1. **Charge**

The Peer Review Committee (PRC) is created as a result of the [Presidential Policy on Sexual Violence and Sexual Harassment (SVSH)](http://policy.ucop.edu/doc/4000385/SVSH). Its purpose is to review and advise the Chancellor (or designee) on recommended discipline regarding early/alternative resolution in faculty SVSH cases. At UCI, the PRC serves as an advisory panel to the Vice Provost for Academic Personnel, who is the Chancellor’s Designee for administering faculty discipline under APM [015](http://www.ucop.edu/academic-personnel-programs/_files/apm/apm-015.pdf) and [016](http://www.ucop.edu/academic-personnel-programs/_files/apm/apm-016.pdf) and the APPENDIX III. Section II: UCI Procedures for Hearing Complaints of Faculty Code Violations and Grievances by the Senate Committee on Privilege and Tenure (CPT). The [UCI Sexual Harassment and Sex Offense Investigation and Adjudication Framework for](applewebdata://1CFA9951-8EF8-472C-BB1C-74A7C6F9DCDE/../files/policies/UCI_Sexual_Harassment_and_Sex%20Offense_Investigation_and_Adjudication_Framework.pdf) Senate Faculty outlines when the PRC should be engaged.

1. **Role**

The PRC’s role includes:

* Reviews Title IX investigation Report when there is a finding of policy violation at the conclusion of a SVSH investigation
* Maintains confidentiality
* Meets as needed as a group convened by Vice Provost
* Advises on potential disciplinary action or settlement
* Ensures consistency on disciplinary actions

The PRC does not conduct additional investigation or make final decisions about faculty discipline.

1. **Membership**

The PRC membership consists of ten (10) senate faculty members, nominated by the UCI Academic Senate and represents diversity with respect to gender/gender preference, academic disciplines, experience/knowledge within Academic Senate’s P&T process and/or harassment or discrimination. Members of the PRC serve in three (3) year terms at the pleasure of the Vice Provost for Academic Personnel.

1. **Committee Support Staff**

The Office of Academic Personnel, specifically the Director of Academic Personnel, serves as the PRC’s staff, and will coordinate meetings for and communications with the PRC.

1. **Training and Planning**

Members of the PRC are required to attend targeted training sessions designed by Academic Personnel and Office of Equal Opportunity and Diversity to learn about the committee’s role and charge, as well as the SVSH Policy including the processes related to complaint, investigation, adjudication and discipline.

1. **Procedures**
2. Upon receipt of a *SVSH* or *UCI Policy on Conflict of Interest created by Consensual Relationships* investigation report substantiating a finding of policy violations, the Academic Personnel Office (on behalf of Vice Provost for Academic Personnel (VPAP)) will do the following, to ensure that, barring exceptional circumstances, all steps occur in a timely manner in adherence of the timelines stipulated in SVSH policy:
3. Constitute a subcommittee of three (3) member of the PRC, including informing selected committee members of the identities of complainant and faculty respondent to check for any conflict of interests/bias.
4. Membership of the subcommittee in VI.A.1 will be confidential.
5. Contact the dean and department chair to request a meeting with the VPAP, in order to address their concerns in the matter and to solicit a written recommendation for appropriate action, which will be shared with the PRC.
6. Contact Complainant and Faculty Respondent (separate meetings) to provide an opportunity (as required by SVSH policy) to respond to the Investigation Report. Written responses from complainant and faculty respondent may be provided but are not required.
7. Provide the PRC subcommittee with Investigation Report, Complaint/Faculty Respondent responses (if any) and recommendation from the dean and chair.
8. Convene a meeting with VPAP and PRC subcommittee to discuss the case and recommendation of appropriate disciplinary action or settlement terms
   1. Subcommittee may choose to meet on its own to discuss/formulate its recommendation to VPAP
   2. Subcommittee to submit its written recommendations on disciplinary action for the Respondent and additional non-disciplinary measures concerning the Respondent to VPAP
   3. VPAP will consider PRC’s recommendation in arriving at the final decision on disciplinary action or settlement. If VPAP arrives at a different proposed disciplinary action or settlement terms that differs from the PRC’s recommendations, VPAP will have further discussion with the PRC before making the final decision/recommendation.
9. In deliberating possible disciplinary action, the PRC will follow these guidelines:
   1. The “Peer Review Committee” considers the following principles during deliberations about appropriate sanctions for faculty deemed responsible for sexual harassment and/or assault or consensual relations policy violation findings:
   2. The sanction should, in the first and final instance, serve to protect the student/faculty/staff who filed the complaint (i.e., the Complainant) as well as other students/faculty/staff who could be directly or collaterally harmed by the actions of those found responsible for sexual harassment and/or assault.
   3. The sanction should communicate an appropriate three-part message:
      1. That the University takes seriously the importance of creating and maintaining an environment in which all are able to learn and work without fear of harm and reprisal for filing a grievance,
      2. That those who violate that commitment are threats to our values and goals as a learning environment, and
      3. That the University will not tolerate such behavior, and attendant threats.
   4. The sanction should communicate our fundamental commitment to education, which is extended to the person(s) found responsible for sexual harassment and/or assault.
   5. Other factors that the PRC may consider in its recommendation of appropriate discipline and/or early resolution include the following:

* Prior documented SVSH offenses by the faculty respondent
* Level of egregiousness: unwelcome touching v. pervasive pattern of unwelcome sexualized banter
* Remorse: Does the faculty respondent take responsibility for the poor judgement?
* Evidence of intent or actual act of retaliation against complainant?

1. Process timeline
   * 1. The entire SVSH case adjudication process, from the receipt of the investigation finding on alleged violations of the *SVSH policy* or UCI Policy on *Conflict of Interest created by Consensual Relationships* to the decision to file charges, if any, with the Privilege & Tenure Committee should be completed within two months (i.e., 40 business days).

* + 1. The faculty respondent has 15 calendar days from the date on which they receive the proposed discipline to respond to the Vice Provost to initiate a discussion regarding early resolution.
    2. An extension of this timeline may be granted by the Chancellor, for good cause. An example of good cause is when the University and respondent faculty are engaged in good-faith settlement negotiation for early resolutions involving faculty discipline.

Recorded by Academic Personnel

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