URGE Complaints and Reporting Policy for the University of Washington

This is what was found by the Earth and Space Sciences (ESS) Graduate Students at the University of Washington on policies and resources for handling complaints and instances of discrimination and harassment. All of the information presented was publicly available, unless otherwise noted. Recommendations for further improvements upon this document are included at the end, specific to the two ESS graduate student URGE Pods.

- **ESS Directly: several options**
  - Noell Bernard-Kingsley, Director of Academic Services (noelleon@uw.edu). Noell can handle most types of complaints or incident reporting, and direct you towards subsequent action if necessary. Noell is the first point of contact for graduate students.
  - Melissa Pritchard, Interim Undergraduate Counseling Services Coordinator (chaelan@uw.edu). Noell’s counterpart for undergraduate students.
  - Eric Steig, Department Chair (steig@uw.edu).
  - David Catling, Graduate Program Coordinator (dcatling@uw.edu). As GPC, David can handle complaints or disputes related to faculty/student or advisor/student relationships.
  - Scott Dakins, Administrator (sjdakins@uw.edu).
  - Anonymous comment boxes:
    - ESS DEI comment box: https://tinyurl.com/ESSDEIComentBox
    - ESS grad reps comment box: https://catalyst.uw.edu/webq/survey/kelsst/399810
  - *According to FERPA (Family Educational Rights and Privacy Act), which protects student education records, Noell can report:
    - “Under the healthy and safety exception, advisors may share information from an education record (e.g. a troubling email) if doing so is necessary to protect the health and safety of that student or others.”
    - “If the troubling information is coming not from an educational record but from a conversation with a student in distress, FERPA
does not apply, so there would be no need to look for a disclosure exception.”

- “Most campuses consider their advisors to be mandatory reporters of sexual assault occurrences, meaning disclosures of such information would not merely be permissible, disclosures would be expected.” (UW seems to be support this - https://registrar.washington.edu/staffandfaculty/ferpa/personally-identifiable-information/#reporting)
- UW specifically notes that the university can disclose education records and identifying information with written consent from the student, if the disclosure meets “statutory exemptions,” or if the disclosure is directory information and there is no hold on that information (https://registrar.washington.edu/students/ferpa/)

- **Bias Reporting Tool**
  - Incidents of bias can be reported at the University level using the Bias Reporting tool online, with the option to do so anonymously (described here).
  - Online reports go to a member of the Bias Incident Advisory Committee. Committee members listed most recently in 2018-2019 report
  - Depending on the nature of the reported incident, the UW’s Bias Incident Advisory Committee may:
    - Offer support and information regarding available resources.
    - Offer options on how to report an incident for investigation and resolution in accordance with applicable University policy and principles of free expression.
    - Inform and consult with the vice presidents for Student Life and for Minority Affairs and Diversity regarding a possible institutional response.
    - Coordinate support for community healing and educational outreach.
    - Assess avenues for minimizing or eliminating future incidents of bias.
    - Catalogue incidents.
  - Rates of reporting are made publicly available on the Reporting Bias page (e.g. 2018-2019)
  - In general, if the committee member recommends contacting UW Police, this will be suggested to individuals who have provided contact information. In some cases, the committee member may be compelled by law to contact UWPD (or other organizations like UCIRO, or Student Conduct), e.g. if the safety of a minor is at risk, or in the case of a threat of violence (see FAQ).

- **University Complaint Investigation & Resolution Office (UCIRO)**
UCIRO investigates reported incidents where a University employee (including student employees) violates the University’s non-discrimination and/or non-retaliation policies.

Information about the investigation is confidential except for those who have a “business need to know” such as the person(s) accused, the administrative head of the University department involved, the appropriate Human Resources Consultant, the University’s Title IX or ADA Coordinator, and/or the Provost’s Office.

After an investigation is concluded, information may be disclosed if required by a court order or subpoena.

When an investigation concludes, findings are usually reported to the complainant, the person whose actions are the subject of the investigation, and often the department. There is no internal appeal process for the outcome of an investigation.

UCIRO policies are described in full here.

Certain sexual harassment complaints reported to UCIRO are handled under a different policy (see here). The following info applies to these situations:

Complainants are encouraged to contact a confidential advocate (where?), and are allowed to bring two people with them to every meeting with an investigator. The two people are an ‘advisor’ (who can be any person), and a ‘support advisor’, who is often the confidential advocate.

The final report of an investigation is sent to the complainant, the subject, and their respective advisors (if any).

The decision of the investigator is not final, a hearing officer will make the final decision after a hearing. Appeals can be made in the case of procedural irregularities, new evidence, or a conflict of interest of someone involved in the investigation (e.g. hearing officer, UCIRO investigator, Title IX Coordinator).

● Office of the Ombud

The Office of the Ombud is a place where all members of the University of Washington community can seek information, consultation, and assistance. Each year, the Ombud Office collaborates with hundreds of individuals who are facing challenges. They provide a safe environment to voice concerns and develop constructive options to address the situation.

The Office of the Ombud is designed to handle conflicts where you might not be comfortable approaching an advocate in the department (e.g. those listed above).

The responsibilities of the Office of the Ombud are:
To help individual members of the University community explore and assert their rights and interests within the University; and

To improve the fairness and effectiveness of the University’s systems and operations.

- Note that the Ombud is not necessarily an advocate for you, but they are an impartial mediator. The Ombud will help you determine how you can use University policies and regulations to resolve your complaint or dispute.

**UW Health & Wellness**

- Website: [https://wellbeing.uw.edu/](https://wellbeing.uw.edu/)
- UW health and wellness services including medical care, mental health and counseling services, safety resources, peer health advocacy, trainings and more. Most services are limited to currently matriculated UW Seattle students, while others are open to faculty, staff, and the general public.
- For concerning behaviors for one’s own/another’s safety, the site refers to the Hall Health Drop In Clinic (206-543-5030) and the Counselor on Duty at the Counseling Center (206-543-1240). Counseling is short term only but can connect you with off-campus providers with insurance options.
- For harassment and sexual harassment, the site refers to LiveWell Student Advocates (information below), UWPD Victim Advocate (confidential abuse services with planning, accommodations, resources, and help navigating reporting processes), SafeCampus (information below) and the National Sexual Assault Website & Hotline (24/7 1-800-645-HOPE).
- Those who need urgent help and crisis services are prompted to contact US emergency services (Call 911), SafeCampus (information below), the Student Support Program (1-866-743-7732 or online chat for 24/7 confidential mental health and crisis intervention support in multiple languages) or Crisis Connections Line (866-427-4747, text HOME to 741741) which is a 24 hour crisis counseling line for people in the Seattle Area.

**SafeCampus**

- 24/7 Phone Number: 206-685-7233
- Concerns about campus safety and well-being concerns for yourself or others. Available for students, staff, faculty, and community members no matter where you work or study. Applicable for inappropriate behavior, assault, harassment, verbal or online threats, concerning behaviors in another person, etc.
- Calling SafeCampus is not the same as making a formal complaint/report to UW. You can use SafeCampus for consultation before choosing to make a formal complaint. Formal complaints are forwarded to the Title IX
Office (information below), UCIRO Office (information above), or law enforcement.
○ Trainings are available for staff, faculty, and students to support violence prevention and response at UW.
○ Can be used anonymously.
○ Outside of business hours (M-F 8-5), rather than talking to a SafeCampus employee, you will first speak with a specially trained nurse who will gather information and determine if your call should be forwarded to a Safe campus response specialist or another resource.

● **UW LiveWell Confidential Advocate**
  ○ Website: [https://livewell.uw.edu/survivor-support-advocacy/](https://livewell.uw.edu/survivor-support-advocacy/)
  ○ The Livewell Confidential Advocate provides a safe and confidential space to help students identify what they want or need after an incident of sexual assault, relationship violence, stalking or sexual harassment has occurred. They help students understand what their rights and options are including what options they have for reporting both on campus and in the larger community, always with the understanding that it is up to the student to decide if they would like to report or not.
  ○ Speaking with an advocate does not trigger a report to the University or police. Advocates are confidential and your information will not be shared.

● **UAW Local 4121 - Reporting**
  ○ Website: [https://www.uaw4121.org/member-center-2/know-your-rights/what-do-i-do-if-i-have-a-problem/](https://www.uaw4121.org/member-center-2/know-your-rights/what-do-i-do-if-i-have-a-problem/)
  ○ Email: contractenforcement@uaw4121.org
  ○ The Contract Enforcement Working Group exists to help enforce the rights of ASEs and Postdocs against harassment and discrimination. Per our contract, this includes microaggressions, sexual harassment, hostile workplaces, and retaliation.
  ○ Someone from the working group will get back to you within 24 hours.
  ○ The grievance procedure allows us the option of taking a dispute to a neutral third party arbitrator for resolution, rather than to the University.

● **UAW Local4121 - Enacting Change**
  ○ Website: [https://www.uaw4121.org/get-involved/working-groups/anti-discrimination/#support](https://www.uaw4121.org/get-involved/working-groups/anti-discrimination/#support)
  ○ Email: anti-discrimination@uaw4121.org
  ○ The Anti-Discrimination Working Group is a multifaceted group that organizes to combat all forms of harassment and discrimination on the local, state and national level.

● **Title IX Investigation Office**
  ○ Website: [https://www.washington.edu/compliance/tixio/](https://www.washington.edu/compliance/tixio/)
The Title IX Investigation Office is responsible for investigating complaints that a University student engaged in conduct that violates any of the sexual misconduct provisions of the Student Conduct Code, including sexual assault, sexual harassment, sexual exploitation, indecent exposure, relationship violence, stalking, and domestic violence. You need not be a student to raise a concern, but the concern raised must be about a University student.

As far as I can tell, there is no requirement for police involvement in this process.

Procedure for complaints:

- **Initial Complaint Assessment** - The first step is having an intake meeting with a Title IX investigator. The investigator acts as a neutral, objective fact-finder and the goal of this meeting is for the investigator to determine whether the information that you provide could indicate a violation of the Student Conduct Code. You are welcome to bring a support person or attorney to this meeting. If so, you and the investigator will discuss next steps, which may include an investigation. If the investigator decides not to initiate an investigation, the investigator will provide you with a brief statement of the reasons for this decision.

- **Investigation Process** - If the decision is made to move forward with an investigation, you will receive a letter with a summary of your complaint, and you will be asked to verify that the allegations are factually accurate. Once the allegations are finalized and you have approved them, the investigation opens. The student who is accused of violating the Student Conduct Code (called the respondent) is notified of the complaint against them.

- **Fact Finding** - The investigator will interview the respondent(s), interview witnesses, examine relevant documents, and gather related factual information. Throughout the fact finding, both parties have the opportunity to identify witnesses, provide information, review information provided by others, and suggest questions for others. After completing fact finding, the investigator may issue a report with a determination of whether or not the Student Conduct Code has been violated.

- At this point, there are several different avenues that may be taken depending on the investigators decision and the severity of the violation. For serious violations, a hearing may be appropriate.

- If either party wishes to have the decision of the investigator or hearing officer reviewed, then they may request an administrative review within 21 days of receiving the decision from the
investigator or hearing officer. The administrative review will be done by specially-trained members of the faculty.

**Additional Resources**

**UW Student Grievances Policy:**
[https://www.washington.edu/admin/rules/policies/PO/EO58.html](https://www.washington.edu/admin/rules/policies/PO/EO58.html)

- College or Department must keep a copy of grievance for 5 years
- Policy about resolution of complaints against UW employees regarding discrimination or retaliation: [https://www.washington.edu/admin/rules/policies/APS/46.03.html](https://www.washington.edu/admin/rules/policies/APS/46.03.html)

**Graduate School Student Grievance Memo:** [https://grad.uw.edu/policies-procedures/graduate-school-memoranda/memo-33-academic-grievance-procedure/](https://grad.uw.edu/policies-procedures/graduate-school-memoranda/memo-33-academic-grievance-procedure/)

**College of the Environment Student Grievance Procedures:** [https://environment.uw.edu/intranet/academics/academic-policies/student-academic-grievance-procedures/](https://environment.uw.edu/intranet/academics/academic-policies/student-academic-grievance-procedures/)

**Academic Student Employee Issues:** (student experienced unfair or inappropriate treatment directly related to their employment as a TA, RA, or SA) [https://hr.uw.edu/labor/academic-and-student-unions/uaw-ase/ase-contract](https://hr.uw.edu/labor/academic-and-student-unions/uaw-ase/ase-contract)

**Faculty Conduct Violations:** (student alleging faculty member has violated a rule or regulation of the University) [https://www.washington.edu/admin/rules/policies/FCG/FCCH25.html#2571](https://www.washington.edu/admin/rules/policies/FCG/FCCH25.html#2571)

**Model for reporting concerns:** [https://sefs.uw.edu/about/reporting-concerns-and-grievances/](https://sefs.uw.edu/about/reporting-concerns-and-grievances/)

**Notes & Recommendations**

*These notes and recommendations are for further improvement of this document, which will require the involvement of additional ESS administration/faculty/staff, etc. We plan to discuss these concerns and improve our understanding of departmental policy in upcoming meetings with these department members.*

*Limits of representation - Office of Minority Affairs & Diversity?*

*Student vs employee policies*

**Pod 1 notes**
- Add support groups (GOMAP, BSU, Brotherhood, etc.)
- Add LGBQT support documents
- Integrate this and other documents onto the new ESS website

**Pod 2 notes**
- When are department specific resources communicated to our students? Other than Noell’s quarterly reminder emails - a need for this to be more formally communicated? Perhaps during the grad retreat?
● A need for less formalized way to negotiate conflicts - formality can cause delays/reduce effectiveness
● Make a note of what things you share with Noell that are obligated to report
● Clarify the goals of some of these tools (i.e. the Ombud)
● Ombud also has large delays for use! And many others in these positions are overworked (Noell)
● ***Further clarification of processes within our departments***
● Some are highly specific with maybe a more clear path, some are nebulous, and what about the issue of intersectionality of the complaint/issue itself
● How do you deal with the time required? How do you deal with the fear and the ramifications of complaints?
● Can we build some sort of anonymous feedback/reviews/experiences using these various tools?
● Can we have an “Ombud”-style grad and postdoc position? This could address power dynamics with advisors-advisee relationships - they could be your advocate and they could also be involved in creating this system of past experiences - could be a good implementation of this in between formal/informal process - could it also have funding attached to it? - but also issue of this isn’t our job as grad students? - could this be a union rep? We want someone who has more tie to the department and union also seems a bit more specific to employee-related issues - example “Member at Large” grad organization at Cornell (Paul)?