to the Graduate
- 97 Group and a copy of the decision is sent to the Office of Institutional Assessment,
- 98 Vice Provost and Dean of Graduate Education, and the Office of the Registrar.
- 99
- 100 ii) For revised or new concentration(s):
- 101 (1) Graduate Group submits the dated Graduate Group Summary Form, cover
- 102 letter, and all required appendices to the Graduate Council
- 103 (2) Graduate Council conducts a preliminary review and sends the form, cover
- 104 letter, and appendices to the Office of Institutional Assessment, Vice Provost and
- 105 Dean of Graduate Education, Office of the Registrar, and the Committee on
- 106 Academic Planning and Resource Allocation for comment
- 107 (3) Once comments are received, the Graduate Council reviews comments and
- 108 approves or rejects the Graduate Group's request to acknowledge a revised or
- 109 new concentration. Graduate Council's decision is communicated to the
- 110 Graduate Group and a copy of the decision is sent to the Office of Institutional
- 111 Assessment, Vice Provost and Dean of Graduate Education, Office of the
- 112 Registrar, and the Committee on Academic Planning and Resource Allocation
- 113
- 114
- 115 **4) Process for Establishing a Designated Emphasis**
- 116 a) Faculty considering creation of a new DE should agree on a definition and description of
- 117 the DE and meet with the Vice Provost and Dean of Graduate Education and the Lead
- 118 Dean to discuss the nature of the DE, the faculty affiliated with the proposal, the
- 119 proposed timeline for program implementation, and the potential impact on current
- 120 graduate degree programs.
- 121 Interested faculty must prepare a DE proposal for the designated emphasis following
- 122 guidelines and meeting requirements below.
- 123
- 124 i) Description of the Designated Emphasis
- 125 Provide a description of the academic rationale for the Designated Emphasis,
- 126 including recent developments in the field and the Designated Emphasis'
- 127 importance to students and faculty at UC Merced.
- 128 ii) Requirements for the Designated Emphasis

- 129 Describe the criteria used to determine admission. Describe the curriculum,  
130 qualifying examination requirements (if any), dissertation requirements (if any), and  
131 the Designated Emphasis conferral process. Provide course descriptions for core  
132 courses and electives. Describe the Designated Emphasis' potential impact on time to  
133 degree completion.
- 134 iii) Graduate Group Administration  
135 Provide a description of how the Designated Emphasis will be administered. List the  
136 Chair and Executive Committee of the Graduate Group. Describe the structure for  
137 student advising and the appointment of faculty to the qualifying examination and  
138 the dissertation committees.
- 139 iv) Resources  
140 The proposal should address the resources available, such as staff support, student  
141 support, and available facilities, and the issue of resources required to administer the  
142 Designated Emphasis. If no additional resources are required, this should be stated.  
143 If additional resources are required, they should be described and the source of  
144 support should be identified.
- 145 v) Appendices  
146 (a) A completed and dated "Designated Emphasis Degree Requirements" form  
147 (b) Bylaws of the Designated Emphasis Graduate Group (following the template  
148 for Graduate Group Bylaws)  
149 (c) The proposal should include letters of support from the Lead Dean and Vice  
150 Provost and Dean of Graduate Education regarding the resources and  
151 implications of support for the proposed Designated Emphasis.  
152 (d) Letter of endorsement from the Graduate Group Chair of the doctoral  
153 program with which the majority of participating faculty are affiliated and  
154 selected letters from faculty who agree to participate in the Designated  
155 Emphasis.  
156 (e) Roster of participating faculty (participating faculty must be Academic  
157 Senate members eligible to serve on higher degree committees).
- 158
- 159 b) Requests to revise the curriculum and/or admission requirements for an existing  
160 Designated Emphasis must be submitted to, and approved by, the Graduate Council.  
161 The following information should be included in the request:
- 162 i) A Graduate Group Summary Form, a Request for Approval to Modify Graduate  
163 Degree Requirements Form, and cover letter from the chair of the Designated  
164 Emphasis that outlines the reasons for the changes requested and includes any  
165 justification necessary. Of particular concern to the Graduate Council is the impact of  
166 the changes on the time to degree in the affiliated graduate programs.  
167 (a) Please note that letters of support from affiliated Graduate Groups' chairs  
168 may be necessary if the proposed revisions might impact the normative time  
169 to degree.
- 170 ii) A letter of support from the Lead Dean regarding resources and implications of  
171 support for the changes requested must also accompany the cover letter.

- 172           iii) A revised and dated “Designated Emphasis Degree Requirements” form. The last  
173           approved version of the Designated Emphasis requirements approved by Graduate  
174           Council should be included as Appendix A.  
175
- 176       c) Routing Process
- 177           i) For a new Designated Emphasis
- 178               (1) The faculty proposing the Designated Emphasis submits the proposal for “pre-  
179               review” by the Graduate Division to ensure that the proposal contains required  
180               information and to identify problems that may slow the formal proposal review  
181               process. Graduate Division provides the results of this pre-review in a memo to  
182               the proposing group.
- 183               (2) The proposing faculty submits the proposal, appendices, and response to  
184               Graduate Division pre-review to the Graduate Council. Graduate Council  
185               conducts a preliminary review. If the proposal is found satisfactory in this  
186               preliminary review, Graduate Council sends the proposal and attachments to the  
187               Vice Provost and Dean of Graduate Education, the Committee on Academic  
188               Planning and Resource Allocation, and Undergraduate Council for comment.
- 189               (3) Once comments are received, the Graduate Council reviews the comments and  
190               approves or rejects the Designated Emphasis proposal. Graduate Council’s  
191               decision is communicated to the proposing faculty and a copy of the decision is  
192               sent to the Office of Institutional Assessment, Vice Provost and Dean of Graduate  
193               Education, Office of the Registrar, Divisional Council. Graduate Council will  
194               notify the Coordinating Committee on Graduate Affairs (CCGA), the relevant  
195               UC systemwide committee, of the approval of a new Designated Emphasis  
196               program.
- 197           ii) For a revised Designated Emphasis
- 198               (1) The proposing faculty submits the dated Graduate Group Summary Form and  
199               all other required documents to the Graduate Council.
- 200               (2) Graduate Council conducts a preliminary review and sends the form and related  
201               documents to the Office of Institutional Assessment, Vice Provost and Dean of  
202               Graduate Education, Office of the Registrar, and the Committee on Academic  
203               Planning and Resource Allocation for comment.
- 204               (3) Once comments are received, the Graduate Council reviews comments and  
205               approves or rejects the proposing faculty’s request to revise the Designated  
206               Emphasis. Graduate Council’s decision is communicated to the proposing  
207               faculty and a copy of the decision is sent to the Office of Institutional  
208               Assessment, Vice Provost and Dean of Graduate Education, Office of the  
209               Registrar, and the Committee on Academic Planning and Resource Allocation.  
210