This document was composed by the Horn Point Pod at UMCES about policies for handling complaints, the reporting process, resources, and possible outcomes. We are grateful to Ms. Lisa Ross, UMCES Director of Human Resources, and Dr. Mike Roman, Horn Point Lab Director, for their assistance.

We propose a 3-tier reporting structure: I) Formal grievance process, II) Informal ombudsman to give information, mentoring and resources, III) Training for all lab employees on how to communicate and understand what defines a microaggression and what avenues there are to respond. All these approaches should involve quantitative and public tracking of number, type, and resolution.

The following components are part of this 3-tier approach:

1. Formal grievance process:
   
   **Historical context:**
   - An official grievance form is available online: [https://www.umces.edu/sites/default/files/pdfs/hr_grievance_form.pdf](https://www.umces.edu/sites/default/files/pdfs/hr_grievance_form.pdf)
     However, the form has never been used in 10+ years, and informal polling indicated a lack of knowledge that the form existed. No reporting or tracking of complaints exists at the UMCES level.
   - Policies specific to sexual harassment have been revised (section VI in policies [https://www.usmd.edu/regents/bylaws/SectionVI/VI160.pdf](https://www.usmd.edu/regents/bylaws/SectionVI/VI160.pdf)) which is the section that applies to faculty, staff, students. Otherwise, policies, such as a staff anti-bullying policy which staff have been working on over the last year across USM institutions, are only applicable to that class of employee.
   - When complaints reach HR, they are usually reported informally to UMCES Central Administration Human Resources and/or the Vice President for Administration, via email. They try to address the issue although they are not very familiar with faculty policies.

   **Recommendations:**
   - The formal reporting form should be updated and made online accessible and fillable. Copies should be sent to the lab director(s) and UMCES HR. Acknowledgement of who is intervening to address the complaint should be clear to the complainant, lab director, Ombudsperson as needed, and UMCES HR. Resolution of the complaint should be tracked and reported back to the complainant.
   - Complaints that are not resolved to the satisfaction of the complainant, or for which the complainant feels there is a conflict of interest, should be sent to the UMCES Ombudsperson.
   - De-identified reporting should be tracked and made publically accessible (see section 4).
   - UMCES should participate in development of a proposed USM-wide faculty anti-bullying and anti-harassment policy.
The policy should align with the code of conduct under development.

2. Complaints for which formal reporting is considered excessive, or for which the complainant is unwilling to identify themselves:

   **Historical context:**
   - Informal reporting on sexual harassment only was previously made to a designated Title IX coordinator; however, revised federal rules about the requirements for reporting by responsible individuals (supervisors, faculty) led to change.
   - The new guidelines mean that “responsible individuals” are required to formally report incidents to HR irrespective of the desires of the reporting individual. This formal requirement does not encourage reporting. Thus, “responsible individuals” cannot help people who want to remain anonymous and may no longer want to participate in a program that may force them to betray confidentiality and trust.
   - It has been proposed that two named staff members take over the role of Title IX representatives, under new structure, and for them to receive training to enable this role. This has not been implemented to date.
   - Note that these policies refer specifically to sexual harassment, and there are many types of harassment that we need to be able to address.

   **Recommendations:**
   - There is a need for optionally anonymous reporting and mentoring of individuals who have not decided to pursue a formal complaint or for whom the complaint does not rise to a legal definition of harassment.
   - The administration should pursue the path currently under discussion to appoint an Ombudsperson. This individual should have an UMCES contact for understanding the UMCES culture.
   - The Ombudsperson should provide annual reporting of complaint numbers and broad types, as well as resolution (section 4).
   - In the near term, the system for microaggression reporting (section 3) could be used for this type of reporting.

3. Complaints which do not meet the legal definition of harassment and which may stem from ignorance or implicit bias rather than malice, e.g. microaggressions:

   **Historical context:**
   - Minor issues are traditionally handled by supervisors, lab directors, or other senior mentors.
   - Without some method for tracking these incidents however, HPL and UMCES have no means of tracking how well such incidents are resolved, or how frequently such incidents occur. Thus, there is no strategy for determining when campus climate may require training and/or interventions to reduce harassing behaviors.

   **Recommendations:**
   - There is a need for an anonymous or an optionally anonymous reporting system for minor “teachable” offenses.
   - Google forms, or an HPL specific online form could allow for anonymous reporting and tracking simultaneously. This could allow for both anonymous and named complaints. The reporter could select a supervisor or the lab director or Title IX coordinators as the recipient, but still have the complaint recorded for tracking.
   - Supervisors could address complaints in person with individuals as needed, and Lab Directors could consolidate ongoing or persistent issues and develop a teachable moments program in which a similar incident is explained to the broader faculty, staff, and students. This could enable more bystander intervention as groups learn how individuals can perceive microaggressions.
4. Complaint tracking:

**Historical context:**
- At present, there is no tracking of any kind of incidents of harassment whether sexual, racial, gender, religious or any other types of discrimination and harassment -- either directly to an individual or indirectly about an individual.
- Without acknowledgement and tracking of incidents, victims can feel isolated, uncared for, unheard. It is also impossible to track how well any interventions designed to improve campus culture are working and to hold the institution accountable.

**Recommendations:**
- All complaint reporting whether formal, informal, or microaggression should be consolidated and tracked to evaluate programmatic needs and success.
- Categories of incidents (e.g. type and severity of harassment (sexual, gender, religious); harassing group (e.g. faculty, staff, student), complainant and complainee satisfaction with process and resolution) should be developed to understand the primary concerns.
- Part of grievance/incident resolution should be follow-up with the reporting individual. What is their satisfaction with the process and resolution? What changes could be made to prevent further incidents.
- Reporting and tracking are essential to assessment and accountability. They also demonstrate a commitment to a safe working environment for all individuals and especially BIPOC, or those whose gender, LGBTQ+, disabled status, caregiver status, age, religious affiliation, or any other characteristic may place them in a minoritized situation.
- Public reporting on incident types, severity, and resolution is important to demonstrating laboratory and university cultures that seek to change and grow.
- Public reporting demonstrates to new hires that the institution takes these issues seriously and is an important component of improving hiring diversity.

5. Review of policies:

**Historical context:**
- Policies are reviewed when they are brought to the Administrative Council or Faculty Senate by student, staff, or faculty representatives or when the USM dictates a review.
- There is no HR representative who is fully informed on all policies across staff, students, FRAs and faculty.

**Recommendations:**
- Policies regarding conduct and harassment should be regularly evaluated in the context of the tracking of complaints.
- Once policies are reviewed, and if they are changed, that should be communicated to the entire UMCES community and the changed policy posted on the website.

6. Resources for victims:

**Historical context:**
- Employee assistance program [https://www.umces.edu/human-resources](https://www.umces.edu/human-resources)
- UMD has resources for students that are detailed in the graduate student handbook including: [https://gradschool.umd.edu/about-us/ombuds-office](https://gradschool.umd.edu/about-us/ombuds-office) and [https://diversity.umd.edu/training-education/bias/](https://diversity.umd.edu/training-education/bias/)

**Recommendations:**
- Develop a larger list of resources that is cross listed with our mental health resources and clearly accessible on the institution web pages.
- Use UMD-wide resource examples as models to develop local HPL resources.
Note, semi-annual and new hire orientation should contain information about the presence of policies, the existence of forms related to reporting complaints, and the complaint procedures and options.

7. Retaliation Protection:

**Historical context:**
- Without reporting or tracking incidents, there is no strategy for systematically protecting individuals from retaliation.
- Without reporting or tracking incidents, there is no strategy for systematically protecting the administration from accusations of retaliation.

**Recommendations:**
- Students need to be protected from advisor/professor retribution, in particular, in terms of grades, candidacy and other exams.
- Research and pre-tenure professors also need to be protected against retaliation in contract extension and tenure decisions. Formal and open tracking of complaints will document the material needed for appeals.
- There need to be designated policies outlining consequences for those who have demonstrated retaliatory behavior, that apply at all levels of employees.
- Annual reviews should be monitored by the UMCES president for those at risk of retaliation. Internal reviews should be monitored by the MEES director for students at risk for retaliation.

8. Training for all lab employees on how to communicate, understand, and resolve incidents:

**Historical context:**
- Training on harassment has been at the UMCES level, and largely mandated by the state to satisfy legal requirements and to protect the institution.
- More specific training on identifying and talking about microaggressions and bystander intervention would help people better understand what are microaggressions and how they can be prevented.

**Recommendations:**
- Develop training in handling complaints through an established and mediated process in which individuals can resolve their differences.
- One program on how to develop a communications protocol within a university unit. Attachment below.
- Provide training on how and when to use the new reporting system once it’s implemented.
- Develop training in prevention of harassment and microaggression.
- Develop an infographic to be widely posted that lays out three approaches for reporting individual harassment issues, and, more broadly, how to develop policies that prevent harassment or bias (section 5 above).