

University Community (faculty, staff and students)

This policy has been superseded for staff employees by the Violence in the [Workplace Policy: Complaints against Non-Faculty Employees](#) as amended December 1, 2006

Acts of Violence in the Workplace

The University of Southern California is committed to maintaining the university as an academic community providing an orderly and attractive place for learning, teaching, work and study, free from all forms of violence. We are committed to maintaining a strict policy that prohibits acts of violence, harassment, or intimidation in any form. All acts of violence will be taken seriously and will be dealt with appropriately. All alleged acts of violence must be reported.

This policy applies to acts of violence, intimidation, and inappropriate aggression committed by any employee in the categories noted below. Acts of violence prohibited by this policy include, but are not limited to, conduct: on university property at all times (during, before and after work hours); while on university business regardless of location; and at offsite locations at functions and events under the aegis of the university.

Sexual harassment is dealt with under a separate policy. When an act constitutes sexual harassment, the policy on sexual harassment takes precedence.

Categories of Acts of Violence:

The acts noted below are considered to be acts of violence or signs of potential violent behavior and will prompt an investigation by a Threat Assessment Panel.

- Repeatedly swears at or is aggressively belligerent toward students, faculty, staff, customers or vendors such that a climate of intimidation exists.

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- Sabotages equipment or intentionally damages or destroys property of significant value belonging to the university or to other people.
- Utters or sends a threat, wish or intent to hurt students, faculty, staff, customers or vendors, in person, to a third party, or through a written, electronic, verbal, or visual communication.
- Initiates, causes or exacerbates physical altercations.
- Commits homicide, sexual assault, or arson, or inflicts bodily harm.
- Repeatedly follows or harasses another person or makes a threat which places that person in fear for his or her safety, or the safety of his or her family.
- Displays a gun, knife, or other weapon in a threatening manner, inappropriately, and without authorization.
- Threatens or attempts to commit suicide whenever such threats may pose a danger or harm to others.

Procedures:

- 1) The Provost and the Senior Vice President for Administration shall appoint a Threat Assessment Team, consisting of faculty and staff, which shall be responsible for reviewing, investigating, making findings of fact, and, where appropriate, recommending responses to alleged acts of violence. Threat Assessment Panels will be appointed from the Team as specified below, to be fact-finding and advisory bodies. The Panels themselves do not have authority to impose discipline.
- 2) Any employee who becomes aware of an alleged act of violence as defined above shall immediately report it to:
 - a. his or her supervisor or dean, or to
 - b. the Vice Provost for Faculty Affairs at (213) 740-6715, if the person alleged to have committed the act of violence is a member of the faculty, or to
 - c. the Associate Vice President for Risk Management and Career Services at (213) 740-6200, if the person alleged to

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have committed the act of violence is a non-faculty employee;

- 3) If the alleged act appears to represent an immediate threat of harm to any individual, it should also be reported immediately to the Department of Public Safety at (213) 740-4321, or may be reported concurrently to the University's Department of Public Safety and an appropriate law enforcement agency (e.g., Los Angeles Police Department).

Except as may be necessary to the investigation and remediation, any report of an alleged act of violence will be kept confidential.

- 4) Any dean or supervisor who becomes aware of an alleged act of violence shall immediately report it to the Vice Provost for Faculty Affairs, in the case of faculty, or to the Associate Vice President for Risk Management and Career Services, in the case of non-faculty employees. The Vice Provost for Faculty Affairs or the Associate Vice President for Risk Management and Career Services shall determine whether the alleged act of violence warrants convening a Threat Assessment Panel, and if so shall convene one. If it is determined a Threat Assessment Panel will not be convened, the Vice Provost for Faculty Affairs or the Associate Vice President for Risk Management and Career Services will advise the appropriate dean or supervisor of the results of the initial inquiry and suggest alternative avenues to resolve complaints of behavior that do not rise to the level covered by this policy (e.g., work with Faculty Mediation Officer or Staff Employee Relations Office).
- 5) When a Threat Assessment Panel is convened, it shall review and evaluate the alleged act of violence. Where appropriate, the Threat Assessment Panel will include or consult a mental health specialist or behavioral specialist specializing in workplace violence. If the individual who is the object of the alleged act of violence or who is the alleged offender is a faculty member, at least two tenured faculty members will be appointed to serve on the Threat Assessment Panel investigating the complaint, with one of those faculty members serving as chair.

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- 6) The Threat Assessment Panel shall make findings of fact and develop recommendations for dealing with the alleged act of violence.

For faculty, these findings of fact and recommendations shall be forwarded to the appropriate dean, with a copy to the Provost. The dean may accept the report of the Threat Assessment Panel as Step 1 of the faculty discipline procedure described in the Faculty Handbook; the faculty discipline procedure shall then be followed.

For non-faculty employees, these findings of fact and recommendations shall be forwarded to the employee's supervisor, with a copy to the Senior Vice President for Administration.

- 7) The Threat Assessment Panel shall inform, in writing, the individual who is the object of the alleged act of violence. The Panel shall also inform, in writing, the individual who allegedly committed the act that it is conducting an investigation, except when doing so would, in the Panel's judgement, risk provoking further violence. This notification will take place as quickly as possible unless circumstances make such notification inappropriate. The Panel will also inform both individuals of the results of its investigation and the ensuing recommendations unless circumstances make conveying such information inappropriate.
- 8) The Threat Assessment Panel may personally interview each of the principals involved as well as others with relevant information. In making a determination of whether there is sufficient basis for the complaint, the Threat Assessment Panel may consider the perceptions of the complainant, the alleged offender, witnesses to the incident and others who have information about the presence or absence of conduct following the same pattern. All records and reports of the Threat Assessment Panel will be kept confidential, except as may be necessary to communicate with necessary university personnel in the investigation and remediation of the alleged act.

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- 9) The Chief, Department of Public Safety, will inform law enforcement authorities of any alleged act of violence that may constitute a violation of public law.

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Recommendations:

Recommendations made by the Threat Assessment Panel must be proportionate to the degree of the demonstrated threat, as follows:

- 1) For findings showing there to be a threat or act of a lesser degree, a psychological assessment, a fitness for duty evaluation, counseling, or similar remedial or preventive steps may be recommended on either a voluntary basis or, for non-faculty employees, as a condition of continued employment.
- 2) In the event of severe acts of violence or clear threats, the Threat Assessment Panel may recommend disciplinary action be taken, in accordance with provisions of the appropriate University policies and procedures.

For non-faculty employees, recommended disciplinary action may include warning, suspension or immediate termination.

For faculty, recommended disciplinary action may include the following remedial actions:

- a. approving an informal resolution;
- b. ensuring that the person against whom the complaint is made is not called upon to write letters of recommendation or make academic judgments about the person making the complaint or any other decision that affects the academic or professional career of the complainant or witnesses (and making alternative arrangements if necessary);
- c. changing advisors, graders, line of supervision, or physical locations of work, provided, however, that the complainant or complaining witnesses will not be relocated or transferred as a corrective action without their consent;
- d. holding discussions, distributing leaflets, or sending letters in the relevant unit explaining the University's policy on violence in the workplace;
- e. action to remedy harm to the complainant or witnesses (e.g., reinstatement of teaching assistantships from which complainant or witness was removed by the

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- accused). A remedy for alleged unfair grading of course work by the accused may be sought through the grade dispute process published in SCampus;
- f. counseling of the individual by his or her department chair or others (such as the dean, Vice Provost, or Provost) about the individual's behavior;
 - g. oral warning to the individual by his or her department chair or others (such as the dean, Vice Provost, or Provost), with a record in the individual's personnel file, that the individual's apparent behavior constitutes a violation of the university's policy on violence in the workplace;
 - h. written warning of the individual by his or her department chair or others (such as the dean, Vice Provost, or Provost), with a record in the individual's personnel file, that the individual's apparent behavior constitutes a violation of the university's policy on violence in the workplace;
 - i. notifying the individual that the dean will take into account the individual's behavior in proposing any salary increase for the next year;
 - j. removing the individual from a university administrative position;
 - k. voluntary or (in the case of severe mental incapacity) involuntary Special Leave of Absence;
 - l. demotion or termination in accordance with the terms of the Faculty Handbook.

Action:

After receiving the recommendations of the Threat Assessment Panel, the supervisor or dean shall take appropriate action in accordance with provisions of the appropriate University policies and procedures that affect faculty or non-faculty employees, respectively.

For faculty, the Threat Assessment Panel's inquiry may be used by the dean in Step 1 (the dean's inquiry) of the faculty discipline procedure described in Section 3-9 (D) of the Faculty Handbook. The report is sent to the dean with a copy to the Provost and the dean will forward a recommendation to the Provost for

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consideration under Step 2. If the dean or Provost believes there is probable cause to take disciplinary action against the faculty member, the chair of the Academic Senate's Faculty Rights and Responsibilities Committee will be notified. Steps 2-5 of the procedures for dismissal of a faculty member are then applicable, and demotion or dismissal can occur only if the act of violence amounts to misconduct under the terms of Section 3-6 of the Faculty Handbook. For discipline against faculty which is not severe enough to warrant demotion or dismissal, the decision on discipline will be made by the dean, after consultation with a faculty committee and after discussion with the faculty member in a personal conference. The faculty member has a right to file a grievance concerning discipline less severe than demotion or dismissal, under the grievance procedures described in Section 3-8 of the Faculty Handbook, and it shall be a basis of grievance that the facts found by the Panel are not substantially accurate or the discipline imposed by the dean is not justified or proportionate.

Non-faculty employees who are subject to disciplinary action as the result of recommendations made by the Threat Assessment Panel may avail themselves of appeals processes or grievance procedures allowed by university policy.

Threat Assessment Team:

A Threat Assessment Team of 23 shall be established with members from the following areas:

- Faculty (8), preferably including faculty whose professional expertise includes psychological or psychiatric evaluation or workplace violence
- Risk Management and Career Services (2)
- Personnel Services (2)
- Business Affairs (4)
- Staff from Major Schools (3)
- Staff from Health Sciences Campus (3)
- Student Affairs (2)

Team members will be appointed for terms up to three years by, and serve at the pleasure of, the Provost and the Senior Vice

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President for Administration, and may be re-appointed. Members will be trained in methods to evaluate alleged acts of violence by a specialist in this area.

Each Threat Assessment Panel appointed shall consist of three individuals selected from the Team. If the individual who is the object of the alleged act of violence or who is the alleged offender is a faculty member, at least two full-time faculty members will be appointed to serve on the Threat Assessment Panel investigating the complaint, and a faculty member will serve as chair.

In the case of faculty, once the Threat Assessment Panel has conducted its review, the policies and procedures described in the Faculty Handbook take precedence over all provisions of this policy. The Threat Assessment Panel's inquiry may be used by the dean in Step 1 (the dean's inquiry) of the procedure for discipline described in Section 3-9 (D) of the Handbook.

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