

APPROVED 10/19/20

Committee on Charges, a special committee of DIVCO

As a result of the discussion and consensus by Divisional Council (DIVCO) on October 5, 2020, the following special committee of DIVCO has been created to conduct the investigation of disciplinary charges leveraged against Senate faculty.

The Committee on Charges (COC) is constituted for a two (2) year period to serve as faculty investigative officers to determine probable cause in cases of Senate faculty misconduct which may lead to campus administration filing a disciplinary case with the Committee on Privilege and Tenure (P&T). The scope of the investigations will be limited to non-Sexual Violence/Sexual Harassment (SVSH) cases, thus would include any cases that charge misconduct under the Faculty Code of Conduct (Academic Personnel Manual (APM) - 015) which are subject to the discipline procedures defined in APM – 016.

Membership consists of at least eight (8) Senate members to be appointed by the Committee on Committees. A membership of eight is proposed based on an assumption that there will be three – four cases a year assigned by the Vice Provost for the Faculty (VPF). Of the eight, at least two investigators will need to be assigned to each case; allowing the remaining six to hold in reserve until the next case. This also accounts for the possibility that some members may need to be automatically excused from a case for a conflict of interest. Once a member has completed an investigation, ideally, they should not be assigned to another investigation that year. Considering the full diversity of the Division, the membership shall comprise of full or associate professors who are sufficiently versed on UC policies and procedures in order to conduct the work.

The work of the committee will be two-fold:

- 1) Intake investigation requests from the VPF who will present, in writing, a request for an investigation. The request will include an explanation of which Senate member is to be investigated; what the allegation consists of; what aspect of the APM or relevant UC policy is alleged to have been violated; and any relevant background information in order for the committee to conduct the investigation.

The committee will determine within itself which members are appropriate to be tasked with conducting the investigation and do so, with a result of completing a report of their findings. The goal of their findings will be to determine whether or not there is probable cause for the campus administration to proceed with filing a disciplinary case against the faculty member with P&T. In doing so, the investigators will need to determine

APPROVED 10/19/20

whether the conduct described constitutes a violation of APM – 015. Prior to submitting their report, the investigators will provide a near-final draft copy of the report to the faculty member so that the member will have an opportunity to review and comment on the draft. The final report will be submitted to the VPF and, should the case proceed to a hearing, P&T.

2) By the end of the two year period (Spring 2022) make a recommendation whether the Division shall permanently impanel the committee via a change to the Bylaws or if another means for their work shall be found.