

## URGE Complaints and Reporting Policy for the Department of Earth Sciences pod at the University of Hawaii

This is what was found by the Department of Earth Sciences pod at the University of Hawaii on policies for handling complaints, the reporting process, resources, and possible outcomes. All information was publicly available on the department, school, or university websites.

### **The link(s) to the reporting policy at our organization are here:**

-University policy: <https://www.hawaii.edu/policy/archives/apm/pers/a9920.pdf>

-School policy: <https://www.soest.hawaii.edu/soestwp/sexual-harassment-and-bullying/>. Overall, very limited policy at the school level.

-Department policy:  
[https://www.soest.hawaii.edu/GG/resources/docs/EARTH\\_Guidelines\\_Ethical\\_Professional\\_Conduct\\_11\\_04\\_19.pdf](https://www.soest.hawaii.edu/GG/resources/docs/EARTH_Guidelines_Ethical_Professional_Conduct_11_04_19.pdf). Also on page 4 of the “Graduate Student Survival Guide” there is a short section titled “Expectations for Conduct in the Department”. No individual faculty have policies listed on their websites. Overall, very limited policy at the department or individual level.

-The university reporting policy was last updated in August of 2002 and we were unable to find information on if or how these policies are reviewed. In the policy, however, they note that: “On each campus and within each major division on the campus, the appropriate Chancellor, Vice President, Provost, Dean, or Director is responsible for carrying out the University’s nondiscrimination policies within their respective units. These administrators will take measures to prevent discrimination by reviewing the efforts on the part of departments within their units and subdivisions and will institute corrective measures where deficiencies have been identified.” A new commission (<https://manoa.hawaii.edu/provost/racism-and-bias/>) has been set up but it is not clear if the commission will be addressing reporting policies. At the school level there does not appear to be a reporting policy in place beyond being asked to “report your experience to” a list of department and institute heads, with their contact information listed, such that “they can explain your options”. There is no tangible department level policy.

-No information on rates was found.

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

-There is a “complaint officer”, although the exact position held by that person can vary (one example given is the “Dean of Students”). There is an “investigating officer” and less information is provided as to who this person is, although it is noted that it could be the same person as the “complaint officer”. There is a “decision maker” that is a “Chancellor, Vice Chancellor, Provost, Vice President, or other designee”.

-The forms at the link provided above must be filled out and sent by certified mail (no online reporting). Complete confidentiality cannot be guaranteed (no anonymous reporting), although there is a section on anonymous complaints (Section 8 in the university policy linked above) that states: “an anonymous complaint does not trigger an investigation.”

-It is not stated who has access to the reports. The policy notes: “dissemination of information relating to complaints of discrimination should be limited to those individuals actually involved in the informal or formal proceedings”.

-There is nothing in the policy that explicitly addresses police or other outside involvement, however: “Nothing in these procedures shall affect the right of the Complainant to pursue the matter with an appropriate law enforcement agency. Discrimination complaints may be filed concurrently with an external agency to meet state and federal agency deadlines without jeopardizing an individual’s right to a university investigation.”

### **What are the outcomes or consequences for reported individuals?**

-There is not an explicit discussion of outcomes. The policy states: “If a ‘cause finding’ is issued, the ‘decision maker’ shall determine the appropriate remedies and/or corrective actions to be taken. Remedies will be reasonably devised to correct the harmful effects caused by the discrimination. Corrective actions will be undertaken to both stop the discrimination and prevent its recurrence and shall be imposed to ensure a workplace and educational environment free from discrimination.”

-The “decision maker” decides the outcome.

- Section 9 in the university policy linked above outlines the process “step-by-step” with required response times for each step. All of this is tracked by the “complaint officer”. The responsibility for implementing the policy rests with the university president.

-There is no direct reference to repeat complaints except when those are informal or anonymous where the policy states that a “pattern of anonymous complaints against an individual or unit may indicate a potential problem, and the University may take remedial action such as training, if appropriate”.

### **What resources are available for individuals reporting?**

-The “complaint officer” acts as a counselor that will explain avenues for recourse that are available. At the level of the school (SOEST) the department or institution heads are listed as being able to provide this guidance.

-There is no “automatic” investigation outside of that outlined in the policy as being in direct response to the complaint.

-Section 9b and section 10 in the university policy linked above describe the rights to an appeal and nonretaliation, respectively. Appeals must be submitted within 20 days of receipt of a decision and must include a written explanation of why the decision was against the “clear weight of evidence in the record”. Retaliation complaints are separate charges and are handled using the same policy steps as outlined in the university policy linked above.

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

-There is no mention of a policy for town halls or meetings.

-There is a new commission that was set up at the university level (<https://manoa.hawaii.edu/provost/racism-and-bias/>). There are no details on tangible outcomes that are expected from the commission.

- need a system investigation, perhaps the commission will solve, but need to uncover systemic obstacles

- There is no formal process for leadership to proactively solicit input on how to improve policies.

- There is no anonymous reporting mechanism, or even a path to formal, identifiable reporting