URGE Complaints and Reporting Policy for USU-GEO Pod, Utah State University Draft Deliverable 2.18.21

This is what was found by [USU-GEO] at [Utah State and Weber State University] 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.

- The link(s) to the reporting policy at our organization are here:
  - https://www.usu.edu/equity/report – Utah State University Policies
  - The Dept. of Geosciences also has a policy stated in the Graduate Student Handbook regarding Conflict Resolution – however, this policy does not specifically state any issues associated with discrimination and/or harassment and is focused on Graduate Students only. The procedure for Graduate Students has four steps: 1) Student discusses issue with Advisor and Thesis Committee members; 2) If issue is not resolved in Step #1, then the Student meets with the Faculty Graduate Committee and the Graduate Committee will attempt to mediate the situation; 3) If Step #2 does not resolve the issue, the issue goes to the Dept. Head who will then try to resolve the issue; and 4) “As a last resort the student can go to the Dean of the Graduate School and request intervention as outlined in the Code of Policies and Procedures for Students at USU”.
  - While the Dept. of Geosciences has a DEI statement on their homepage (https://geo.usu.edu/information/inclusivity-diversity-antiracism) with links to Inclusivity Groups and support groups that exist at USU and within the broader Logan Community, there is currently no clearly stated path or reporting policy listed for any members of the Dept., with the exception of Graduate students in the Graduate Student Handbook as discussed above. We will continue to actively work to update this policy and create a more accessible online location for reporting complaints, with the option to report anonymously.
  - We will recommend to our Department Head (also a member of the USU-GEO URGE pod) to update our current Department Policies and establish clear, transparent, and confidential protocols and policies to allow members of the department to report
complaints or incidents of racial bias, sexism, and discrimination. Our Dept. is small (~19 faculty/instructors), primarily white, with 4 married couples. We recognize that the lack of clearly stated policies and demographic may create real or perceived challenges and/or prevent students, faculty, and/or staff from reporting or filing official complaints for fear of retaliation.

- Are reporting policies regularly reviewed? It appears that reporting policies related to discrimination are reviewed, although it is not clear what that timeline is or how regularly that occurs. At USU, the Discrimination Complaints Policy (Policy 305) was last updated February 10, 2020 (via an executive memorandum). Sexual misconduct policies were recently updated on January 22, 2021 and Affirmative Action/Equal Opportunity Policies were updated August 26, 2011.

- What is the process for changing policy at the University Level? Recently as part of a settlement with the Dept. of Justice (DOJ), as well as new Dept. of Education Title IX regulations on sexual harassment, the Office of Equity at USU was required to make substantial changes to sexual misconduct and sexual discrimination policies (Policy 339-340; https://www.usu.edu/equity/policies-procedures). USU’s Office of Equity is also involved with handling and implementing regulations and/or non-discrimination policies. We are still working on figuring out what the process is that initiates these changes from within the USU system [“Not publicly listed/Unknown”].

- What is the process for changing policy at the Department Level? Policy changes may occur as a result of university-wide initiatives or in response to faculty and/or committee meetings. At the Dept. level, issues and/or concerns that warrant new policy are discussed and approved with benefitted faculty and the Dept. Head.

- Are the rates of reporting made publicly available (e.g. # of reports each year)? While we did meet with Supportive measures specialists, they were unsure if the rates of discrimination, harassment, or biases are reported and/or publicly available. USU does publish an Annual Campus-wide Crime and Safety Report which includes sexual assault and hate crimes. From the results published in 2017, 2018, and 2019, no hate crimes were reported. This report covers all USU campuses (https://www.usu.edu/dps/files/asr/USU-Campus-Safety-Report.pdf).

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

  - Complaints (allegations of discrimination/harassment) are filed with USU’s Equity Office within 180 days of alleged incidence. “Any member of the Utah State University community has the right to raise concerns or make a complaint regarding discrimination or harassment without fear of retaliation. In these cases, USU seeks to
provide individuals with the opportunity to resolve their concerns both promptly and equitably.” https://www.usu.edu/equity/non-discrimination

- Any person may file an Incident Report with the Title IX Coordinator or Office of Equity at any time, including during non-business hours, by filing an Incident Report online at equity.usu.edu/report, emailing titleix@usu.edu, calling 435-797-1265, visiting the Office of Equity in Old Main, Room 161, or via mail at Office of Equity 1475 Old Main Hill, Logan, Utah 84322-1475. Persons who call after hours may leave a message on the Office’s confidential voicemail that will be received within the next business day.

- Reports for discrimination or sexual misconduct can be made online and can be made anonymously by Students (https://www.usu.edu/equity/report). Employees must include their name when filing a report, either on behalf of student or for themselves. However, if a formal investigation is requested, the victim can no longer remain anonymous.

- In-person and online reports are handled by Alison Adams-Perlac, JD, Executive Director of the Office of Equity, and Hilary Renshaw, JD, Title IX Coordinator. Who has access to see reports? We were unable to determine the answer to this question within our timeframe, however, we will continue to work on this for the final draft deliverable. ["Not publicly listed/Unknown"]

- Sexual assault, relationship violence, and stalking can be reported to local law enforcement agencies. If the incident has occurred on campus, one may report to USU Police, Equity Office, or faculty member. A police investigation and the university grievance process through the Office of Equity can occur at the same time. Victim’s advocates and supportive measures are offered once the incident has been reported.

- USU has a Bias Response Team that addresses incidents of bias, regardless of whether an incident violates USU’s non-discrimination policy. The team ensures members of the campus community who experience bias receive support and services to help them retain resilience and continue to thrive. The team does not investigate reports, but may refer reporting parties to university authorities or law enforcement for incidents the team believes violate the law or university policy (bias.usu.edu).

- Another avenue for reporting is also available through USU’s Inclusion Center. A Social Climate Support Team “works with students and employees to provide support when an individual has experienced bias, racism, or microaggressions”. Support can be obtained by filling out an online form at https://www.usu.edu/inclusion/advocacy/index. Three forms are available for reporting: 1) discrimination or harassment; 2) sexual assault or misconduct; or 3) to report a student of concern.

- What are the outcomes or consequences for reported individuals?
Complaints of discrimination are investigated by the Equity Office. The purpose of investigating is to determine if discrimination/harassment has occurred. The Equity Office is committed to objectivity, reasoned thoughtfulness, and common sense in collecting and analyzing all available facts pertinent to each investigation. It is understood that no two sets of facts or situations are the same, and each investigation is conducted in an atmosphere of open-mindedness and is equitable to all parties. The inquiry/investigation may include some or all of the following: collecting documents related to the case, interviewing persons having knowledge of the incident(s), or documenting the findings. Both the Complainant and the Respondent will be provided an opportunity to submit information and identify and direct the investigator to witnesses and evidence. At the conclusion of the investigation, the investigator will prepare a Draft Investigation Report that summarizes the investigator's factual findings and sets forth the investigator's conclusion(s). The findings shall indicate whether by a preponderance of the evidence a violation of Utah State University's anti-discrimination and/or harassment policies occurred.

Once the Investigation Report is finalized, the Equity Office will notify both the Complainant and the Respondent and provide them with an opportunity to receive a copy of the final Investigation Report. The Investigation Report is also sent to the Respondent's appropriate Administrator. The appropriate Administrator will follow the disciplinary policy and procedures applicable to the individual in violation of this policy. The applicable policies and procedures are as follows:

1) For faculty, the Provost, applicable dean or vice president, department head and/or director will follow the procedures for imposing sanctions. The procedure for faculty sanctions is detailed in USU policy 407, and can include reprimand, probation, suspension, reduction in rank, or dismissal.

2) For employees, the applicable vice president and/or supervisor/manager will follow the procedures for imposing corrective action, which are detailed in USU policy 311, and can include reprimand, suspension and dismissal.

3) For students, the Vice President for Student Affairs and/or his/her designee, who will impose sanctions, if warranted, following the procedures set forth in the Student Code of Conduct.

The Office of Equity maintains records of all discrimination reports, investigations, and results. However, due to privacy policies, the record of complaints, investigations and results of those investigations is not made public.

Are repeated complaints escalated to a disciplinary board? What is the process? It sounds like repeated complaints of the same flavor against the same respondent may be informally noted by individuals in the Office of Equity, but under policy each repeated complaint is treated as a separate issue. Depending on the complaint, a
variety of trainings (Upstander Training, Sexual Harassment, etc.) may be required by the respondent.

- **What resources are available for individuals reporting?**
  - A guide to the supportive measures is available online at: [https://www.usu.edu/equity/Supportive-Measures](https://www.usu.edu/equity/Supportive-Measures)
  - Automatic or requested investigation of potential impact on grades or evaluations.
  - Protection against retaliation or repercussions, accommodations for continuing work/courses, option for pass/fail or outside assessment.

- **What resources are available to groups raising issues or proposing changes?**
  - 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?
    - It is unclear how town halls might be organized and/or if any town hall had been organized at USU as a result of a petition. We have contacted USU’s Vice President of Strategic Communications to obtain the answer to this question and we are still waiting on a response.
  - Working groups or committees with power to change or propose changes to policy.
    - The Dept. of Geosciences has recently created a DEI working group as of Summer 2020. This working group has an undergraduate representative, a graduate student representative, two term-appointed faculty members, an instrument manager, and a lecturer. The Department is committed to learning about and incorporating anti-racism efforts, and adopting anti-racism policies.
  - Cultural surveys, regular or only after wide-spread reports or high-profile incidents.
    - During the Summer of 2020 in response to the “Call for a Robust Anti-Racism Plan for the Geosciences” petition initiated by Dr. Hendratta Ali, a group of 11 undergraduate and graduate students submitted a “Anti-racism, Equity, and Accessibility Action Plan” to our Department Head. This led to the formation of our DEI working group.
    - One of our first priorities as a DEI working group has been developing a Climate (Diversity/Equity/Inclusion/Accessibility) survey for current students, faculty, staff, and alumni. We have worked closely with USU’s Inclusion Center, Advancement Center, and Administrative offices to develop and frame the survey questions. This survey will be sent out and
responses will be assessed by the DEI working group over the Spring 2021 semester.

In early March, our DEI committee will present a Seminar to USU’s Dept. of Geosciences and Dept. of Natural Resources on our recent efforts. We will discuss on-going updates to our websites, including adding information related to the complaint and reporting processes for faculty and staff. We will seek input from students and staff on how we can improve these efforts. We will also continue to actively work with the Dean of the College of Science and the Inclusion Center to improve on anti-racism action plans and initiatives.