
UCLA OFFICE OF THE VICE CHANCELLOR—EQUITY, DIVERSITY AND INCLUSION

November 22, 2022

TO: The UCLA Community

FROM: Vice Chancellor for Equity, Diversity and Inclusion Anna Spain Bradley

Assistant Vice Chancellor for Civil Rights Chandra Bhatnagar

RE: Public Accountability Report 7.0

Since 2016, UCLA's [Office of Equity, Diversity and Inclusion](#) (EDI) has produced a [Public Accountability Report](#) with aggregate data on allegations and investigations from EDI's investigative units. In 2020, EDI unified existing civil rights investigatory units under the new Civil Rights Office ("CRO"), which serves the entire UCLA university, hospital and healthcare system, and is led by the Assistant Vice Chancellor for Civil Rights ("AVC CR"). CRO is responsible for investigating reports of discrimination, harassment and/or retaliation pursuant to UC policy and applicable federal and state law, including Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments Act of 1972, the Americans with Disabilities Act, and Section 504 of the Rehabilitation Act of 1973.

We are pleased to release Public Accountability Report 7.0, which contains aggregate data on reports of prohibited conduct received by the CRO between July 2020 and June 2021. EDI-CRO produces this report because we believe that transparency promotes institutional accountability.

CRO investigates all forms of discrimination, harassment and sexual violence in order to uphold civil rights protections for the UCLA community including students, staff, faculty and non-faculty academic personnel and patients. CRO's jurisdiction covers all of UCLA's campus and UCLA Health. Through these efforts, CRO helps advance the mission of equity, diversity and inclusion throughout UCLA and ensures that the university remains in compliance with applicable federal law, state law and UC policy. CRO is comprised of four units; the Office of the Assistant Vice Chancellor for Civil Rights (OAVC-CR), the Discrimination Prevention Office ("DPO"), the Staff Diversity & Equal Employment Opportunity Compliance Office ("SD&C"), and the Title IX Office ("TIX").

- [The Discrimination Prevention Office](#) (DPO) is responsible for assessing and investigating reports of discrimination or harassment based on race, ancestry, national origin, disability,

religion, age, and other categories protected by law and University policy brought against academic personnel.

- [The Staff, Diversity & Equal Employment Opportunity Compliance Office \(SD&C\)](#) is responsible for assessing and investigating reports of all forms of discrimination or harassment protected by law and University policy brought against staff.
- [The Title IX Office](#) (Title IX Office) is responsible for assessing and investigating reports of gender discrimination, sexual harassment, and sexual violence brought against any member of the UCLA community.

After reading this Report, you may still have questions regarding the EDI Civil Rights Office and the units therein. More information about CRO can be found at

<https://equity.ucla.edu/who-we-are/civil-rights-office/>.

UCLA Equity, Diversity and Inclusion

PUBLIC ACCOUNTABILITY REPORT

Version 7.0
released 2022.22.11

OVERVIEW: COMPLAINT AND INVESTIGATION PROCESS

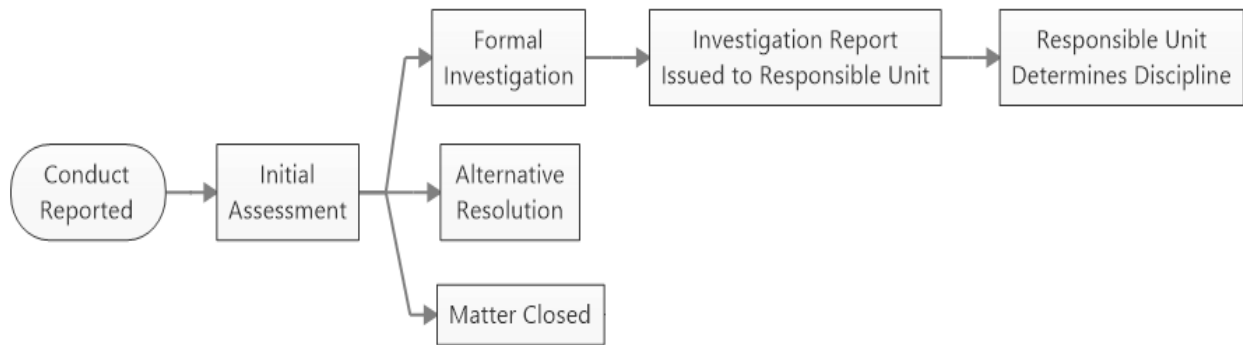
Before diving into the data, a brief review of the standard complaint and investigation process is useful. To begin, it is important to sharply distinguish between civil rights investigations and the imposition of discipline. Although the units within the EDI Civil Rights Office (Title IX Office, DPO and SD&C) engage in civil rights enforcement and investigate certain forms of prohibited conduct, they are impartial, independent investigative units engaging in administrative investigations. No unit within EDI-CRO has authority to determine discipline for any member of the UCLA community, even when UC policy has been violated. The responsibility to impose discipline lies with the appropriate administrative authority within the “**Responsible Unit**,” which depends on the UCLA affiliation of the person who violated University policy:

UCLA AFFILIATION	RESPONSIBLE UNIT (GENERALLY)
STUDENT	Dean of Students Office
STAFF*	Chancellor’s Designee on Discipline (either for UCLA’s Campus or for UCLA Health)
ACADEMIC PERSONNEL [†]	Chancellor’s Designee on Discipline/Vice Chancellor, Academic Personnel and Academic Senate

* In staff disciplinary matters, the Chancellor’s Designee on Discipline will work with leadership in the department of the individual who was found to have violated policy to determine an appropriate discipline.

[†]“Academic Personnel” refers to Senate and non-Senate faculty, as well as other academic personnel such as librarians, teaching assistants, medical residents, and post docs. Faculty Code of Conduct applies to all faculty, but different disciplinary procedures apply to Senate and non-Senate faculty. The Responsible Unit identified above corresponds to Senate faculty. For certain cases involving non-Senate faculty, a different Responsible Unit determines discipline according to procedures outlined in [APM-150](#) and any relevant collective bargaining agreements or Memoranda of Understanding.

FLOWCHART OF STANDARD INVESTIGATION PROCESS



This flowchart illustrates the standard complaint and investigation process. Of course, it obscures many nuances and procedural details. For more information, please consult:

- [Procedures for Handling Allegations of Discrimination, Harassment, or Retaliation](#);
- [Student Conduct Procedures for Allegations of Prohibited Conduct under the University of California Policy on Sexual Violence and Sexual Harassment](#).

The flowchart also does not describe the specific practices and policies of the various Responsible Units. Please contact them directly to learn more.

1. CONDUCT REPORTED

This is the first step in the investigation process, which takes place when the Title IX Office, DPO, or SD&C (the “**Responding Office**”) receives a report of prohibited conduct. Reports arrive in many forms, ranging from brief anonymous phone calls, to detailed e-mails, to in-person conversations. You can always report prohibited conduct at EDI-CRO Report an Incident page at: <https://equity.ucla.edu/report-an-incident/>. You can also report prohibited conduct directly the University of California Incident Reporting Form for Harassment and discrimination at: <https://uctitleix.i-sight.com/portal/Los%20Angeles>. For assistance by phone, please call the CRO during regular business hours at 310-825-3935.

2. INITIAL ASSESSMENT

After misconduct is reported, the Responding Office reviews the report and interviews relevant persons to clarify the allegations and determine whether the report plausibly alleges an act of prohibited conduct within the Responding Office’s authority to investigate. Following this Initial Assessment, the Responding Office will generally:

- **Close** the matter (if, for instance, there is insufficient evidence of prohibited conduct);
- Seek “**Alternative Resolution**”; or,
- Conduct a “**Formal Investigation**.”

3. ALTERNATIVE RESOLUTION

After an Initial Assessment—but before a Formal Investigation—the Responding Office may initiate an Alternative Resolution. Alternative Resolution may include, but are not limited to, for example:

- Mediation (except in certain cases involving violence, such as sexual violence);
- Separating the parties;
- A settlement agreement;
- Referring the parties to counseling;
- Targeted preventive educational and training programs.

Alternative Resolution may be useful if, for example, a report is made by a third party or anonymously; Alternative Resolution provides the most productive avenue to remedy the situation; both parties prefer an informal process; or a matter involves less serious misconduct.

4. FORMAL INVESTIGATION

If Alternative Resolution is inappropriate or unsuccessful, the Responding Office may initiate a Formal Investigation. The Formal Investigation is undertaken to determine whether, by a preponderance of the evidence (whether it is more likely than not), prohibited conduct occurred.

As part of the Formal Investigation, the Responding Office prepares a written “**Investigation Report**” that includes factual findings and a determination of whether University policy was violated.

5. TRANSMITTAL TO RESPONSIBLE UNIT

After the Investigation Report has been concluded, the report is transmitted to the Responsible Unit for remedies and/or discipline.

6. DISCIPLINE

Each Responsible Unit determines the appropriate discipline through its own set of procedures and practices that may involve constraints established by federal and state law, collective bargaining agreements, and the principle of “shared governance” between the Academic Senate and the Administration. In all instances, however, the University is responsible for taking prompt and effective steps reasonably calculated to stop the violation of University policy, prevent its recurrence, and, as appropriate, remedy its effects.

TITLE IX OFFICE REVIEW

1363 REPORTS OF PROHIBITED CONDUCT

The Title IX Office received 1363 reports of prohibited conduct between July 2020 and June 2021. The following two graphs (Figures 1 & 2) provide aggregate statistics on those 1363 reports.

FIGURE 1. TYPE OF ALLEGATION(S) [N = 1363]

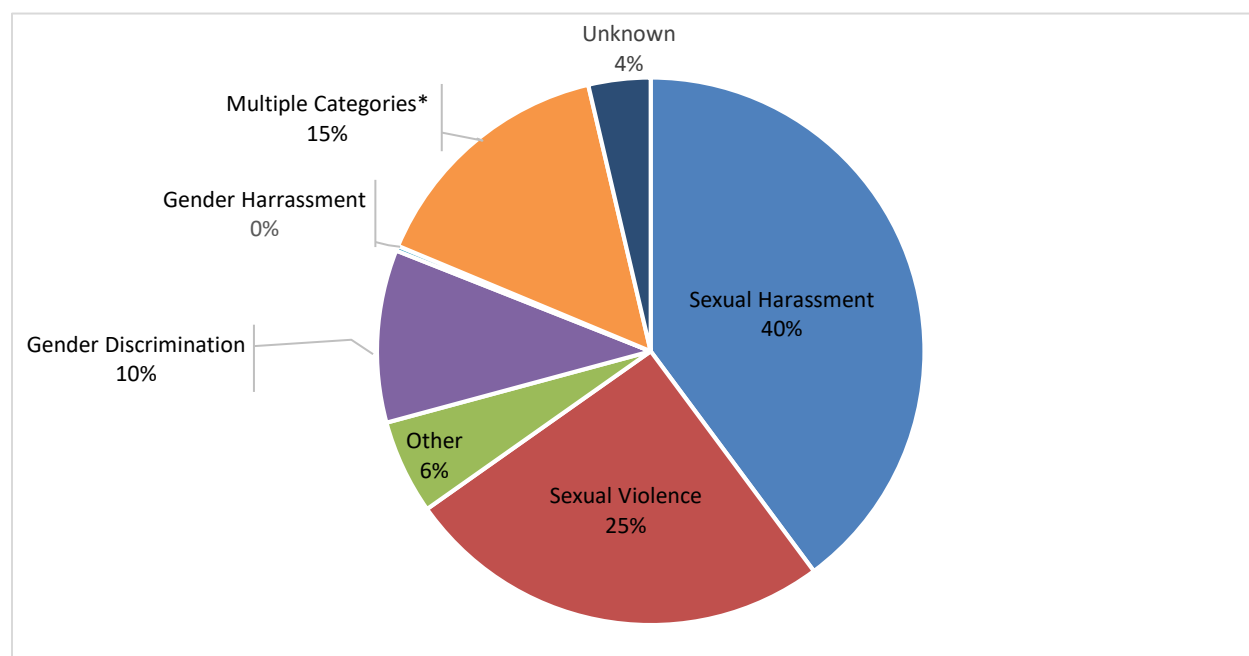


Figure 1 breaks down the type of alleged misconduct across all reports. (Remember, the Title IX Office investigates only gender-based forms of discrimination, which include sexual harassment and sexual violence). The 1363 reports included allegations of:

- **Sexual Violence** (e.g., sexual assault, dating/domestic violence, stalking);
- **Sexual Harassment** (e.g., sexual harassment, hostile environment);
- **Gender Discrimination** (e.g., other discrimination based on gender/gender identity, pregnancy, sexual orientation);
- **Gender Harassment** (e.g., other harassment based on gender/gender identity, pregnancy, sexual orientation);
- **Multiple Categories*** (e.g., Sexual Violence and Sexual Harassment, or Gender Discrimination and Other);
- **Other** (e.g., “Retaliation” or “Other Prohibited Behavior” as defined in the [UC SVSH Policy](#) and not included in the above categories).

* Reports of prohibited conduct sometimes contain intersectional claims of discrimination (e.g., race and gender, race and sexual orientation, gender and disability status). When this occurs, the Responding Office is most often determined by the claim that predominates. This is to ensure that multiple units within the Civil Rights Office do not investigate the same claim.

FIGURE 2. INITIAL ASSESSMENT DETERMINATION [N = 1363]

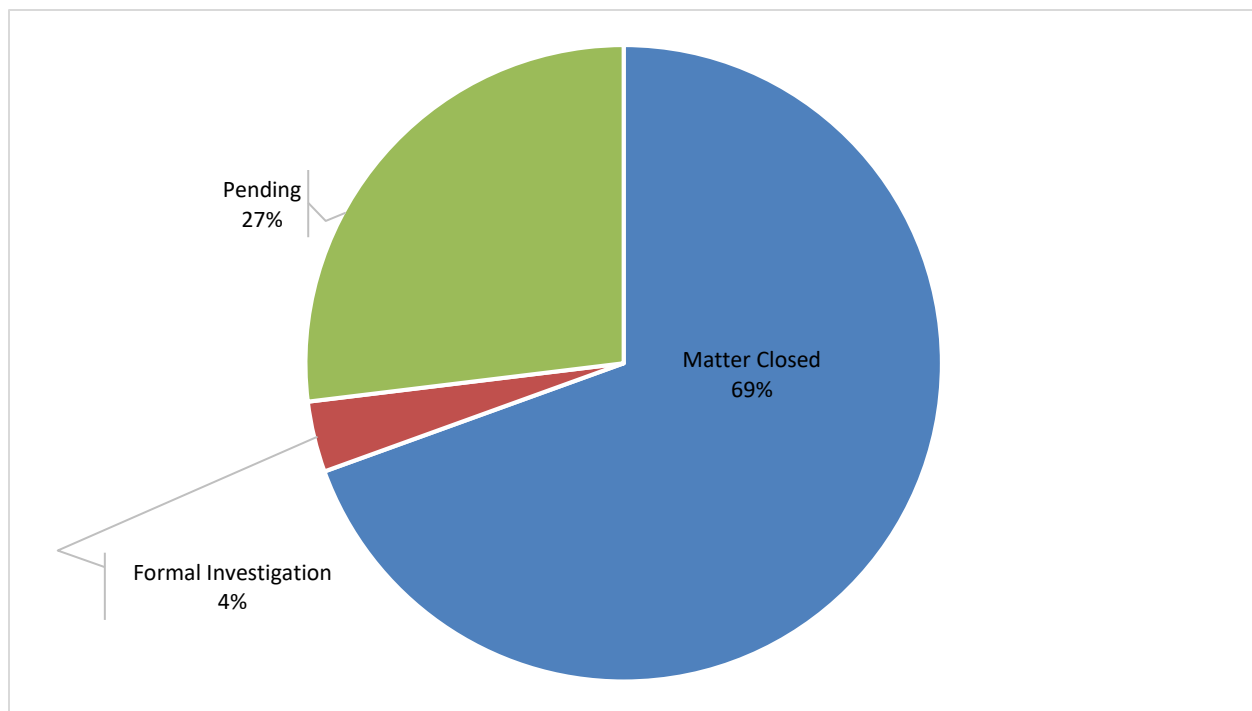


Figure 2 illustrates what happened to each report of prohibited conduct after the Initial Assessment. The 1363 reports culminated with the following actions:

- **Matter Closed;**
- **Pending;**
- **Formal Investigation.***

As **Figure 2** illustrates, many reports received by the Title IX Office do not result in a Formal Investigation. This might be surprising, but when there is an insufficient evidentiary basis to open a formal investigation, the Title IX Office will not investigate. In other instances, Alternative Resolution is the most appropriate approach because it is preferred by the parties and/or provides the most productive avenue to remedy the situation.

* In some instances, individualized circumstances prolong the Initial Assessment phase. Such cases have been categorized as “Pending” in Figure 2.

49 FORMAL INVESTIGATIONS

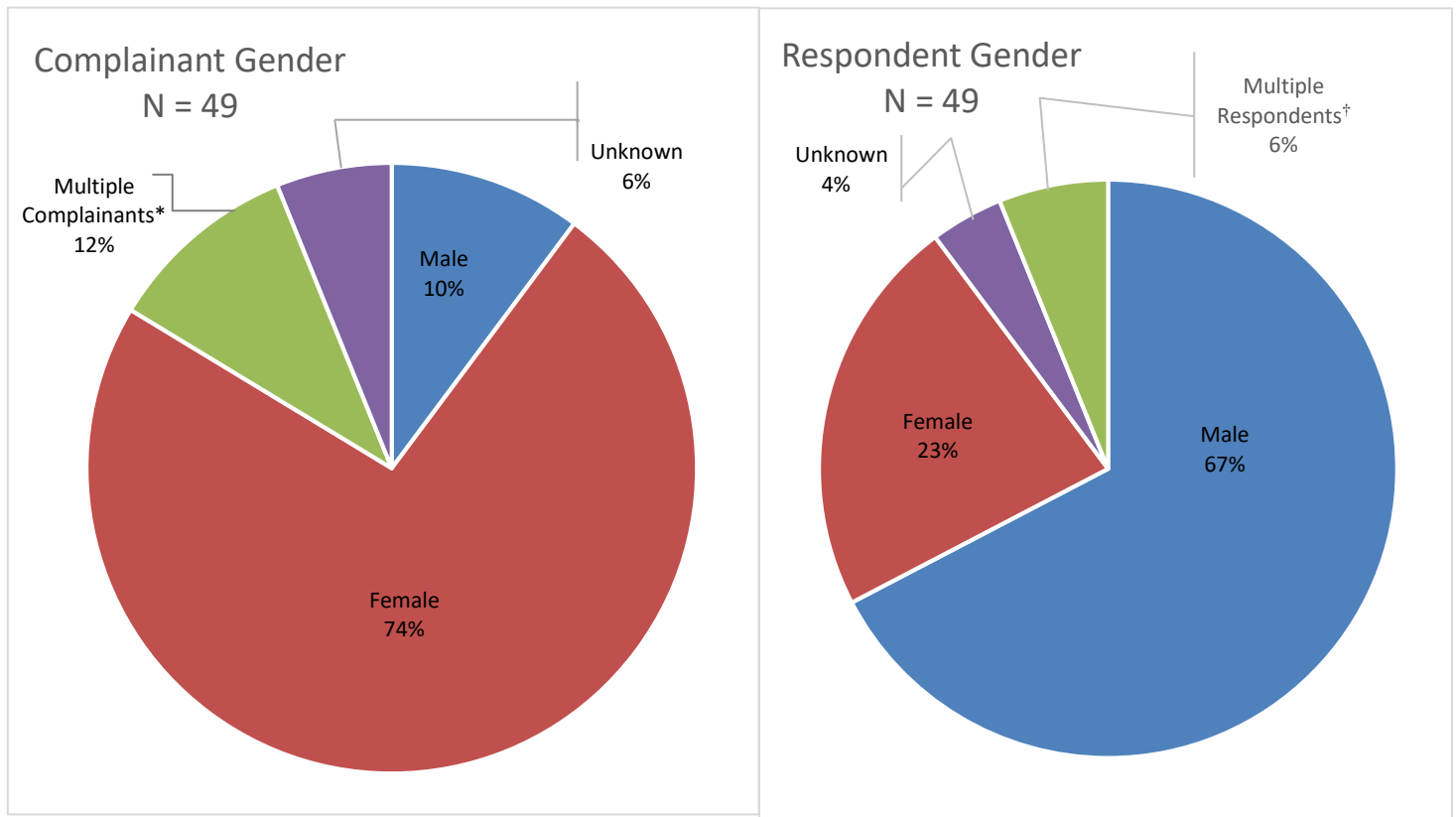
The following overview provides summary statistics on the 49 reports of prohibited conduct that the Title IX Office received between July 2020 and June 2021 that **resulted in a Formal Investigation**. Because gender and UCLA affiliation were the only demographic data that were consistently recorded, those affiliations form the basis for the data that are provided.

Some basic terms:

- “**Complainant**” refers to the person who alleges that prohibited conduct has occurred or who has experienced prohibited conduct.
- “**Respondent**” refers to the person who is alleged to have engaged in prohibited conduct.

[Graphs summarizing the 49 Formal Investigations begin on next page.]

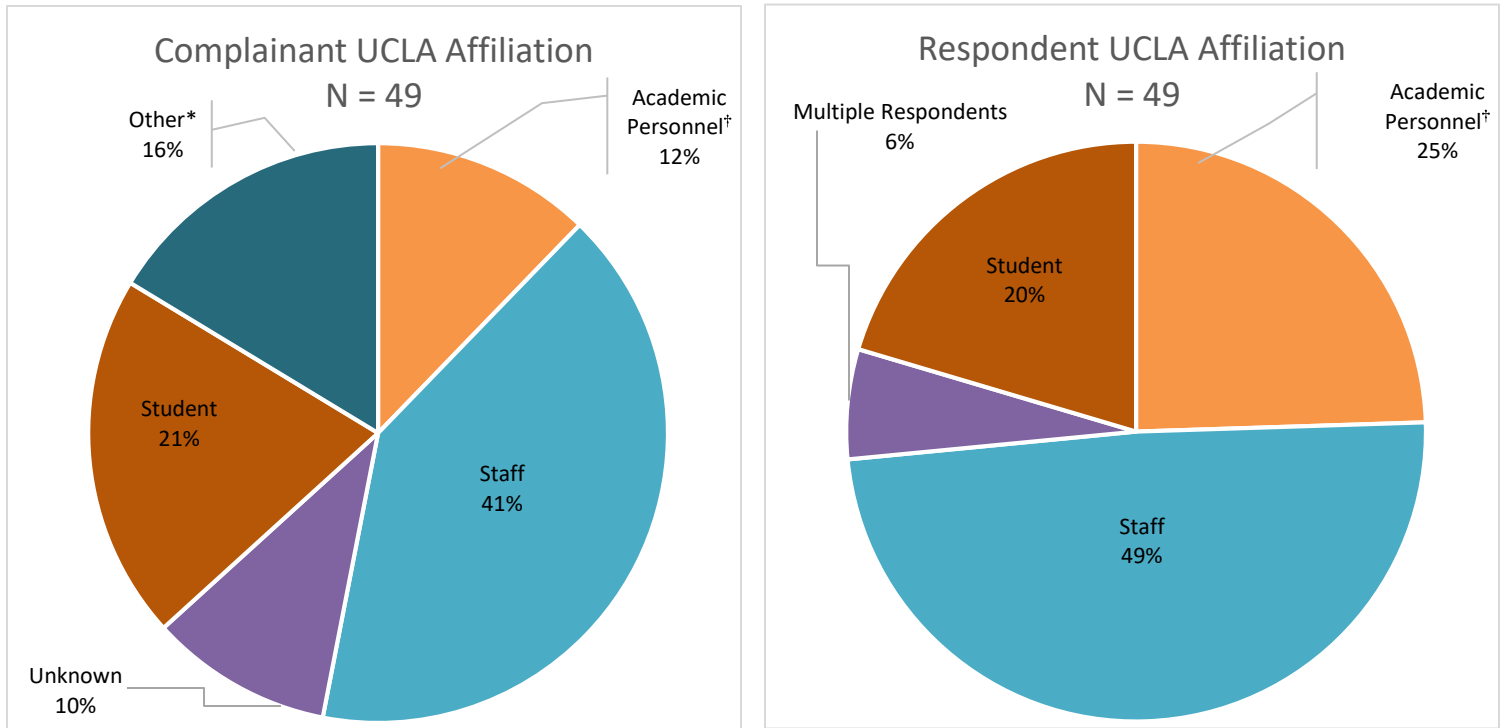
FIGURES 3A & 3B. COMPLAINANT AND RESPONDENT GENDER^{*†}



* “Multiple Complainants” refers to individual cases that involve more than one complaining party. This category could include, for example, combinations of UCLA students, staff, and/or faculty members.

† “Multiple Respondents” refers to individual cases that involve more than one alleged party. This category could include, for example, combinations of UCLA students, staff, and/or faculty members.

FIGURES 4A & 4B. COMPLAINANT AND RESPONDENT UCLA AFFILIATION (INCLUDING BOTH UCLA CAMPUS AND UCLA HEALTH)*†



* “Other” refers to individuals who are not current UCLA students, staff members, or faculty members. This includes, for example, alumnae or any other individual unaffiliated with UCLA.

† “Academic Personnel” includes both UCLA faculty and non-faculty academic personnel (e.g., librarian, teaching assistant, medical resident, post doc).

FIGURE 5. FINDING IN FORMAL INVESTIGATIONS [N = 49]

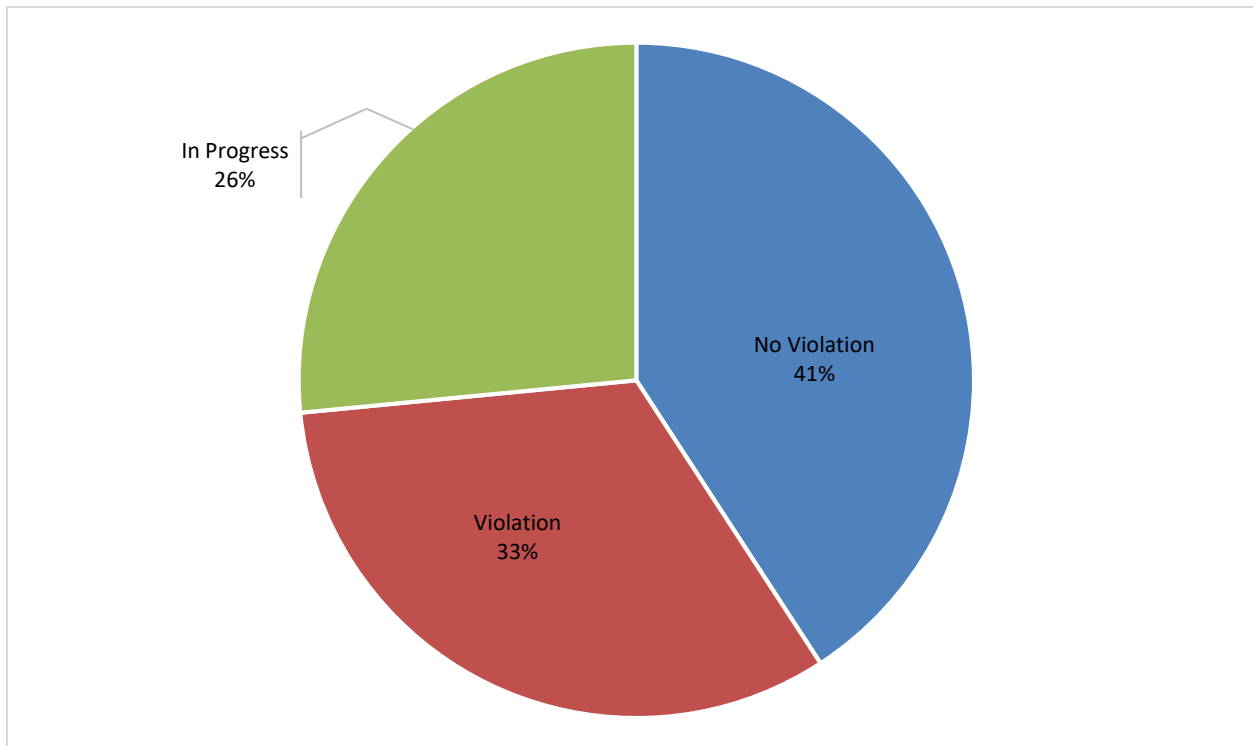


Figure 5 illustrates whether the Title IX Office determined that University policy was violated in the 49 Formal Investigations. The Title IX Office utilizes a preponderance of the evidence standard, which means that to determine that a violation occurred, it must be more likely than not that University policy was violated.

255 REPORTS OF PROHIBITED CONDUCT

DPO received 255 reports of prohibited conduct between July 2020 and June 2021. The following two graphs (Figures 6 & 7) provide aggregate statistics on those 255 reports.

FIGURE 6. TYPE OF ALLEGATION(S) [N = 255]*

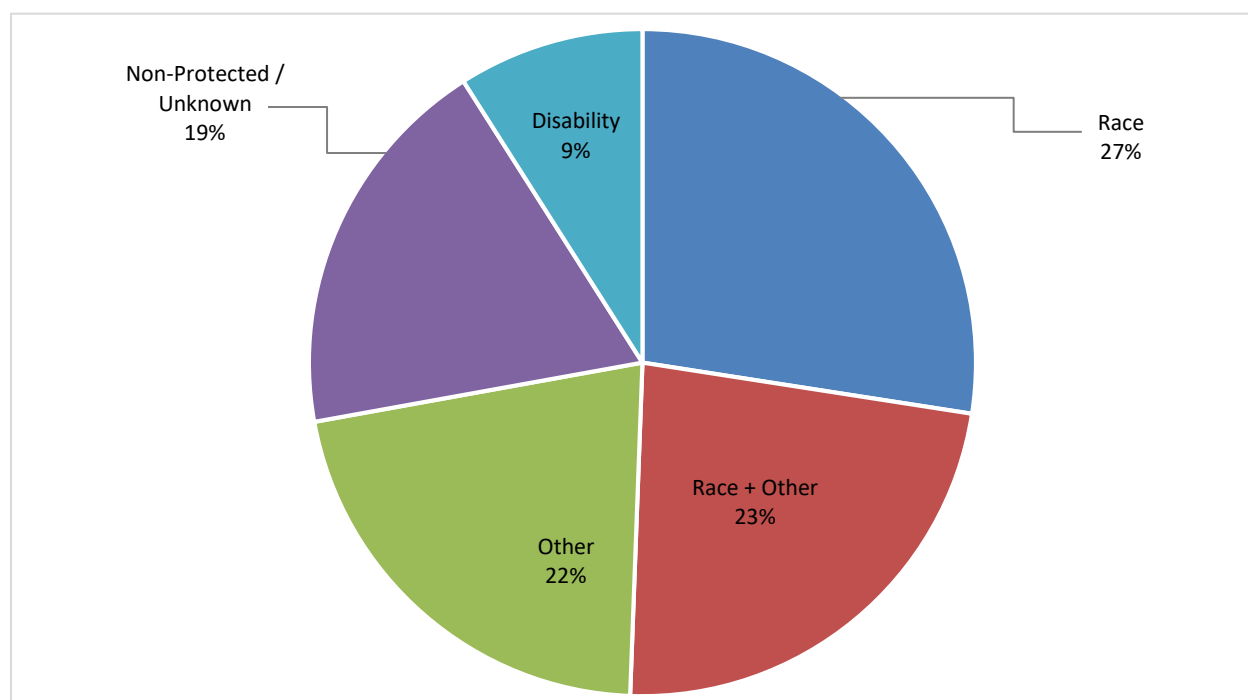


Figure 6 breaks down the type of alleged misconduct across all reports. The 255 reports of prohibited conduct included allegations of:

- **Race Discrimination;**
- **Disability Discrimination**
- **Race + Other** (reports alleging race discrimination plus discrimination based on one or more other protected categories such as religion, age, or national origin);
- **Other** (reports alleging discrimination on the basis of a protected category other than race—e.g., religion discrimination, age discrimination, national origin discrimination);
- **Non-Protected / Unknown** (reports alleging discrimination on the basis of a non-protected category or, in limited instances, involving insufficient information to determine the basis of the allegation).

* During the period in question, DPO generally did not investigate complaints alleging disability discrimination, which were generally investigated by UCLA's ADA/504 Compliance Office (a unit within UCLA's Office of Student Affairs).

FIGURE 7. INITIAL ASSESSMENT DETERMINATION [N = 255]

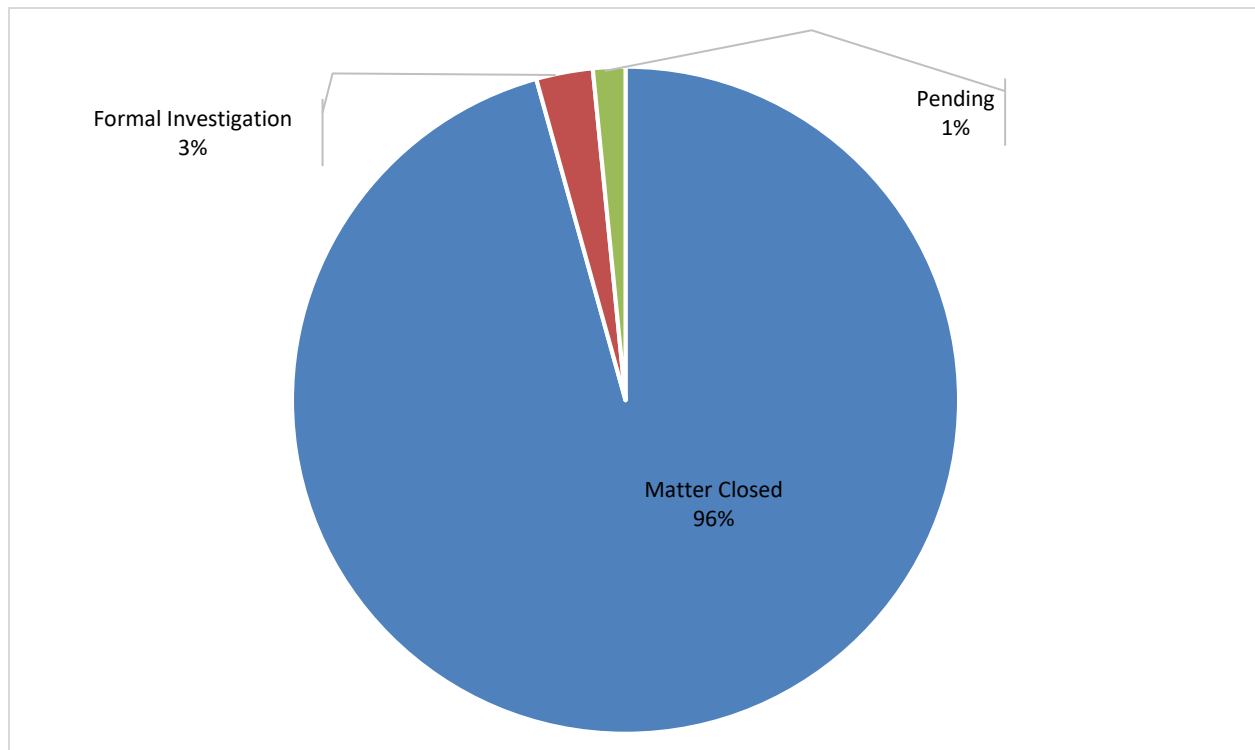


Figure 7 illustrates what happened to each report of prohibited conduct after the Initial Assessment. The 255 reports of prohibited conduct culminated with the following actions:

- **Matter Closed;**
- **Pending;**
- **Formal Investigation.***

As with the other units, and for similar reasons, many of the reports of prohibited conduct that DPO received did not result in a Formal Investigation (*see* p.5).

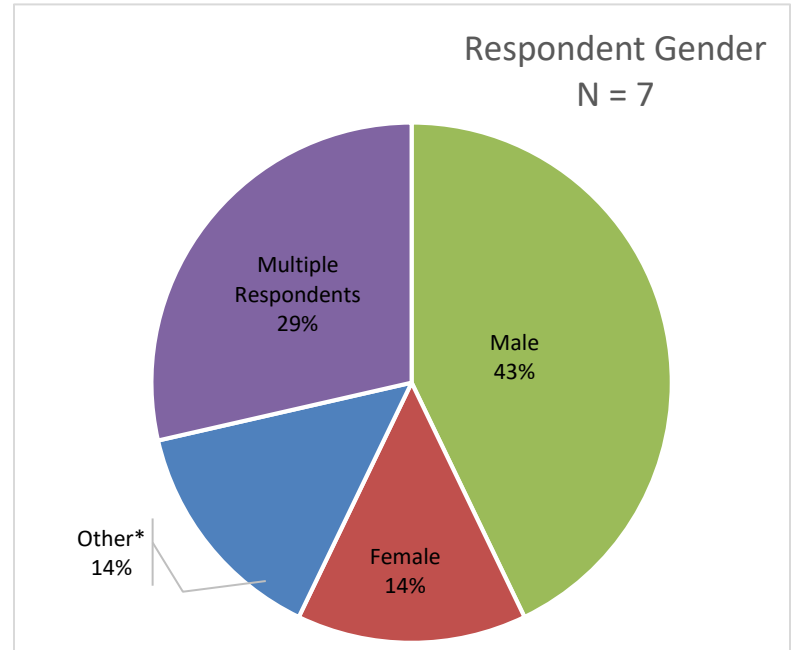
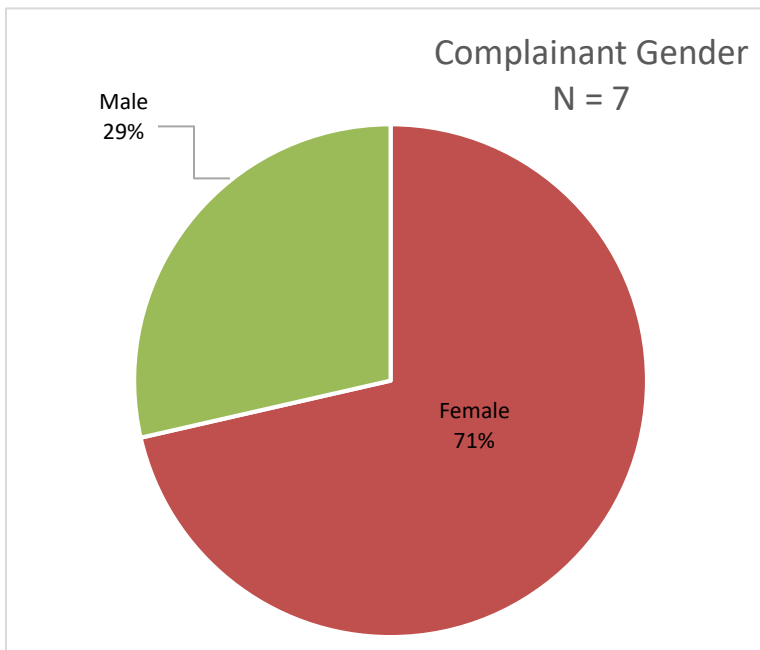
* In some instances, individualized circumstances prolong the Initial Assessment phase. Such cases have been categorized as “Pending” in Figure 7.

7 FORMAL INVESTIGATIONS

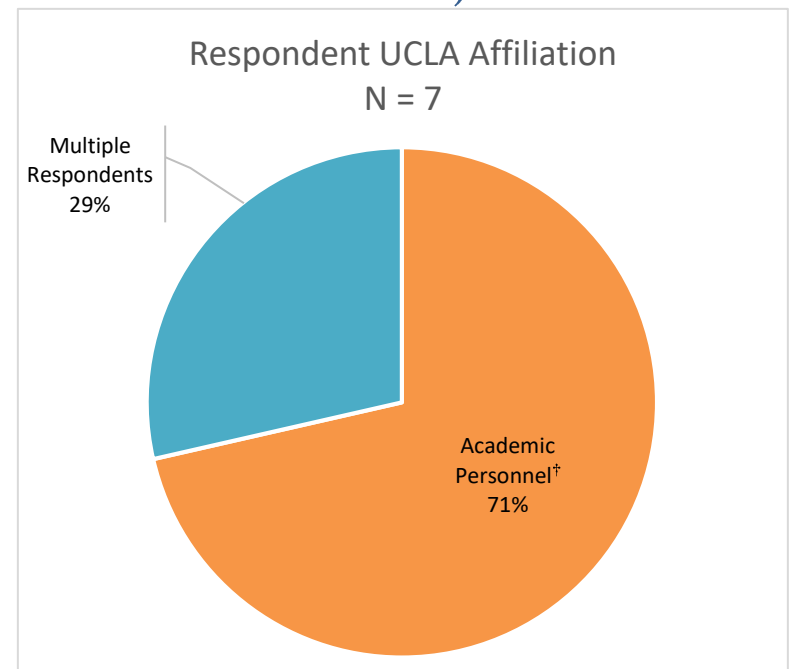
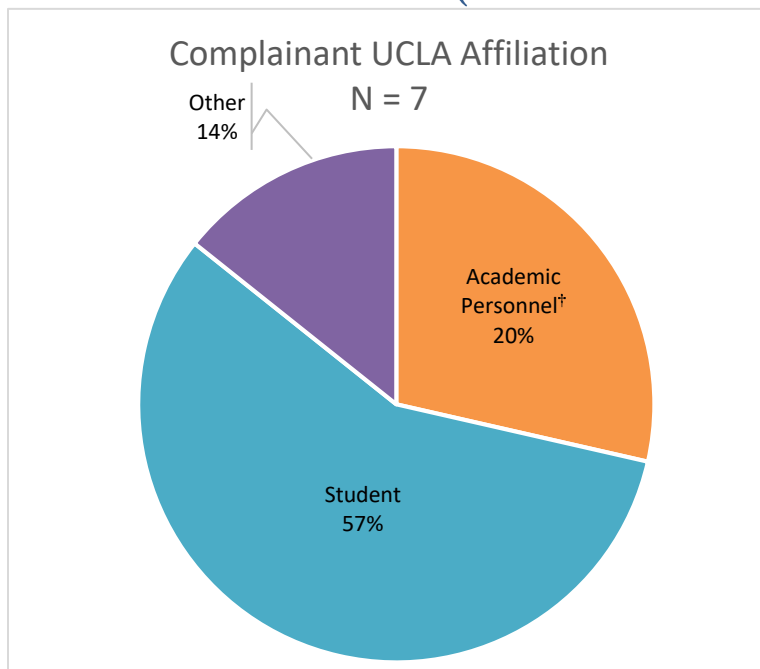
The following overview provides summary statistics on the 7 reports of prohibited conduct that DPO received between July 2020 and June 2021 that **resulted in a Formal Investigation**. Because gender, race and UCLA affiliation were the only demographic data that were consistently recorded, those affiliations form the basis for the data that are provided.

[Graphs summarizing the 7 Formal Investigations begin on next page.]

FIGURES 8A & 8B. COMPLAINANT AND RESPONDENT GENDER*



FIGURES 9A & 9B. COMPLAINANT AND RESPONDENT UCLA AFFILIATION (INCLUDING UCLA CAMPUS AND UCLA HEALTH)†



* "Other" may include non-binary responses.

† "Academic Personnel" includes UCLA faculty and non-faculty academic personnel (e.g., librarian, teaching assistant, medical resident, post doc)

FIGURES 10A & 10B. COMPLAINANT AND RESPONDENT RACE

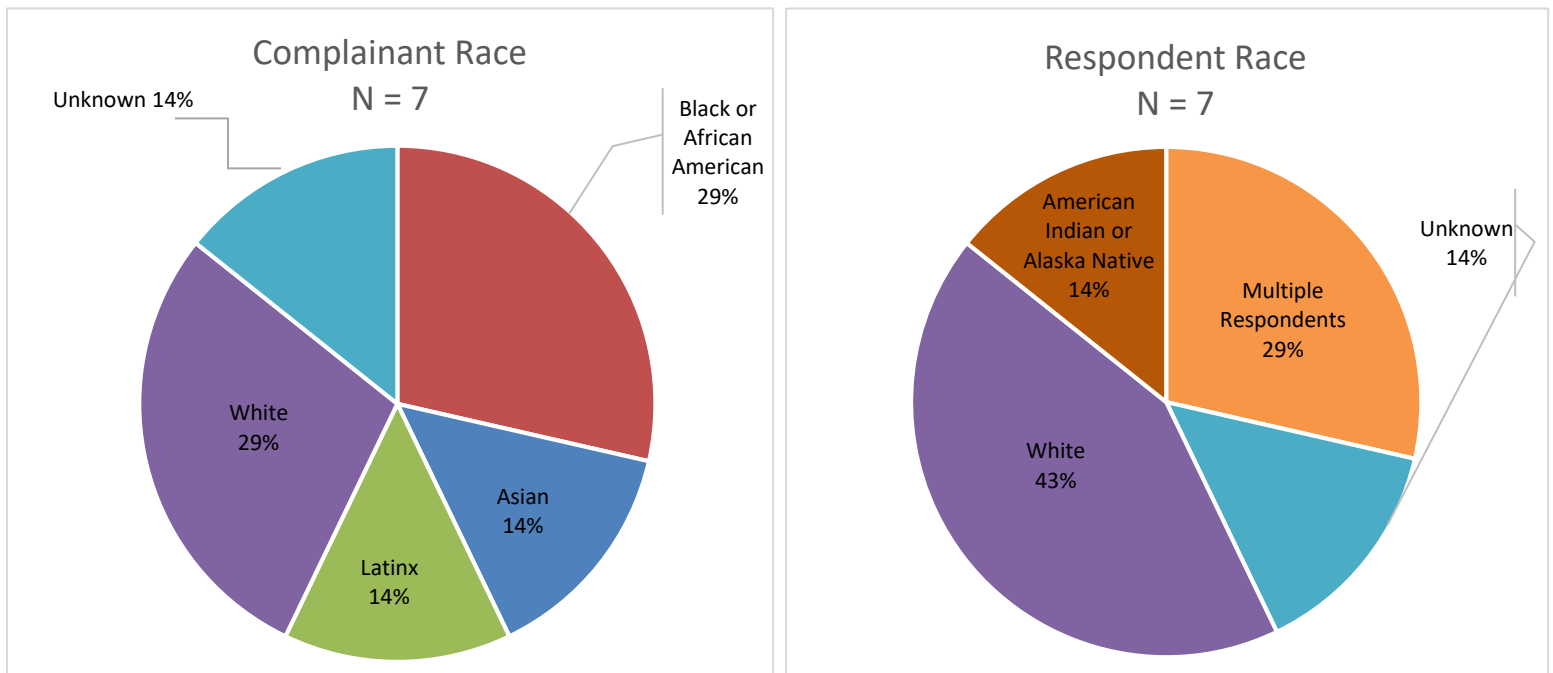


FIGURE 11. FINDING IN FORMAL INVESTIGATIONS [N = 7]

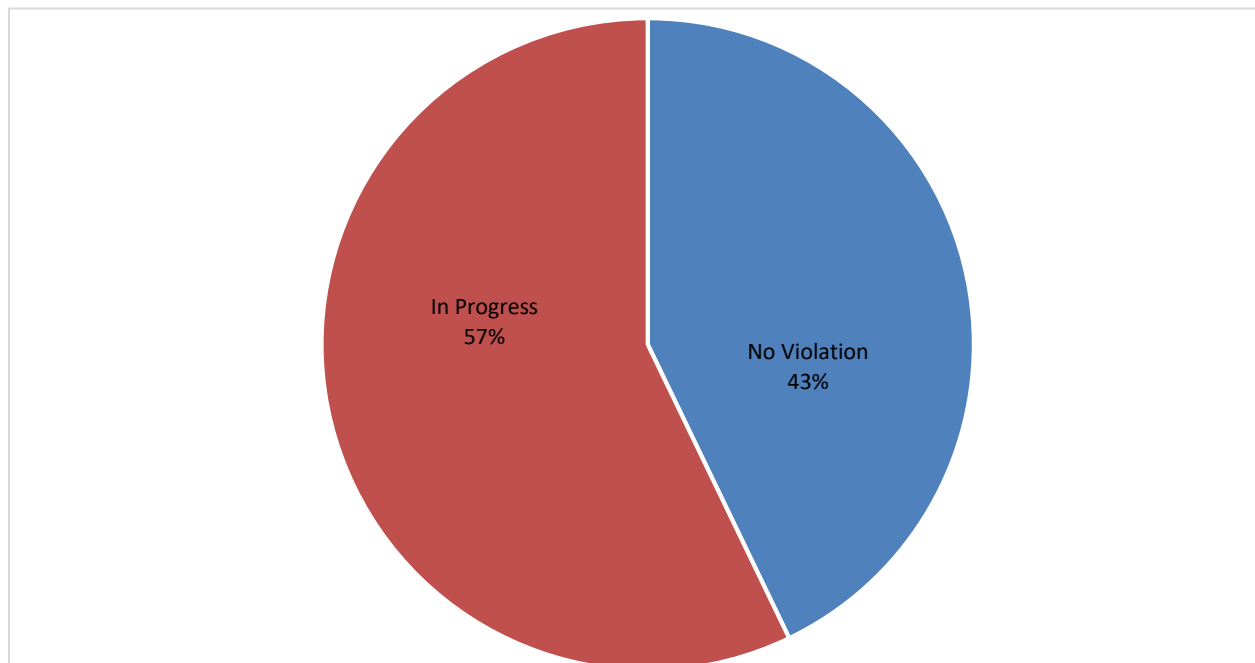


Figure 11 illustrates whether DPO determined that University policy was violated in the 7 Formal Investigations. DPO utilizes a preponderance of the evidence standard, which means that to determine that a violation occurred, it must be more likely than not that University policy was violated.

141 REPORTS OF PROHIBITED CONDUCT

SD&C received 141* reports of prohibited conduct between July 2020 and June 2021. The following two graphs (Figures 12 & 13) provide aggregate statistics on those 141 reports.

FIGURE 12. TYPE OF ALLEGATION(S) [N = 141]

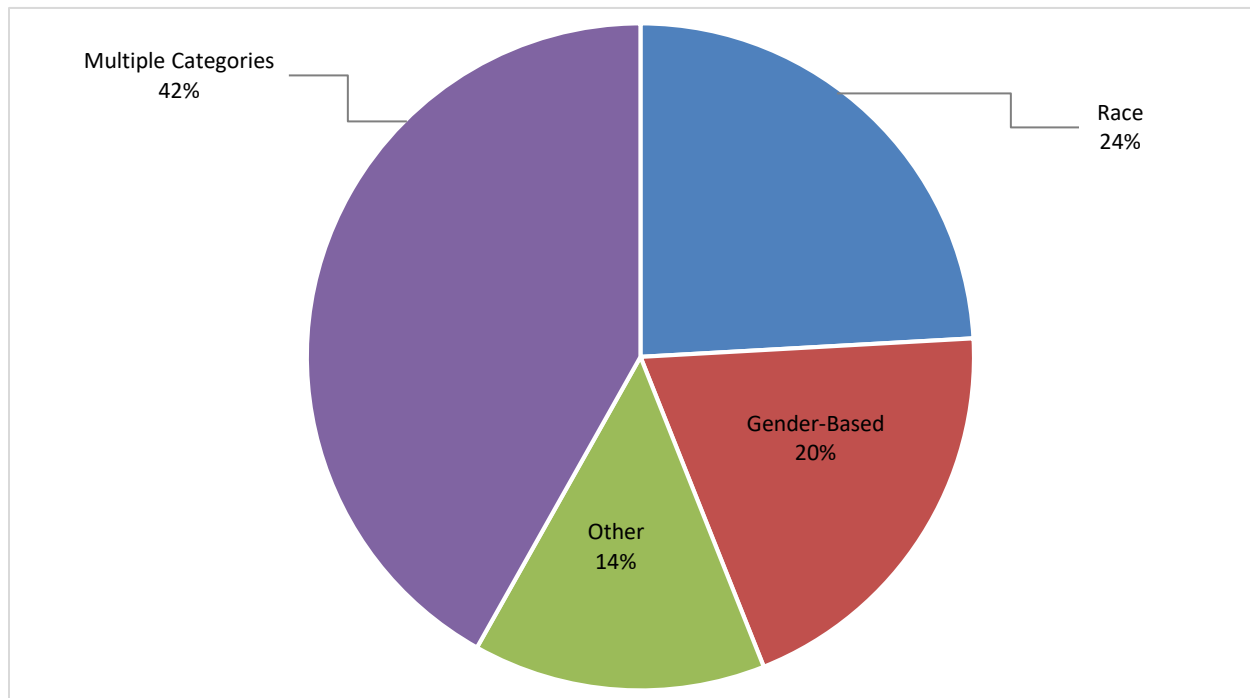


Figure 12 breaks down the type of alleged misconduct across all reports. The 141 reports of prohibited conduct included allegations of:

- **Race** (reports alleging race discrimination, harassment and/or retaliation);
- **Gender-based** (reports alleging discrimination, harassment and/or retaliation on the basis of gender, sex, pregnancy, gender identity, and/or sexual orientation);
- **Other** (reports alleging discrimination, harassment and/or retaliation on the basis of a protected category other than race or gender-based — e.g., disability, age, marital status);
- **Multiple Categories** (e.g. Race and Gender-Based and Gender-Based and Other).

* This number (141) is notably smaller than the number (1363) of reports of prohibited conduct received by the Title IX Office. Importantly, SD&C did not track this statistic during the timeframe in question. As such, the 141 number represents formal complaints that were filed with SD&C, which would be a fraction of the number of reports of prohibited conduct that SD&C received during this timeframe.

FIGURE 13. INITIAL ASSESSMENT DETERMINATION [N = 141]

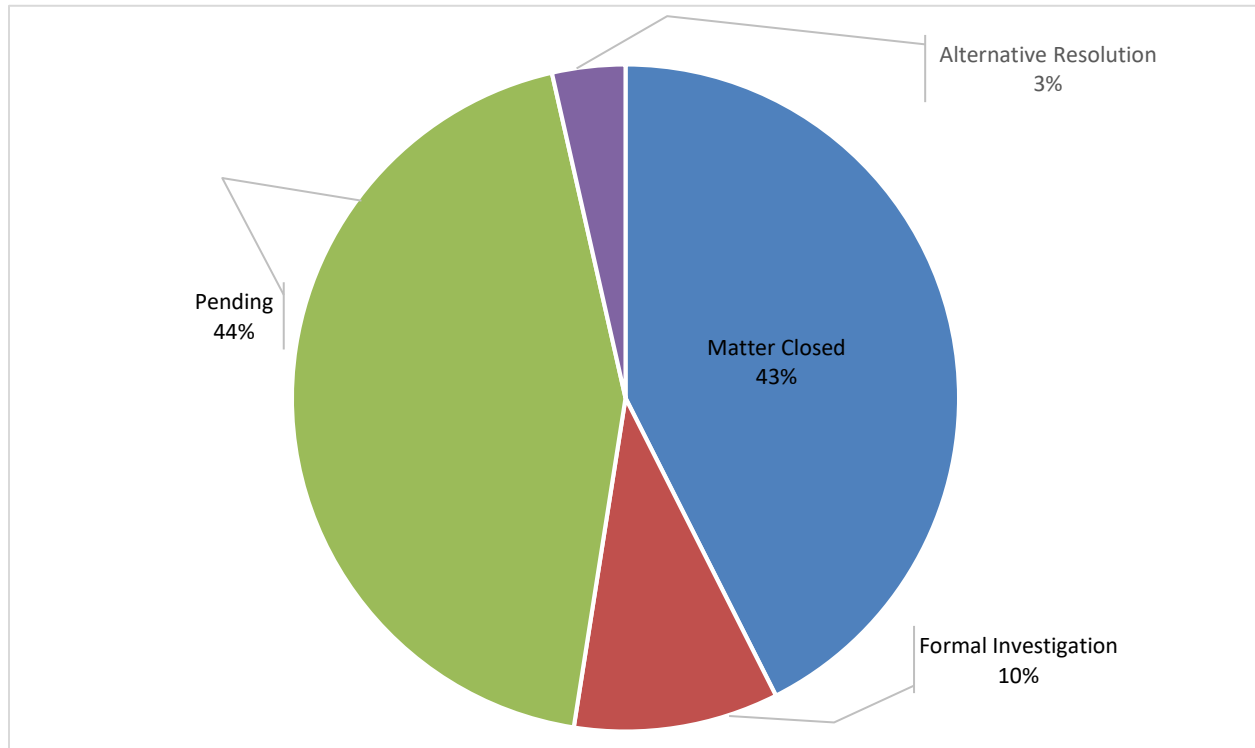


Figure 13 illustrates what happened to each report of prohibited conduct after the Initial Assessment. The 141 reports of prohibited conduct culminated with the following actions:

- **Matter Closed;**
- **Pending;**
- **Alternative Resolution;**
- **Formal Investigation.***

As with the Title IX Office and DPO, and for similar reasons, many of the reports of prohibited conduct that SD&C received did not result in a Formal Investigation (*see* p.5).

* In some instances, individualized circumstances prolong the Initial Assessment phase. Such cases have been categorized as “Pending” in Figure 13.

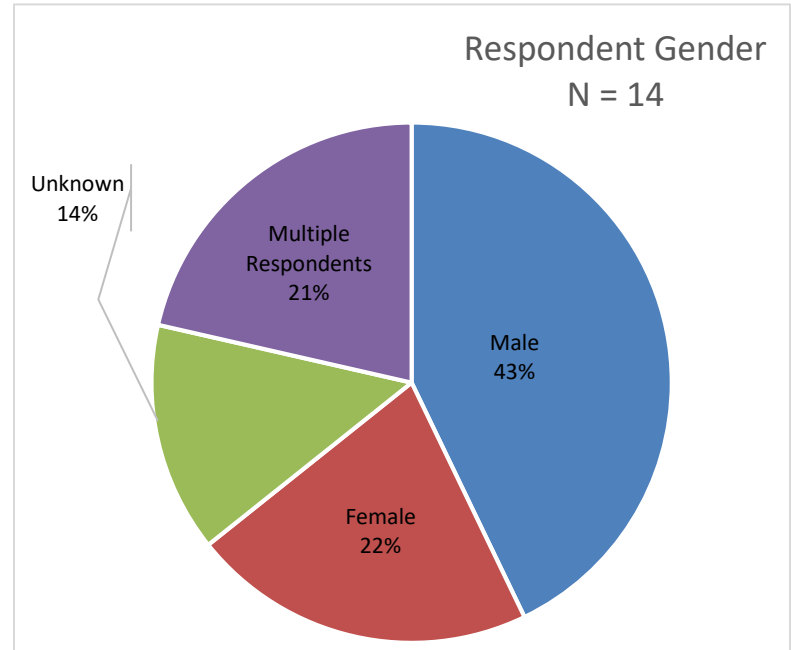
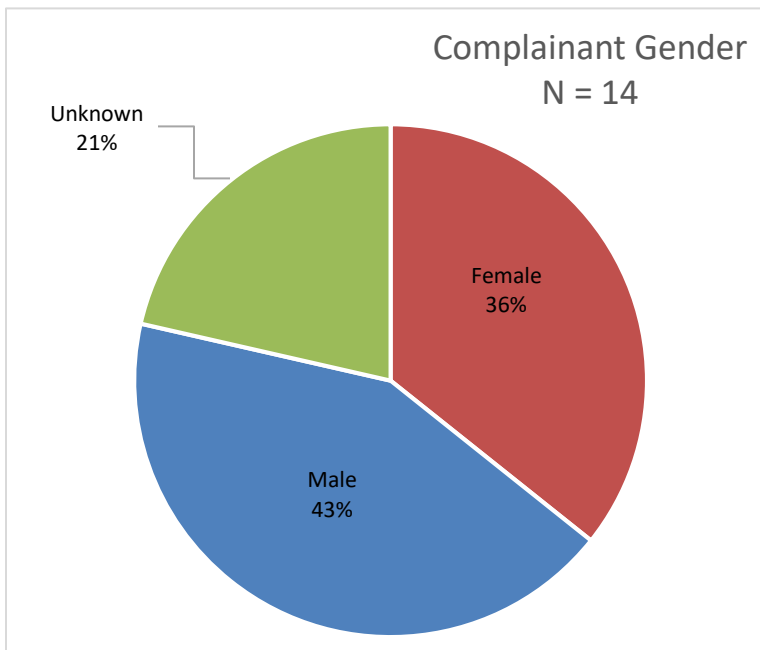
14 FORMAL INVESTIGATIONS

The following overview provides summary statistics on the 14 reports of prohibited conduct that SD&C received between July 2020 and June 2021 that **resulted in a Formal Investigation**. It is important to note that there were 24 joint SD&C/Title IX Office cases that were investigated by SD&C investigators that are reflected in the 49 Title IX formal investigations previously documented in the Title IX section.

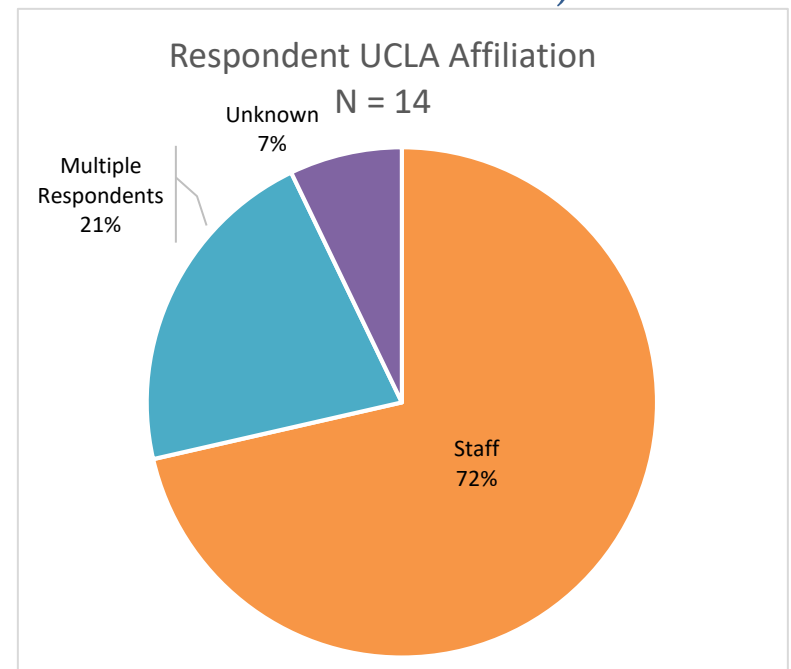
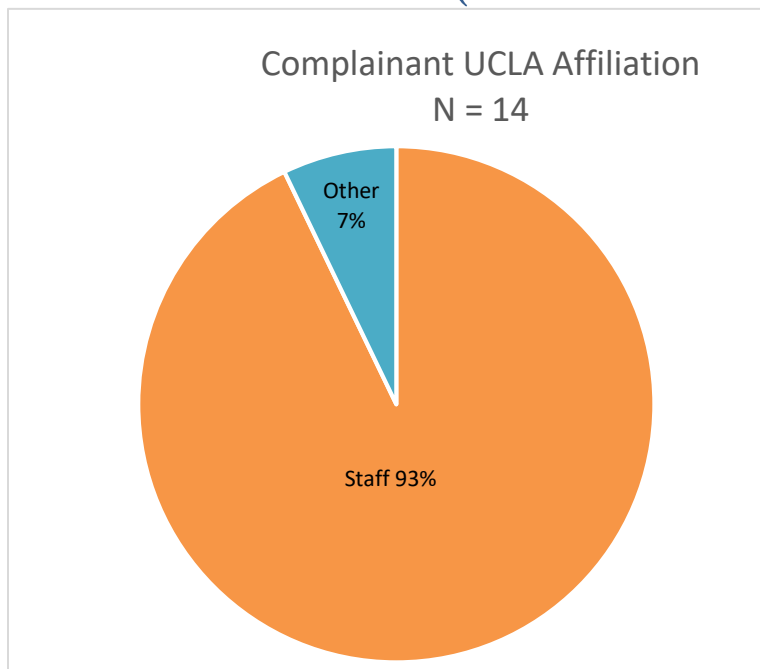
Because gender, race and UCLA affiliation were the only demographic data that were consistently recorded, those affiliations form the basis for the data that is provided.

[Graphs summarizing the 14 Formal Investigations begin on the next page].

FIGURES 14A & 14B. COMPLAINANT AND RESPONDENT GENDER



FIGURES 15A & 15B. COMPLAINANT AND RESPONDENT UCLA AFFILIATION (INCLUDING BOTH UCLA CAMPUS AND UCLA HEALTH)



FIGURES 16A & 16B. COMPLAINANT AND RESPONDENT RACE

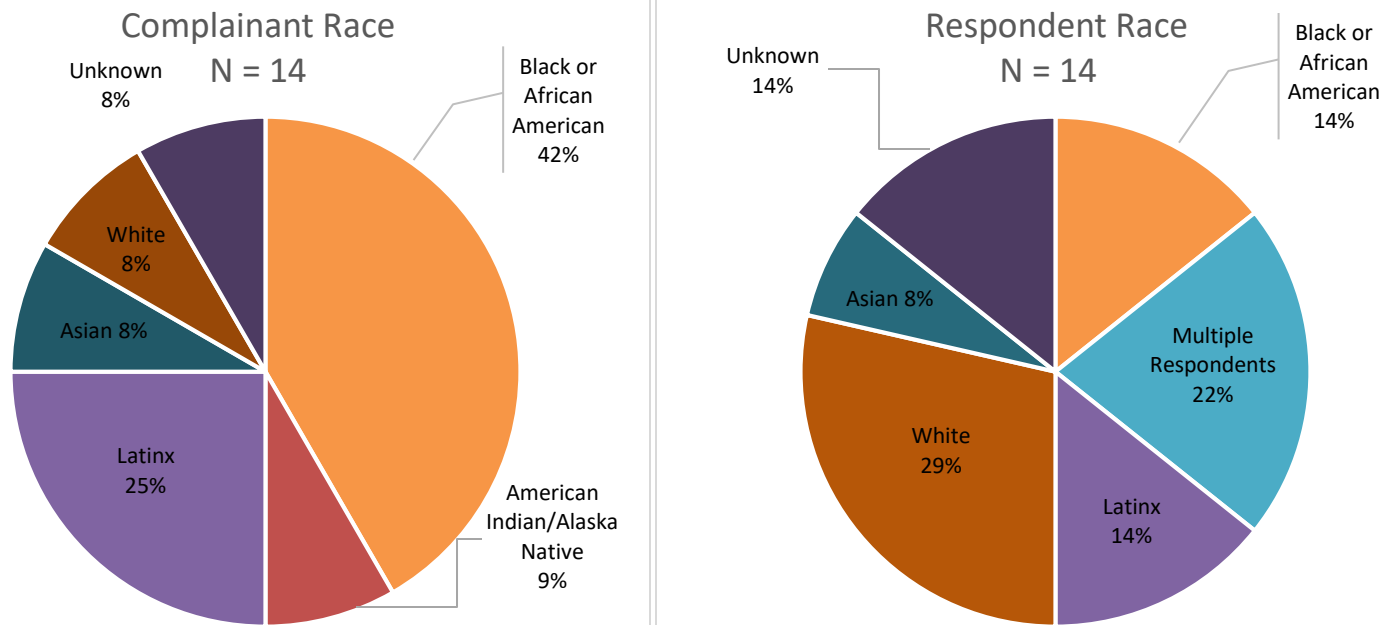


FIGURE 17. FINDING IN FORMAL INVESTIGATIONS [N = 14]

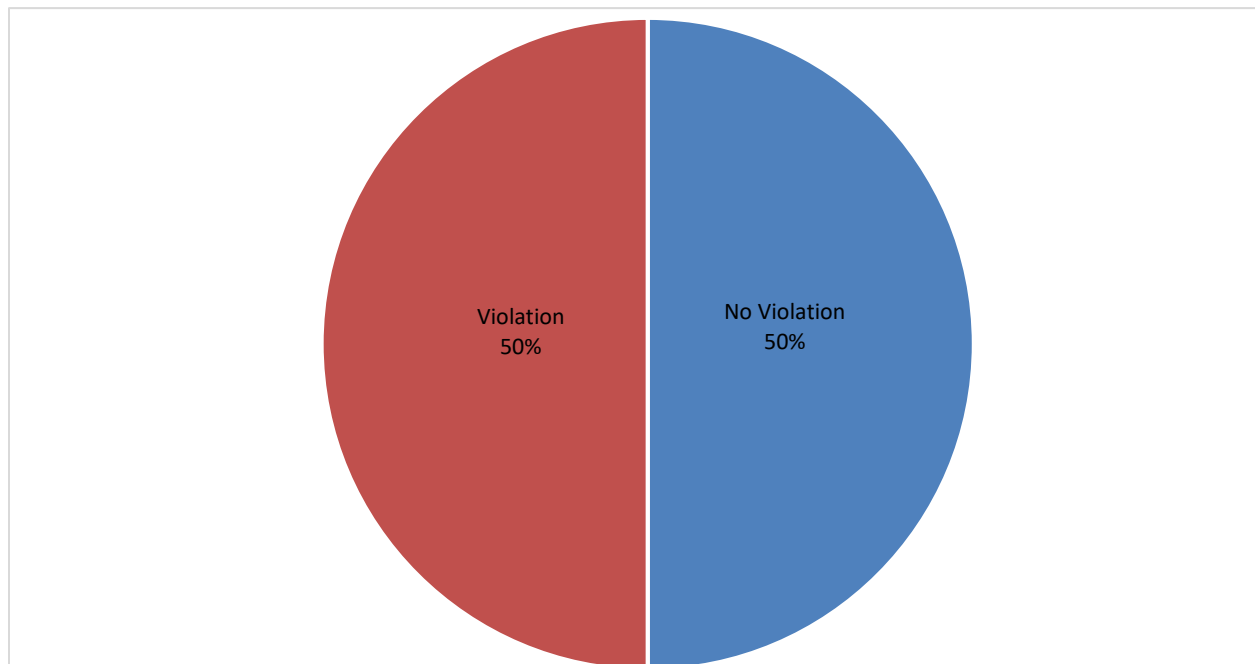


Figure 17 illustrates whether SD&C determined that University policy was violated in the 14 Formal Investigations. SD&C utilizes a preponderance of the evidence standard, which means that to determine that a violation occurred, it must be more likely than not that University policy was violated.

DISCIPLINARY OUTCOMES

Recall, neither the Title IX Office, DPO, nor SD&C determines discipline when an individual or entity violates University policy. That responsibility resides with the **Responsible Unit**. To add a bit of additional guidance to this disciplinary stage, we've identified the disciplinary procedures and policies applicable to each **Responsible Unit**. We hope that this brief and necessarily simplified overview helps orient readers to important University policies and procedures.

STUDENTS: DEAN OF STUDENTS OFFICE

Student conduct policy and procedure is outlined in the [UCLA Student Conduct Code](#). For many cases involving prohibited conduct within the Title IX Office's jurisdiction, discipline is governed by the [Student Conduct Procedures for Allegations of Prohibited Conduct Under the UC Policy on Sexual Violence and Sexual Harassment](#) (the "Title IX Procedures").

The Title IX Procedures applicable to students identify 8 types of "disciplinary sanctions":

- Warning;
- Deferred suspension or dismissal;
- Probation;
- Restitution;
- Exclusion;
- Suspension;
- Dismissal;
- Other actions.

STAFF: CHANCELLOR'S DESIGNEE ON DISCIPLINE

For **non-represented** staff, discipline is generally governed by [PPSM 62 or 64](#), which identify the following forms of "corrective action":

- Written warning;
- Corrective salary decrease;
- Suspension;
- Demotion;
- Termination.

For **represented** staff, the discipline and dismissal article of each [Collective Bargaining Agreement](#) governs disciplinary action. Each agreement spells out the types of disciplinary actions that may be imposed.

ACADEMIC PERSONNEL: VICE CHANCELLOR, ACADEMIC PERSONNEL & ACADEMIC SENATE

“Academic Personnel” refers to Senate and non-Senate faculty, as well as other academic personnel such as librarians, teaching assistants, medical residents, and post docs. The Faculty Code of Conduct is set forth in the Academic Personnel Manual ([APM-015](#)). That Code prohibits various forms of discrimination, including harassment against students, staff, and other faculty.

To discipline faculty who are members of the Academic Senate for violating the Faculty Code of Conduct,* the Administration cannot act unilaterally given UCLA’s system of shared governance, which means that power is shared on various matters with the Academic Senate. Instead, various strict procedures involving [Academic Senate](#) committees must be followed. Those procedures are outlined in [APM-016: University Policy on Faculty Conduct and the Administration of Discipline](#), and [Appendix XII of the UCLA Academic Senate Bylaws](#).

APM-016 provides a specific inventory of “disciplinary sanctions”:

- Written censure;
- Reduction in salary;
- Demotion;
- Suspension;
- Denial or curtailment of emeritus status; and
- Dismissal from the employ of the University.

APM-016 explicitly states that “[n]o disciplinary sanctions . . . may be imposed on faculty members other than through the procedures pursuant to this policy in the Faculty Code of Conduct.”

* For non-Senate faculty, the relevant disciplinary procedures are outlined in [APM-150](#) and relevant collective bargaining agreements or Memoranda of Understanding.

SYNTHESIS

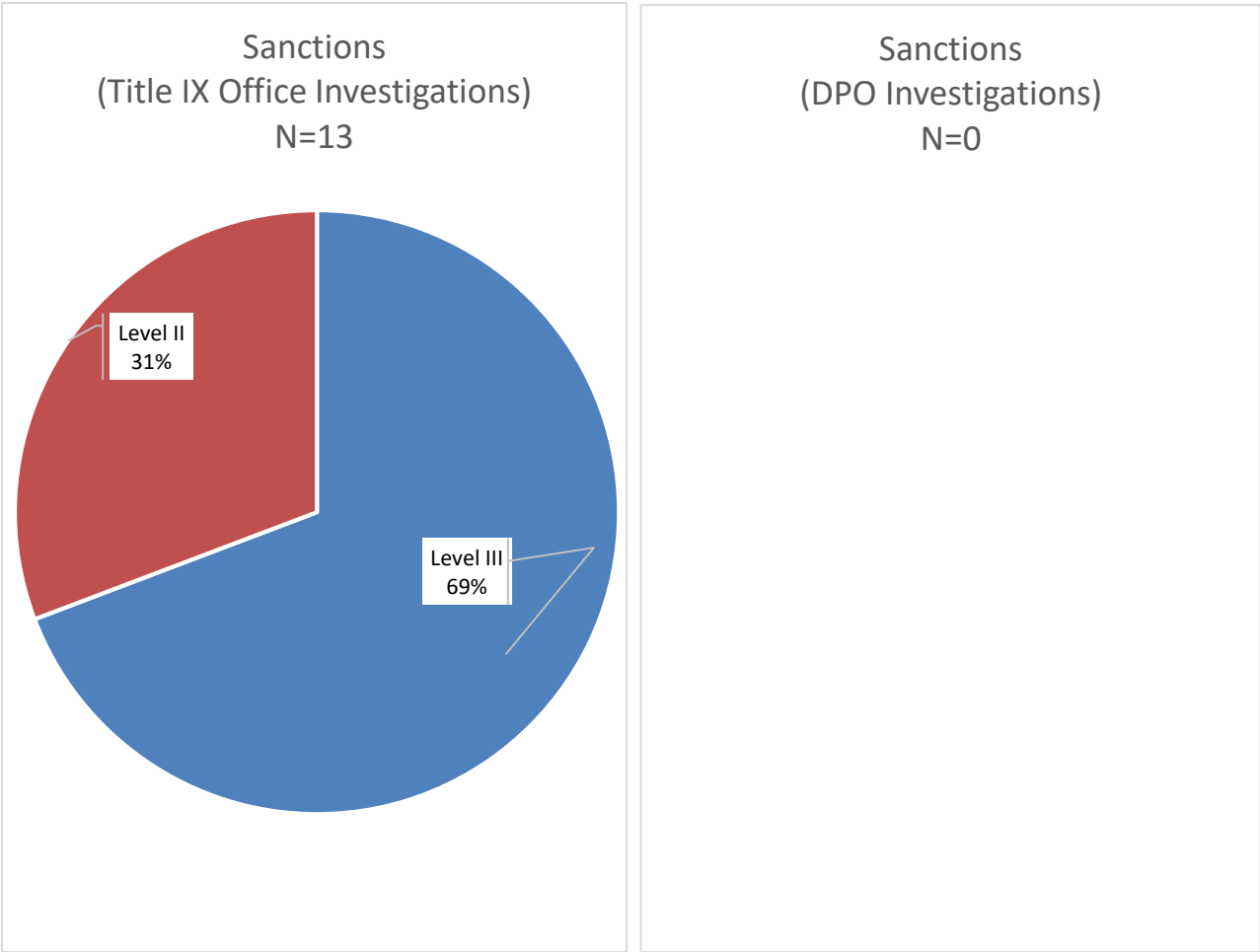
Given the varying policies that govern discipline of students, staff, and academic personnel—all by different Responsible Units—it is challenging to aggregate all sanctions data into a single graph. Nonetheless, we wanted to provide a holistic visual representation. To accomplish this, we have grouped potential penalties into a three-level tiered list of increasing severity consistent with the chart below. These tiers of discipline are not formally defined within University policy. Nonetheless, they represent our attempt to organize different kinds of discipline, across multiple systems, into useful categories.

SEVERITY OF SANCTION	STUDENT RESPONDENT	STAFF RESPONDENT	ACADEMIC PERSONNEL RESPONDENT
LEVEL I	warning	written warning	written and/or oral admonition; counseling/training; written censure
LEVEL II	deferred suspension or dismissal; probation; restitution; exclusion; suspension	corrective salary decrease; suspension; demotion	reduction in salary; demotion; suspension; loss of administrative responsibilities
LEVEL III	dismissal	termination	denial or curtailment of emeritus status; dismissal from the employ of the University

It is important to recognize that Responsible Units may deliver sanctions after a formal disciplinary hearing or a negotiated settlement. To avoid a formal judicial-like disciplinary hearing, the Responsible Unit and the Respondent may agree to what is referred to as a “negotiated sanction” in exchange for the formal case to be dropped. On the one hand, a “negotiated sanction” could be severe, such as separating from the University. On the other hand, a negotiated sanction could be modest and relatively informal, such as a “written and/or oral admonition” and “counseling/training.” We have categorized such modest and informal punishments as Level I. This means that sanctions listed within Level I vary substantially in scope and substance.

Figures 18a, 18b and 18c on the next page break down the sanctions imposed across all matters in which the Title IX Office, DPO or SD&C, respectively, determined that University policy was violated.*

FIGURES 18A, 18B & 18C. NATURE OF DISCIPLINARY OUTCOME*



* It is important to remember that neither the Title IX Office nor DPO determines discipline when policy has been violated. That responsibility resides with the relevant Responsible Unit (see p.14). Figures 18A, 18B, 18C refer to “Title IX Office Investigations,” “DPO Investigations,” and “SDC Investigations” to indicate which unit conducted the Formal Investigations that preceded the sanctions included in the respective graphs.

