



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

June 10, 2019

Dear Colleagues,

Attached for your review and comment is a draft of PACAOS Appendix E: Sexual Violence and Sexual Harassment Student Investigation and Adjudication Framework (Appendix E).

In January, an appellate court ruled that California colleges and universities must hold hearings to resolve sexual misconduct cases in which the respondent is a student, sanctions are potentially severe, and credibility is a central issue. UC took immediate steps to comply with this state ruling by issuing an [interim version of Appendix E](#) that affords parties with a hearing when a case results in a suspension or dismissal. At the same time, our offices formed a workgroup that included student, staff, and faculty representatives to identify the best way to meet the court's requirements while providing a process that treats parties with respect and compassion, and results in just outcomes.

The attached draft version of Appendix E reflects the efforts of the workgroup, input of key campus stakeholders and the Office of General Counsel, and partnership of our offices. We are circulating it now for formal review and comment. The draft policy retains much of the Title IX investigative process contained in interim Appendix E, and adds a new stage at which parties can contest the Title IX investigator's preliminary determinations and have the case resolved through a hearing. Consistent with past policy, the draft policy continues to provide safeguards during the hearing to protect the well-being of parties by, for example, allowing them to be visually or physically separated, take breaks, and have a support person present. Importantly, all questions to the parties or witnesses will be asked by the hearing officer.

It is critical that the new version of Appendix E be issued this summer, so that it is in place at the start of the 2019-20 academic year. Additionally, the Systemwide Title IX Office undertook an extensive process over the past year to revise the University's [Sexual Violence and Sexual Harassment Policy](#) (SVSH Policy) to, among other things, implement several recommendations of the California State Auditor. To meet the auditor's timelines, the revised version of SVSH Policy must be issued in July 2019. To promote clarity and minimize disruption, we believe it is important to issue these two policies concurrently -- accordingly, the new Appendix E will be issued in July as well.

Please circulate this communication and the draft Appendix E to students, the appropriate units within Student Affairs, and elsewhere on your campus for review. Comments should be submitted directly to Policy and Program Analyst, Belinda Veal, (Belinda.Veal@ucop.edu) **no later than Monday, July 8, 2019**.

Sincerely,

Handwritten signature of Suzanne Taylor in cursive.

Suzanne Taylor
Systemwide Title IX Director

Handwritten signature of Eric Heng in cursive.

Eric Heng
Assistant Director, Student Development and Engagement