

## **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).

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

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

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

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

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

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

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

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

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

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

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

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

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