

# **2024 Public Description of Work for Action Collaborative on Preventing Sexual Harassment in Higher Education**

## **University of California - Santa Cruz**

### **Documented Discussions**

#### **Relevant Rubric Area(s):**

1. Response - Improved Policies
2. Response - Implementing Restorative or Transformative Justice and Alternative Means of Resolutions

#### **Description of Work:**

##### **Purpose and Goals**

The purpose of Documented Discussions at the University of California, Santa Cruz (UC Santa Cruz) is to address concerns about faculty conduct that may not rise to a level that warrants formal disciplinary action through the faculty discipline process. The practice of having documented discussions aims to improve the campus climate by establishing a mechanism to 1) provide direct and explicit feedback to faculty about university expectations and 2) document concerns to inform decisions in the event any future incidents occur. This practice aligns with the NASEM Action Collaborative rubric area “Response - Improved Policies” by providing additional tools to address alleged faculty misconduct or inappropriate behavior that does not rise to the level of an SVSH policy violation, furthering a respectful and professional campus environment.

##### **What We Did and How We Did It**

Documented discussions can address any type of concerning faculty conduct, which, if true, would be problematic, but either do not warrant formal disciplinary action or are not supported by sufficient evidence to pursue formal disciplinary action. Documented discussions can include the following:

- **Reporting Options:** Anyone can report concerns formally or informally through various channels, including to faculty or staff, or through more formal reports like those filed through Title IX.
- **Initial Review:** The office that receives the report reviews it. The Director of Academic Employee Relations (the Director) reviews all other reports and makes any mandatory reports as required, consults with the Office of Equity and Equal

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Protection as needed, and evaluates whether a documented discussion is appropriate.

- **Consultation and Discussion:** The Director consults with the relevant Dean, Department Chair, and Campus Provost, as needed. The Chair typically conducts documented discussions, meeting with the faculty member to discuss the concerns and emphasizing relevant University policies and the importance of maintaining a respectful and professional environment.
- **Documentation:** Following the discussion, the Chair, in collaboration with the Director, drafts a written summary of the discussion. This summary outlines the concerns raised, the faculty member's response (if any), and emphasizes the importance of adhering to university policies. The faculty member has the opportunity to review and respond to the summary in writing.
- **Confidentiality:** Both the written summary and any faculty response are maintained in a confidential file within the Academic Personnel Office. These documents are not included in future academic review files.
- **Record for Future Action:** The documented discussion should be reviewed and may inform evaluation of University action in the event there are subsequent concerns, incidents or reports about the same faculty member.

### **How the Work is New**

The practice of documented discussions began at UCSC around 2020. In the UC system, initiating formal discipline of Senate Faculty is a very involved and detailed process, wherein the matter is brought to a subcommittee of the Academic Senate prior to the Campus Provost issuing a Notice of Disciplinary Action. The campus desired a method of addressing problems at a lower level in order to, hopefully, rectify problems before they worsened, and also to have a record to refer back to in case of repeat issues. In the academic year 2020-21, the Academic Personnel Office brought a proposal to the Academic Senate for input, which was generally supportive. The final version of the proposal, which started being used after the conclusion of the consultation with the Academic Senate, required that documented discussions not be visible to reviewers in the tenure or merit review processes. The practice of documented discussions is shared with department chairs as appropriate since they are not to be undertaken without consultation from academic human resource professionals.

### **Plans for Evaluating the Success**

Because of the lengthy and process-driven requirements of faculty conduct and the changing nature of Title IX, the direct impact of this program is hard to directly quantify or measure in a consistent way. However, we believe that it has positively impacted

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faculty behavior expectations and improved the university's reputation with respect to responsiveness to problematic behavior that does not rise to the level of a policy violation.

### **Links to Relevant Webpages**

There are no public webpages dedicated specifically to the “Documented Discussions” process; it is an internal process for the university.

### **Next Steps**

UC Santa Cruz plans to continue utilizing the “Documented Discussions” protocol and will refine it as needed based on experience and feedback. We believe this process offers a valuable approach to addressing faculty misconduct and fostering a respectful campus environment. We are happy to share this description of work with the NASEM Action Collaborative.

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