URGE Complaints and Reporting Policy for the University of Wyoming

The following summarizes what was found by the U Wyoming Geology and Geophysics pod on policies for handling complaints, the reporting process, resources, and possible outcomes. Some information was public; some answers were not found in the two week timescale of the session and will require follow up (and are highlighted below); answers that were only found through follow up with contacts are noted.

The links to the reporting policy at our organization are here:

In general, those who are seeking reporting information are directed to: phone number (307) 766-5200 or email report-it@uwyo.edu.

http://www.uwyo.edu/reportit/make-a-report/index.html

The link above leads to the University of Wyoming's online reporting form. When this form is submitted, the information goes to the Title IX Coordinator, the Dean of Students, and the Investigator for any and all complaints of discrimination. Submission of this online form is not considered a formal complaint.

According to the University of Wyoming, a formal complaint refers to a document submitted or signed by the Complainant or signed by the Title IX Coordinator alleging a policy violation by a Respondent and requesting that the University of Wyoming investigate the allegation(s). A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail.

Once submitted, formal complaints can take 2 paths: Process A is for Title IX provisions, Process B is for administrative resolutions. Civil Rights discrimination falls under Process B, for administrative resolutions. Reporting for racism/civil right discrimination is the same as a Title IX report, and it later goes into Process B.

For Process B cases, if the Respondent is a student, the Dean of Students will initiate contact. If the Respondent is an employee, then the Investigator takes over the case. (Here Respondent is defined as the person who has allegedly committed the offense.)

University Policy: The University of Wyoming strives to provide a safe environment free from the detrimental effects of discrimination or sexual misconduct, which includes sexual harassment and sexual assault. The information on this page is designed to provide resources to assist students, staff, guests, or visitors who may have experienced such behavior regardless of where the misconduct took place.
Important Links
Office of UW General Counsel:
http://www.uwyo.edu/generalcounsel/index.html

Employment and Ethics: UW Regulations, Presidential Directives, and UW Standard Administrative Policies and Procedures:
http://www.uwyo.edu/regs-policies/section-5-employment-and-ethics/

Equal Opportunity, Harassment, and Nondiscrimination policies:

Links to reporting policies:
http://www.uwyo.edu/reportit/policies/

U.W. Regulation 4-2 on Discrimination and Harassment:

U.W. Regulation 1-5 on civil rights discrimination:
http://www.uwyo.edu/generalcounsel/_files/docs/UW-Reg-1-5.pdf

U.W. Governance policies:
http://www.uwyo.edu/generalcounsel/index.html

Are reporting policies regularly reviewed? What is the process for changing policy?

The last set of comprehensive policies is from August 14, 2020, and it only applies to events occurring after this date. The Title IX Coordinator is tasked with reviewing and updating this document annually. “The University reserves the right to make changes to this document as necessary, and once those changes are posted online, they are in effect.” There is also a statement about how if government laws or regulations change (or court decisions alter) the requirements in a way that impacts our policies, the document will be updated.

Are the rates of reporting made publicly available (e.g. # of reports each year)?

As far as Ellen C. can find, only what is mandated by the Clery Act
What mechanisms are available for reporting complaints, bias, microaggressions, harassment, and overt racism?

Who are the designated individuals/positions for reporting incidents?

To our knowledge, there is no clear mechanism for reporting within the department. However there are some resources that graduate students and undergraduate students might use:

Graduate Students:

Department Graduate Student Ombudsman - Dr. Kaszuba

This is not listed on the department website.

Office Phone: (307) 766-6065
P.O. Box 3006
Laramie, Wyoming 82071-3006
Office: ESB 1010
Email: John.Kaszuba@uwyo.edu

Undergraduate students:

Department Head - Dr. Clementz
Office Phone: 307-314-2174
P.O. Box 3006
Laramie, Wyoming 82071-3006
Office Room No: ESB 1014
Email: mclemen1@uwyo.edu

This lack of a mechanism at the department level suggests action is needed. Possibly a charge of the DEI committee? Better idea: Provide links on the department website? In e-mail signatures of faculty indicate that we are “responsible employees,” and include language about Title IX? Maybe we need to designate two people and make sure they are trained and also make sure it is easily findable on the webpage. More awareness!

Technically all faculty and graduate students are “Responsible Employees” of the University and must report and information they are told with regards to Title IX topics to our Title IX coordinator. Faculty members, administrators, residence assistants and directors, coaches, and advisors are all mandatory reporters and must notify the Title IX coordinator about complaints of “discrimination, harassment, or related retaliation that occurs in University employment or educational programs and activities.”

Equal Opportunity Report and Response responds to reports of suspected violations of (1) Title IX of the Education Amendments of 1972, as amended; (2) Title VII of the Civil Rights Act of 1964, as amended; (3) UW Regulation 4-2 (Discrimination and Harassment);
Currently both Title VII and Title IX is handled by Jim Osborn. Jim serves as Manager of Investigations, Equal Opportunity Report and Response. He is located in Room 320 of the Bureau of Mines Building, and can be reached via email at report-it@uwyo.edu or via phone at 766-5200 or 766-5228.

Can reports be made online? Where? Yes/No, Link Anonymously? Yes/No

http://www.uwyo.edu/reportit/make-a-report/index.html - Discrimination, Sexual Misconduct/Harassment, Workplace Violence & Retaliation On-Line Report Form. Reports can be made anonymously, but “can create a need to investigate to determine if the parties can be identified.” This is not a formal complaint. The Title IX office will follow up to see if the complainant wants to make a formal complaint.

Reports can also be made to the Department of Education Office of Civil Rights (does not appear to be anonymous): https://www2.ed.gov/about/offices/list/ocr/complaintintro.html


There are also several other ways to anonymously report sexual assault: Silent Witness, Confidential Sexual Assault Report Form, Text Tips to UWPD, Albany County SAFE Project.

Reports can also be made to the Dean of Students Office (307-766-3296; dos@uwyo.edu; 128 Knight Hall)

Who do in-person and online reports go to? Who has access to see reports? Names and/or positions or “Not publicly listed/Unknown”

Reports made through the online form are reviewed by The Title IX Coordinator, the Dean of Students, and the EEO and Diversity Specialist. If the Respondent is a student, the Dean of Students will initiate contact. If the Respondent is an employee then the Diversity Specialist takes over the case.

The Title IX Team includes:

Title IX coordinator:
Jim Osborn, (307) 766-5200, report-it@uwyo.edu

Deputy Title IX Coordinators:
Libby Thorson (Associate Dean of Students 307-766-3296, libby.thorson@uwyo.edu)
Taylor Stuemsky (Assistant Athletic Director for Internal Operations 307-766-3863, tstuemsky1@uwyo.edu)
Investigator:
Alex Webber, EEO and Diversity Specialist (handles any non-Title IX employee discrimination cases). An HR search for a new investigator is in the works.

As noted in the UW policies, the team members are “vetted and trained to ensure they are not biased for or against any party in a specific case, or for or against Complainants and/or Respondents, generally.”

It is important to note that microaggressions are not specifically addressed anywhere that we were able to find and that Uni Reg 4-2 seems to makes microaggressions a non-offense in the definition of a hostile environment: “Hostile Environment: Unwelcome conduct by an individual against another individual based upon the individual’s Protected Class that is sufficiently severe or pervasive that it alters the conditions of education or employment and creates an environment that a reasonable person would find intimidating, hostile or offensive. The determination of whether an environment is "hostile" must be based on all of the circumstances. These circumstances include, but are not limited to, the frequency of the conduct, its severity, and whether it is threatening or humiliating. Petty slights, annoyances, and isolated incidents (unless extremely serious) will not rise to the level of illegality.” What can we do to change this? Need to make note of this in our action plan.

Are police included in the process? When and how? Are individuals accompanied by an advocate or someone from the organization?

The following information is from the UW Standard Administrative Policy and Procedure document (http://www.uwyo.edu/regs-policies/_files/docs/policies/eo-harassment-nondiscrim-sap-approve d_8-14-20.pdf):

“If criminal conduct is alleged, the University can assist in contacting local or campus law enforcement if the individual would like to file a police report.” The Title IX team must reach out to the impacted person to offer supportive measures and ensure they are aware of the right to an Advisor.

Also from the UW Standard Administrative Policy and Procedure document: “In addition to reporting incidents to the University, Complainants and Reporters are strongly encouraged (but not required) to report incidents of sexual misconduct to law enforcement. The SAFE Project Campus Advocate is available to assist students wishing to report to law enforcement, whether anonymously or not. Individuals who would like to speak with law enforcement without initiating a UW investigation may do so either by contacting UWPD Dispatch or with assistance from the SAFE Project. You have the option to speak with a police officer without initiating an investigation. This type of conversation is referred to as an “information only report.” The officer will make notes on any information you would like to share and will take your name and some contact information. However, the police will not take any action on the report unless you request it.”
What are the outcomes or consequences for reported individuals?

*Follow-up by supervisor, training (bias, etc.), disciplinary action, up to termination.*

Sanctions for process A listed beginning on p. 56 of big document. Sanctions for Process B listed beginning on p. 82.

**Sanctions for process A**


**35. Sanctions**

Factors considered when determining a sanction/responsive action may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation(s)
- The Respondent’s disciplinary history
- Previous incidents involving similar conduct
- The need for sanctions/responsive actions to bring an end to the discrimination, harassment, and/or retaliation
- The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation
- The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Complainant and the community
- The need to ensure sanctions consistent with existing University policies such as the Student Code of Conduct and Employee Handbook.
- The impact on the parties
- Any other information deemed relevant

The sanctions will be implemented as soon as is feasible, either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested.

The sanctions described in this policy are not exclusive of, and may be in addition to, other actions taken or sanctions imposed by external authorities.

**a. Student Sanctions**

The following are the usual sanctions that may be imposed upon students or organizations singly or in combination:
• Written Warning: An official written notice that the student has violated University policies, is on notice that they must correct their behavior, and that more severe conduct action will be taken should the student be involved in other violations while enrolled at the University.

• Required Counseling/Assessment or Educational Sanctions: A mandate to meet with and engage in either UW-sponsored or external counseling (ex: alcohol or educational sanctions to better comprehend the misconduct and its effects.

• Probation: A specified period of time during which the student or organization is placed on formal notice that they are not in good standing with the University and that further violations of University policies may subject them to suspension or dismissal from the University.

• Suspension: Exclusion from enrollment in classes and other privileges or activities for a definite period of time not to exceed four years and/or until specific criteria are met. A record of the action is maintained in University files. A transcript notation will be made indicating the student has been suspended from the University for conduct violations. This transcript notation may be removed upon graduation by written request of the Dean of Students. Any refund of tuition or fees will be subject to the University’s normal withdrawal policy. Students will receive a “W” on all pending course work.

• University Dismissal: Permanent termination of student status. A transcript notation will be made indicating the student has been permanently dismissed from the University for conduct violations. Any refund of tuition or fees will be subject to the University’s normal withdrawal policy. Students who are dismissed from the University may be issued a one-year trespass by the University of Wyoming Police Department, pursuant to the University trespass procedures. UWPD can also consider extending the trespass. Trespassed students are not permitted on campus or in University buildings, facilities, or activities at any time for any reason, unless otherwise permitted by UWPD.

• Revocation of Degree: The University reserves the right to revoke a degree previously awarded from the University in accordance with UW Regulation 2-120 (Academic and Honorary Degree Revocation).

• Organizational Sanctions: Warning, probation, suspension, loss of recognized status, loss of some or all privileges (including UW registration), trespass for a specified period of time.

• Other Actions: In addition to or in place of the above sanctions, the University may assign any other sanctions as deemed appropriate in accordance with the Student Code of Conduct.

b. Employee Sanctions/Responsive/Corrective Actions

Responsive actions for an employee who has engaged in harassment, discrimination, and/or retaliation include:

• Warning – Verbal or Written
• Performance or Behavioral Improvement Plan/Management Process
• Enhanced supervision observation, or review
• Required Counseling
• Required Training or Education
• Probation
• Denial of Pay Increase/Pay Grade
• Loss of Oversight or Supervisory Responsibility
• Demotion
• Transfer
• Reassignment
• Delay of tenure track progress
• Assignment to a new supervisor
• Restriction of stipends, research, and/or professional development resources
• Suspension with pay
• Suspension without pay
• Termination

• Other Actions: In addition to or in place of the above sanctions/responsive actions, the University may assign any other responsive actions as deemed appropriate.


Sanctions for Process B

9. Sanctions

Factors considered when determining any sanction(s)/responsive action(s) may include, but are not limited to:

• The nature, severity of, and circumstances surrounding the violation
• An individual’s disciplinary history

• Previous allegations or allegations involving similar conduct

• The need for sanctions/responsive actions to bring an end to the discrimination, harassment, and/or retaliation

• The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation

• The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Complainant and the community

• The impact on the parties

• Any other information deemed relevant by the Title IX Coordinator/Decision-maker

The sanction(s) will be implemented as soon as is feasible. The sanctions described in this policy are not exclusive of, and may be in addition to, other actions taken, or sanctions imposed by outside authorities.

a. Student Sanctions

Student sanctions will be determined by the Dean of Students Office in accordance with the Student Code of Conduct, which includes educational and disciplinary sanctions up to and including dismissal.

b. Employee Sanctions

When a violation is found the applicable Vice President or Dean shall, in consultation with HR and other appropriate University officials, implement corrective actions for the Respondent in accordance with established university rules, policies and procedures. The University will take steps to address and prevent recurrence of harassment or discrimination found to have occurred as well as to remedy its discriminatory effects on the Complainant (and others, as appropriate).

Who decides the outcomes/consequences? What is the process?

University begins an assessment, usually within 72 hrs of receiving the report. Initial meetings with reporting party, respondent, and witnesses. Resolution of complaints typically takes 60-90 business days.

Final reports are made for each allegation, including information about the allegation, how the review was conducted, and reasoning used to reach the final determination. The complainant’s name may be included. This final report goes to the complainant, respondent, appropriate
managers or supervisors, and “University Officers” (p. 11 of full policy lists officials in the Division of Student Affairs, Office of DEI, UWPD, Human Resources, the Provost’s Office, and UWYO Cares Team). Parents can be notified if there is a significant health and/or safety risk. Witnesses may be asked to review their statements. UCC, Student Health, and the Stop Violence Program cannot share information without permission unless cases involve a minor or immediate danger.

Flowchart for the formal grievance process:

Flowchart for administrative resolution process:

Are reports tracked? Yes/No How are they tracked? By who?

The person who conducted the information retains all records & notes of the investigation. Records are retained for 7 years.

Are repeated complaints escalated to a disciplinary board? What is the process?

What resources are available for individuals reporting?
Counselors or advocates, especially those of the same race, ethnicity, and gender.

Here is a master list on the reportit page: http://www.uwyo.edu/reportit/resources/index.html. There is a "diversity resources" section which might be useful here.


Albany County SAFE Project (on and off-campus)
- Phone: 307-745-3556 (24 hours) or 307-766-3434 (on-campus)
- Campus Address: Room 115, Knight Hall
- Campus email: campus@safeproject.org
- Website: http://www.safeproject.org

University of Wyoming Counseling Center (on campus)
- Phone: 307-766-2187
- Address: Room 341, Knight Hall
- Email: uccstaff@uwyo.edu
- Website: http://www.uwyo.edu/ucc/

Psychology Clinic (on campus)
- Phone: 307-766-2149
- Address: Room 307, Biological Sciences Building
- Email: uwpc@uwyo.edu
- Website: http://www.uwyo.edu/psychology/clinic.html

Wellspring Counseling Clinic (on campus)
- Phone: 307-766-6820
- Address: Room 44, Education Building
Email: cetc@uwyo.edu
Website: http://www.uwyo.edu/clad/counseling/wellspring-counseling-clinic.html

Student Health Service (on campus)
Phone: 307-766-2130
Address: 1st Floor, Student Health/Cheney International Center Building
Email: studenthealth@uwyo.edu
Website: http://www.uwyo.edu/shser/

Peak Wellness Center (off campus)
Phone: 307-745-8915 (24 hours)
Address: 1263 North 15th Street Laramie, WY 82072
Website: http://peakwellnesscenter.org/

University of Wyoming Law School Family and Child Legal Advocacy Clinic (on campus)
Phone: 307-766-3747
Address: Law School Annex, Laramie Wyoming 82071
Email: famlaw@uwyo.edu
Website: http://www.uwyo.edu/law/experiential/clinics/family-child-adv-clinic.html

Legal Aid of Wyoming, Inc. (off campus)
Phone: 877-432-9955
Website: http://www.lawyoming.org/

Wyoming Coalition Against Domestic Violence and Sexual Assault Legal Assistance for Victims Program (off campus)
Phone: 307-755-0992
Address: 710 Garfield St., Suite 218, Laramie WY 82073
Email: info@wyomingdvsa.org
Website: http://www.wyomingdvsa.org

Automatic or requested investigation of potential impact on grades or evaluations.
Protection against retaliation or repercussions, accomodations for continuing work/courses, option for pass/fail or outside assessment.

- [http://www.uwyo.edu/generalcounsel/_files/docs/presidential%20directive%20updates%20202016/pd%204-2016-1.pdf](http://www.uwyo.edu/generalcounsel/_files/docs/presidential%20directive%20updates%20202016/pd%204-2016-1.pdf)
- The list of support provided by the Title IX office includes: academic support, extension of deadlines, or other course/program related adjustments; class schedule modifications, withdrawals, or leaves of absence; altering work arrangements for employees or student-employees

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?

Working groups or committees with power to change or propose changes to policy.
Departmental DEI Committees

Cultural surveys, regular or only after wide-spread reports or high-profile incidents.
University of Wyoming has done a campus wide climate survey and our Geology and Geophysics is working on sending out a climate survey this semester. There is also a multi-part graduate student survey that has been sent out this spring.

*Leadership proactively asks students and/or staff for input on how to improve.*

**UW Resources and Groups:**  
Information from the Office of Diversity, Equity, and Inclusivity page:  
Office’s main phone number: 307-766-6672  

Committee on women and people of color (CoWPoC)  
Council on Diversity, Equity, and Inclusivity- chaired by Dr. Monago & lots of members across campus and the community.

Geology and Geophysics Departmental resources, funding, and initiatives. In our DEI Committee, support was provided by our Department Head in order to hire an external member who is a DEI specialist (Dr. Lupe Carillo), and financially support students and post docs for their time on the committee. Faculty members of the committee obtain credit towards the service component of their job descriptions for service on the DEI committee.