

**UCLA OFFICE OF EQUITY, DIVERSITY AND INCLUSION
DISCRIMINATION PREVENTION OFFICE**

INVESTIGATION FACT SHEET

This fact sheet provides information about our office and the way the Discrimination Prevention Office (“DPO”) conducts investigations. This document only briefly summarizes our investigation procedures and does not cover every circumstance that may arise.

THE DISCRIMINATION PREVENTION OFFICE

DPO is a part of the Office of Equity, Diversity and Inclusion, which is housed within the Chancellor’s Organization. The DPO is a neutral, independent, fact-finding office that internally investigates discrimination and retaliation complaints against faculty, as well as other complaints that may impact campus climate.

Although many of our staff members have legal training, our office is not a part of Legal Affairs. We are not attorneys for the University, and we do not represent any individual who participates in an investigation.

DPO does not enforce policy, nor do we impose sanctions for policy violations.

THE COMPLAINT PROCESS

The first step in the investigation process is filing a Complaint. We call the individual who files a Complaint the “Complainant” and the individual who allegedly violated University policy the “Respondent.” In the Complaint, the Complainant provides a description of the discriminatory and/or retaliatory treatment alleged. In some investigations into campus climate or in other appropriate cases, DPO may act as the “Complainant.”

We treat every complaint of discrimination seriously. However, not every complaint will result in a formal investigation. We may choose not to conduct a formal investigation for various reasons, for example, if an initial inquiry does not produce sufficient evidence to warrant further investigation, or if an alternative resolution makes a formal investigation unnecessary.

In addition to a complaint filed with our office, individuals may pursue other internal grievance procedures, such as filing a charge with the Academic Senate’s Charges Committee.

THE NOTICE OF INVESTIGATION

When our office decides that a formal investigation is warranted, we send each Respondent a “Notice of Investigation.” The purpose of the investigation notice is to let the Respondent know what the Complainant’s complaints are.

The Notice of Investigation is not intended to be exhaustive but rather to provide a brief summary of the issues that will be investigated. We will discuss the allegations with each Respondent in greater detail during the initial interview. Please note that if there are multiple Respondents, some of the allegations listed in the Notice may pertain to actions allegedly taken by other people.

The Notice of Investigation and the email in which it is sent are confidential. Certain senior administrators with the authority to issue remedies may be copied on the Notice. For example, the Vice Chancellor of Academic Personnel is copied when the Respondent is a faculty member.

THE INVESTIGATION

When we investigate complaints, we offer both Complainant and Respondent a fair opportunity to present their side of the story in an interview. Even after the interview, you are welcome to contact us to provide further information.

Both the Complainant and Respondent are entitled to identify any relevant witnesses and/or documents to be considered before a finding is made. Please provide a list of potential witnesses and their contact information to the investigator assigned to the case. Do not, however, contact witnesses yourself and discuss the complaint since that may jeopardize the integrity of the investigation.

We aim to complete our investigations within 60 business days from the date on which the Notice of Investigation is issued. Sometimes additional time is necessary, depending on the nature and complexity of the investigation or other circumstances. We will update you about the progress of the investigation and will inform you if we expect significant delays.

CONCLUSION OF THE INVESTIGATION

Once the investigation is complete, we write a report that summarizes our factual findings and determines on a preponderance of the evidence standard (more likely than not) whether any relevant University policy has been violated. That report is given to the administrator responsible for determining appropriate remedies and discipline. If the Respondent is a faculty member, the report is typically given to the Vice Chancellor for Academic Personnel. When the Respondent is a student or student group, the report is usually given to the Vice Chancellor for Student Affairs.

It is crucial to understand that *our office does not directly discipline any Respondent*. Instead, our report is used by some other senior administrator as part of a disciplinary process. That disciplinary process may include, for example, a full hearing within an Academic Senate committee.

If a Complainant or Respondent would like a copy of the report, they may make a request in writing (an email will suffice), and a redacted copy of the report will be made available. The report is redacted to protect confidentiality, especially of third-party witnesses who cooperated with the investigation. However, please be aware that redacted information may be disclosed in certain situations such as lawsuits or Academic Senate proceedings.

YOUR RESPONSIBILITIES

It is the responsibility of everyone at UCLA to create an environment free from discrimination and retaliation. Please make sure that you do not do anything that is or might even be interpreted as retaliatory. Retaliation includes conduct that would discourage a person from filing a complaint or a witness from cooperating with an investigation. Retaliation is a separate violation of both policy and the law.

You are expected to maintain any information you receive during the investigation as confidential as possible. Records relating to this matter should be kept confidential on the same basis.

We will also keep the information in this matter as confidential as possible. We cannot guarantee complete confidentiality because an investigation cannot be conducted without revealing certain information to a Respondent and witnesses.

You are welcome to speak to an attorney, governmental agency, or healthcare provider about the Complaint and the investigation. To protect the integrity of the investigation and the reputations of those involved, and to prevent retaliation, do not discuss the Complaint or this investigation with anyone else without first contacting the investigator assigned to the case.

Consistent with our desire to maintain confidentiality, our office prohibits audio or visual recording of interviews. Recording another individual without permission may violate state law.

FURTHER QUESTIONS?

If you have further questions, please contact the investigator assigned to your case.