URGE Complaints and Reporting Policy for University/Organization - NRRI Deliverable

This is what was found by the NRRI URGE pod at NRRI-University of Minnesota Duluth on policies for handling complaints, the reporting process, resources, and possible outcomes. Some information was public; answers that were only found through follow up with contacts are noted.

NRRI URGE pod statement:

The NRRI URGE pod found researching our reporting policy very eye-opening. Navigating the UMD and UMN web pages to locate the information we needed was very difficult. The bureaucracy of the University system proves to be tough to follow, and it was hard to determine who to report the different types of complaints to. Our pod agrees that if we were trying to submit a complaint, we would have been very frustrated and discouraged. Overall, it is clear that the UMN/UMD reporting system needs many improvements so that the people submitting reports can feel supported and can navigate the reporting system easily. Our pod is committed to developing a reporting policy internally at NRRI, while also influencing change at UMD and UMN.

● The link(s) to the reporting policy at our organization are here:
  ○ Link - University of Minnesota Duluth Reporting Policy, this link is the best that we could find for reporting discrimination. More detailed UMN policy on reporting suspected misconduct can be found here.
  ○ N/A - Department, Lab, Division, Advisor or Supervisor Policies - Not available/does not exist. Something for NRRI to develop. Our pod will work on getting this on our Action Plan.
  ○ Are reporting policies regularly reviewed?

The Office of Institutional Compliance (OIC) is charged with maintaining a compliance program that is in alignment with the Federal Sentencing Guidelines’ elements of an effective compliance program. In 2017, Compliance Risk Reviews were implemented as a way for the OIC to meet this criteria. Compliance Risk Reviews (CRR) are a proactive process of collaborative, cross-disciplinary, cross-educational gap analysis and mitigation of the Institution’s compliance efforts. The scope of the CRR varies from a focused look at compliance efforts related to one regulation or policy (e.g. HIPAA) to a broad view across a class of regulations or policies (e.g. privacy regulations). **Outside of compliance reviews it is unclear when or how often reporting policies are reviewed.**
○ What is the process for changing policy?

**The process for changing policy is unclear.** Policy is most commonly changed by the policy owner ([link](https://compliance.umn.edu/compliance_risk_reviews) for how to retire or revise a policy). If a staff or student believes there is an issue with a policy, they are encouraged to report concerns to their supervisor, the appropriate University administrator to investigate the matter, or submit a report to UReport. Furthermore, the OIC’s process for a CRR is available ([https://compliance.umn.edu/compliance_risk_reviews](https://compliance.umn.edu/compliance_risk_reviews)), but these do not always result in a policy change.

○ Are the rates of reporting made publicly available (e.g. # of reports each year)? Yes, reports are available on the Campus Climate Response Team’s (CCRT) [webpage](https://webpage) (scroll to end of page).

● What mechanisms are available for reporting complaints, bias, microaggressions, harassment, and overt racism?

○ Who are the designated individuals/positions for reporting incidents? Staff are encouraged to report to the supervisor and bring to the attention of the unit head.

○ Can reports be made online? Where? Yes, [Link](https://webpage) Anonymously? Yes

○ Who do in-person and online reports go to? Online reports are sent to the Office of Institutional Compliance. At UMD, in person reports go to the Office of Student Conduct and Conflict Resolution (OSCCR) (to report a student) or the Office of Equal Opportunity and Affirmative Action (to report an employee, staff, visitor, etc).

○ Who has access to see reports? The Office of Institutional Compliance (OIC) receives online reports and they are shared with the UReport Consultative Team (UCT). The consultative team assigns the UReport to the most appropriate existing process or position in the University system for review ([https://policy.umn.edu/operations/misconductreporting-appb](https://policy.umn.edu/operations/misconductreporting-appb)).

○ Are police included in the process? When and how? Are individuals accompanied by an advocate or someone from the organization? Individuals have the option to involve the police. Website states “Law enforcement officers can advise you of your options, preserve evidence while you consider your options”, but **it is not clear if police are included in the process regularly**.

● What are the outcomes or consequences for reported individuals? Outcomes and consequences are not available or shared. UReport documentation, including but not limited to any investigation related files, and findings from a review or investigation, are considered confidential information and they are not shared through the Office of Institutional Compliance.

○ Who decides the outcomes/consequences? What is the process? UReports are received by the **Office of Institutional Compliance (OIC)** and shared with the UReport Consultative Team (UCT). The UCT is comprised of the chief compliance officer, the compliance program director, the chief auditor, the vice president for Human Resources, and senior associate in the Office of the General Counsel. The consultative team assigns the UReport to the most
appropriate existing process or position in the University system for review. The findings of all UReport related reviews are reported back to the UCT which monitors the review process and findings.

○ Are reports tracked? Yes? How are they tracked? By who? It does not seem like reports are tracked regularly. Here is the information that we were able to uncover: To follow up on a report you have made you can either call the toll free number (1-866-294-8680) or visit the UReport website and click on the Follow Up on a Report button. You will need the report key and password provided when you submitted the UReport. Unfortunately, if you lose the report key and or password you will not be able to access the report. If you have reported anonymously, you may post a request for an update. If you have provided your name, and have been contacted directly by a University official looking into your report, you should communicate directly with that official to determine the best method to learn about the status of the investigation.

○ Are repeated complaints escalated to a disciplinary board? What is the process? Not publicly listed/Unknown

• What resources are available for individuals reporting?
  ○ Counselors or advocates, especially those of the same race, ethnicity, and gender. Resources can be found at the following link Campus Climate - UMD Support. It doesn’t call out same race, ethnicity, and gender counselors or advocates.
  ○ Automatic or requested investigation of potential impact on grades or evaluations. You are entitled to an explanation for the grade assigned. If you are not able to get an explanation for the grade from your instructor, consult the appropriate director for undergraduate or graduate studies, or the department chair of the department in which the course is offered. Additionally, you may seek assistance from the Student Conflict Resolution Center.
  ○ Protection against retaliation or repercussions, accomodations for continuing work/courses, option for pass/fail or outside assessment.

Retaliation is prohibited in the following Board of Regents Policies: Sexual Harassment, Sexual Assault, Stalking and Relationship Violence, Code of Conduct, and Conflict Resolution Process for Employees. Our pod found it noteworthy that racial discrimination is not called out in this policy. No member of the University community may retaliate against an individual because of the individual’s good faith participation in:

- reporting or otherwise expressing opposition to, suspected or alleged misconduct;
- participating in any process designed to review or investigate suspected or alleged misconduct or non-compliance with applicable policies, rules, and laws; or,
- accessing the Office for Conflict Resolution (OCR) services.

A causal relationship between the good faith participation in one of these activities and an adverse action is needed to demonstrate that retaliation has occurred. Individuals who believe that retaliation is occurring or has occurred, as a result of their good faith participation in one of the above referenced activities, should follow the reporting options
available to them in the Administrative Policy: Reporting Suspected Misconduct.

Reports of retaliation will be reviewed and investigated in the same manner in which other concerns of misconduct are handled. Any University member who engages in retaliation may be subject to disciplinary action up to and including termination of employment or expulsion.

● What resources are available to groups raising issues or proposing changes?

We were unable to find information related to raising issues, but this policy defines the process for adding or amending current policy. It was modified in November 2020, so likely reflects the current approach.

https://policy.umn.edu/operations/upolicy

○ Petitions of # signatures trigger a town hall, meeting with organizational leadership, or policy change. What is the follow-up process for town halls and meetings?

No information was found related to this question.

○ Working groups or committees with power to change or propose changes to policy. 
Campus Climate Change Team and Unit Change Teams
Campus Climate Change Team \ Unit Change Teams

○ Cultural surveys, regular or only after wide-spread reports or high-profile incidents.

There is a biannual engagement survey for entire University system

○ Leadership proactively asks students and/or staff for input on how to improve.
Yes, the Campus Climate Leadership Team (team can be found at the following link: Campus Climate Leadership Team) is set up to assist campus leadership in creating a more inclusive campus climate.

● receive, review, and prioritize recommendations and goals.
● allocate resources to support the work of social justice.
● manage a communication plan for internal and external constituents and facilitate discussion.
● define the mission, core values, and goals with respect to inclusion.

The overall purpose is to provide oversight for the implementation of approved recommendations.
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<td>Steve Berger</td>
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<td>Christopher Filstrup</td>
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<td>Megan Gorder</td>
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