

UC Davis Complaint Resolution and Grievance Procedures Information

The University provides numerous methods for filing complaints of discrimination, which includes sexual harassment. However, the procedure described in Section 380-12 takes precedence. Any complaint filed through another grievance or complaint resolution procedure that includes an allegation of sexual harassment will be reviewed by the Title IX Officer/SHO in consultation with the SHCMT. Any complaint filed through another procedure will be held in abeyance and the allegations of sexual harassment will be handled as described in Section 380-12 to ensure that the timelines and rights of both parties as identified in this policy are met.

Students

In addition to Section 380-12,

- a student may file a complaint against any University affiliate (academic, staff, student) as described in Section 280-05.
- a student may file a complaint against a faculty member as described in APM 015/UCD 015.
- A student may file a complaint of improper governmental activities, which could include an allegation of sexual harassment, against any staff or academic employee as described in Section 380-17.
- a student may file a complaint of misconduct against another student as described in the Administration of Student Discipline.
- a represented student employee may file a complaint related to his/her employment against any University affiliate (academic, staff, student) as described in the applicable collective bargaining agreement.

Staff Employees

In addition to Section 380-12,

- any staff member may file a complaint against any University affiliate (academic, staff, student) as described in Section 380-15.
- an unrepresented staff member may file a complaint regarding management actions as described in PPSM 70.
- a represented staff member may file a complaint against any University affiliate (academic, staff, student) as described in the applicable collective bargaining agreement.
- a staff member may file a complaint against a faculty member as described in APM 015/UCD 015.
- a staff member may file a complaint of improper governmental activities, which could include an allegation of sexual harassment, against any staff or academic employee as described in Section 380-17.
- a staff member may file a complaint of misconduct against a student as described in the Administration of Student Discipline.

Academic Employees

In addition to Section 380-12,

- an Academic Senate member may file a grievance that his/her rights have been violated as described in Senate Bylaw 335.
- a non-senate academic employee may file a grievance against any staff or academic employee as described in APM 140/UCD 140.
- a represented academic employee may file a complaint against any University affiliate (academic, staff, student) as described in the applicable collective bargaining agreement.

- an academic employee may file a complaint against a faculty member as described in APM 015/UCD 015.
- a postdoctoral scholar may file a grievance against any staff or academic employee as described in APM 390.
- an academic employee may file a complaint of improper governmental activities, which could include an allegation of sexual harassment, against any staff or academic employee as described in Section 380-17.
- an academic employee may file a complaint of misconduct against a student as described in the Administration of Student Discipline.

These procedures may have different deadlines for filing a complaint. Complaints filed under any of these other policies must be made to the appropriate official and within the timeframe identified in that policy (see the chart below).

Section 280-05, Procedures for Student Complaints of Prohibited Discrimination or Arbitrary Treatment	
Time limit to report/file	30 calendar days
Resolution procedures	Informal—advice and conciliation Administrative review Formal evidentiary hearing
Standard of proof	Preponderance of evidence
Who can submit a complaint	Student
Who can be accused	Student/Staff/Academic Employee
Who receives the complaint	Director—Student Judicial Affairs

Section 380-12, Sexual Harassment	
Time limit to report/file	1 year (optimally)
Resolution procedures	Early resolution Formal Investigation
Standard of proof	Preponderance of evidence
Who can submit a complaint	Student/Staff/Academic Employee
Who can be accused	Student/Staff/Academic Employee
Who receives the complaint	Designated Official/SHO/Title IX Officer

Section 380-15, Staff Complaints of Discrimination	
Time limit to report/file	30 days
Resolution procedures	Informal review Formal grievance
Standard of proof	Preponderance of evidence
Who can submit a complaint	Unrepresented staff
Who can be accused	Staff/Academic Employee
Who receives the complaint	Affirmative Action and Diversity Office

Section 380-17, Improper Governmental Activities (Whistleblower Complaint)	
Time limit to report/file	1 year
Resolution procedures	Investigation
Standard of proof	Preponderance of evidence
Who can submit a complaint	Student/Staff/Academic Employee/Outside Party

Who can be accused	Staff/Academic Employee
Who receives the complaint	Locally Designated Official

Section 380-17, Improper Governmental Activities (Retaliation Complaint)	
Time limit to report/file	1 year
Resolution procedures	Investigation
Standard of proof	Preponderance of evidence
Who can submit a complaint	Student/Staff/Academic Employee/Outside Party
Who can be accused	Staff/Academic Employee
Who receives the complaint	Locally Designated Official

PPSM 70, Complaint Resolution	
Time limit to report/file	30 days
Resolution procedures	Initial review Review and fact finding by complaint resolution officer Hearing
Standard of proof	Preponderance of evidence
Who can submit a complaint	Unrepresented staff
Who can be accused	Staff/Academic Employee (Management)
Who receives the complaint	Employee and Labor Relations

APM 015/UCD 015, Procedures for Faculty Misconduct Allegations	
Time limit to report/file	Disciplinary action must commence within 3 years
Resolution procedures	Informal review Formal preliminary investigation
Standard of proof	Clear and convincing evidence
Who can submit a complaint	Student/Staff/Academic Employee
Who can be accused	Senate Faculty
Who receives the complaint	Academic Personnel Office

APM 140/UCD 140, Non-Senate Academic Appointees/Grievances	
Time limit to report/file	30 days
Resolution procedures	Informal grievance resolution Formal grievance review Appeal to hearing
Standard of proof	Preponderance of evidence
Who can submit a complaint	Non-Senate Academic Employee
Who can be accused	Staff/Academic Employee
Who receives the complaint	Academic Personnel Office

APM 390, Postdoctoral Scholars	
Time limit to report/file	30 days
Resolution procedures	Mediation Informal grievance resolution Formal grievance review Formal grievance appeal
Standard of proof	Preponderance of evidence
Who can submit a complaint	Postdoctoral Scholar
Who can be accused	Staff/Academic Employee

Who receives the complaint	Graduate Studies
-----------------------------------	------------------

Senate Bylaw 335, Privilege and Tenure: Divisional Committees—Grievance Cases	
Time limit to report/file	3 years
Resolution procedures	Review Early Resolution Hearing
Standard of proof	Preponderance of evidence
Who can submit a complaint	Senate Academic Employee
Who can be accused	Affiliate alleged to have violated his/her rights or privileges
Who receives the complaint	Committee on Privilege and Tenure

Administration of Student Discipline	
Time limit to report/file	Within 60 days of suspected conduct
Resolution procedures	Preliminary review Informal disposition Formal hearing Appeal
Standard of proof	Preponderance of evidence
Who can submit a complaint	Student/Staff/Academic Employee/Outside Party
Who can be accused	Student
Who receives the complaint	Director—Student Judicial Affairs

Collective Bargaining Agreements—see applicable contract and article	
Time limit to report/file	Varies
Resolution procedures	Varies
Standard of proof	Varies
Who can submit a complaint	Staff or Academic Employee covered by the contract
Who can be accused	Student/Staff/Academic Employee
Who receives the complaint	Varies