

## Complaints and Reporting Policy for Northeastern University Marine Science Center (NUMSC)

This is a working draft (V3) of what was found by NUMSC Pods 1&2 on policies for handling complaints, the reporting process, resources, and possible outcomes. In general, much of this information was public but often required a careful search of existing policies and resources. In some cases, answers require follow up with contacts - this is a work in progress (**with to dos and remaining questions noted below in red**).

Based on helpful discussions with and feedback from pod members, we have identified new and remaining questions, ideas for improvement, and possible actions. This is the third draft of this document, but it remains a work in progress, with both pods planning to revisit the questions, ideas, and actions outlined below and identify priorities at this week's sessions.

### QUESTIONS

- 1) NU has Title IX, sexual- and gender-based harassment, equal opportunity, and non-fraternization policies. While Principles of Community documents at multiple levels (departmental, College of Science, etc.) state "We reject all acts of harassment, discrimination, bigotry, or other harm to individuals by anyone in our community on the basis of race, color, religion, religious creed, genetic information, sex, gender identity, sexual orientation, age, national origin, ancestry, and socio-economic, veteran, or disability status" and some of these fall under the guise of existing policies (e.g., equal opportunity), do existing policies sufficiently support these statements and provide mechanisms for complaints and reporting (See questions in earlier drafts about racial harassment/discrimination, ableism, and situations that fall through the cracks of Title IX)?
  - a) **IDEA: Development of Grievance Procedure for Students of Color** ([NU general regulations](#) include grievance procedures for students with disabilities and sexual harassment, but not for racial discrimination/harassment)
- 2) For graduate students, is there any training provided for teaching assistants (TAs) on how to support students who come to them with complaints, which would make them better equipped to handle these situations and increase their knowledge of reporting policies at the university? (See comments in earlier drafts that this is standard practice at other universities... Does the required [Not Anymore](#) program offered by Student Success address this topic?)

### IDEAS

- 1) NUMSC is separate from main campus, but university regulations still apply and supersede anything at the departmental level; thus, we need to be certain that these policies and reporting pathways are clear for people at the MSC.  
**Development of Onboarding Packet**, which includes a sheet with clear links to all reporting mechanisms (e.g., we made a departmental flyer a few years ago - this has now been updated by COS) - additional ideas for things to include (e.g., description of You Are Welcome Here program)?

- 2) To bridge the gap between graduate students and university administration and help students find the support and resources they need, a Peer Leader Program that includes training for graduate student liaisons may increase knowledge of reporting policies and/or provide additional advocates for students.

**Development of Peer Leader Program**, which would complement existing peer mentoring programs at the undergraduate and graduate levels

- 3) The majority of the information in this document is university-wide, so one idea was to make this (or something similar and university-approved) a 'living' document with the cliffs notes of university reporting policies - a possible first step in making some of this information more accessible and digestible?

**Cliffs Notes of Reporting Policies**, which would be something between a poster and the entire policies for people in need of more information to determine what to do / where to look

## **POSSIBLE ACTIONS**

- 1) To our knowledge, there isn't a standard procedure/policy for dealing with repeat offenders. Perhaps we want to work with the administration to address policies for repeat offenders, including the escalation process, to increase accountability and prevent repeat offenders from "slipping through the cracks" and perpetuating bad behavior?
- 2) A general theme is a lack of awareness of reporting policies (especially for undergraduate and graduate students). ***How can this information be disseminated in such a way that the answers are more easily accessible and readily understandable (especially at a time when you most need/want them)?***
  - a) The flyer is a good start, but what else would be helpful?
  - b) Perhaps communicating this information to undergraduate student groups and asking that group leaders remind members of these resources at the beginning of each year or semester?
  - c) Maybe Student Behavioral Case Managers (or similar additional university-affiliated persons with mental health and trauma-based training) who act as an additional resource for students and advocate on their behalf in a number of ways, such as backing them and expediting a 'no-contact order' after multiple complaints by the student or substantiating/verifying what students tell their professors. In short, an advocate who also has credibility within the university to support students and help them identify resources.
  - d) Would a hotline or email where students can ask questions (e.g., how/where do I find this information?, can I get clarification on a specific aspect of the policy?, etc.) be a possible solution (recognizing that in many cases, this information is available, but not easily accessible, as evidenced by the fact that assembling this document took 5+ hours!)?

## SUMMARY OF NUMSC FINDINGS (modeled after URGE [example deliverable](#))

- **The links to the reporting policies at our organization are here:**
  - University Policies
    - Northeastern University
      - [Policy Prohibiting Sexual- and Gender-Based Harassment](#) (created/updated August 2020 to protect students, staff, and faculty against instances of sexual assault and harassment no longer covered under the modified federal Title IX policy)
      - [Title IX Policies and Procedures](#) and [Policy on Rights and Responsibilities under Title IX](#) (updated August 2020)
      - [Equal Opportunity Complaint Procedure](#) (updated December 2018)
      - [Policy on Non-Fraternization](#) (updated December 2019)
    - College of Science
      - “Promoting reporting mechanisms” is highlighted as a COS milestone started in Nov 2020 (see COS EDIJ [dashboard](#))
      - email and poster from COS Dean and Associate Dean of Equity in Nov 2020 that highlights university-level initiatives
  - Marine and Environmental Sciences / Marine Science Center
    - NUMSC is separate from main campus, but university regulations still apply and supersede anything at the departmental level
    - graduate students: policy summaries and links to more information on reporting procedures (similar to this [site](#)) included in MES graduate student handbook
    - undergraduate students: General Regulations (which include everything from sexual harassment to bicycles) can be found [here](#), but this is at university-level
    - staff: development of onboarding packet for the MES/MSC community including information on policies and reporting (*in progress*)
    - annual Title IX training/refresher for the MES/MSC community organized by the Diversity and Inclusion Committee
    - incoming students (to do - confirm undergraduate, graduate, or both?) required to take online and interactive sexual violence prevention program [Not Anymore](#) offered by Student Success, but this does include institution-specific information on reporting policies
  - Are reporting policies regularly reviewed? What is the process for changing policy?
    - TO DO: We think they are reviewed annually, but need to confirm with Mark Jannoni (Title IX Coordinator). A new policy or policy change can also be initiated by the Faculty Senate.
  - Are the rates of reporting made publicly available (e.g. # of reports each year)?

- Not to our knowledge...
- **What mechanisms are available for reporting complaints, bias, microaggressions, harassment, and overt racism?**
  - Who are the designated individuals/positions for reporting incidents?
    - faculty, staff, and teaching assistants are mandated reporters
    - “All reports of alleged discrimination can be reported to the Office for University Equity and Compliance (OUEC)” - [link to file a complaint](#)<sup>1</sup>
  - Can reports be made online? Yes
    - Where? Options include...
      - [OUEC Discrimination Complaint Form](#) (not anonymous, though “the complainant may request anonymity”)
      - [Incident Report Form](#) (anonymous)
      - [Title IX Prohibited Offenses](#) (not anonymous)
  - Who do in-person and online reports go to? Who has access to see reports?
    - Mark Jannoni, Title IX Coordinator
    - OUEC Team: Brigid Hart-Molloy, Diana Fitzgerald, Janet Cha (at least one investigator assigned to each complaint)
  - Are police included in the process? When and how? Are individuals accompanied by an advocate or someone from the organization?
    - “Community members impacted by Prohibited Offenses are strongly encouraged, but not required, to report any allegations of Prohibited Offenses directly to Northeastern University Police Department (“NUPD”) as soon as possible, regardless of where the offense took place and whether or not the Respondent is known to the Complainant. As Title IX Reporters, NUPD officers will report Prohibited Offenses to the Title IX Coordinator.”<sup>1</sup>
    - “Community members impacted by Sexual- or Gender-Based Harassment are strongly encouraged, but not required, to report any allegations of violations of this Policy directly to Northeastern University Police Department as soon as possible, regardless of where the offense took place and whether or not the Respondent is known to the Complainant. NUPD officers will report allegations of this Policy to the OUEC.”<sup>2</sup>
    - **Informal Resolution Procedure** (no police involvement): “A Complainant may seek assistance in informally resolving a report of discrimination from the OUEC. Depending on the nature of the concern, OUEC may bring in various university partners, including, but not limited to (i) the Complainant’s supervisor, if the Complainant is an employee; (ii) the Respondent’s supervisor, if the Respondent is an employee; (iii) a Human

<sup>1</sup>[https://www.northeastern.edu/policies/pdfs/Policy\\_on\\_Rights\\_and\\_Responsibilities\\_Under\\_Title\\_IX.pdf](https://www.northeastern.edu/policies/pdfs/Policy_on_Rights_and_Responsibilities_Under_Title_IX.pdf)

<sup>2</sup>[https://www.northeastern.edu/policies/pdfs/Policy\\_Prohibiting\\_Sexual\\_and\\_Gender-Based\\_Harassment.pdf](https://www.northeastern.edu/policies/pdfs/Policy_Prohibiting_Sexual_and_Gender-Based_Harassment.pdf)

Resources Management representative; (iv) the Ombuds Office; or (v) the Disability Resource Center.”<sup>3</sup>

- TO DO: Clarify if/when Boston Police Department gets involved.

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

- Who decides the outcomes/consequences? What is the process?
  - The Procedure offers two forms of resolution for complaints of discrimination, as well as complaints of alleged retaliation, as defined by the Policies:
    - **Informal Resolution Procedure:** This is a voluntary and remedy-driven pathway to a complaint resolution that is acceptable to the Complainant, Respondent, and the OUEC without a full university investigation and without official findings of fact.
    - **Formal Resolution Procedure:** This provides a structured process for investigating and resolving complaints that includes official findings of fact.<sup>3</sup>
  - Follow-up by supervisor, training (bias, etc.), disciplinary action, termination, etc.
    - **For Employees (Formal Resolution Procedure):** “OUEC will issue a Notice of Investigative Findings concurrently to both parties setting forth its findings and the rationale for its conclusions. As appropriate, a copy of the Notice will also be forwarded to the administrative official immediately responsible for supervision of the Respondent and the appropriate Vice President, Dean, or Director for the unit in which the Respondent works.”<sup>3</sup>
    - **For Students (Formal Resolution Procedure):** “Following completion of its investigation, OUEC will refer the investigative summary, that does not include a recommended finding, to the Director of Office for Student Conduct and Conflict Resolution (OSCCR). Resolution of cases when the respondent is a student will follow the procedures established in the [Code of Student Conduct](#).”<sup>3</sup>
  - Are reports tracked? Yes
  - How are they tracked? By whom?
    - OUEC
    - **Informal Resolution Procedure:** “A summary of the informal process shall be kept on file with OUEC, but will not be considered to be part of the personnel files of the Complainant and the Respondent.”<sup>3</sup>
    - **Formal Resolution Procedure:** “A summary of the Formal Resolution Procedure and any notice of disciplinary and/or other responsive action shall be kept on file with OUEC. When an investigation results in a finding of responsibility for violating policy for an employee, the Notice of Investigative Findings and any notice of disciplinary and/or other

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<sup>3</sup><https://www.northeastern.edu/ouec/wp-content/uploads/2016/03/EOComplaintProcedurePOSTEDDec2018-.pdf>

responsive action will be added to the official personnel file of the Respondent.”<sup>3</sup>

- Are repeated complaints escalated to a disciplinary board? What is the process?
  - To our knowledge, we don't have a disciplinary board. Instead, the Title IX coordinator goes to the Provost or President if complaints are not handled / addressed.
- **What resources are available for individuals reporting?**
  - Counselors or advocates, especially those of the same race, ethnicity, and gender?
    - “Upon receipt of a report of discrimination, the university will inform the student Complainant(s) and Respondent(s) of, and promptly provide access to...options for on- and/or off-campus medical, counseling, and other related services.”<sup>2</sup> (for the full list of “supportive, remedial and protective measures provided by university”, see below)
    - There does not appear to be any mention of **advocates** provided by the university within the [Policy Prohibiting Sexual- and Gender-Based Harassment](#). **Could this be an ombudsperson?**
      - **Graduate Ombudsperson:** Dr. Kimberly Wong  
graduateombuds@northeastern.edu or  
[ki.wong@northeastern.edu](mailto:ki.wong@northeastern.edu)
        - Dr. Wong met with MES GSA in October 2020.
    - racial, ethnic, and gender make-up of the counseling services department
      - 9 mental health clinicians (counselors, etc.)  
<https://www.northeastern.edu/uhcs/about-uhcs/staff/>
    - There is a section relating to Advisors that might be relevant, although this seems to be an outside resource / not university-mediated?
      - **“Advisors** (section L) - “The Complainant and Respondent may be accompanied by their respective Advisors at any meeting or interview related to the investigation and adjudication of a report under this Policy. While Advisors may provide support and advice to the parties during the meeting or interview, they may not speak on behalf of the parties or otherwise actively participate in such meetings and/or proceedings...”<sup>2</sup>
  - Automatic or requested investigation of potential impact on grades or evaluations?
    - It seems like this would fall under the protections against retaliation (listed below)?
    - Not sure how this would work in terms of being an automatic investigation or needing to come from a request...
  - Protection against retaliation or repercussions, accommodations for continuing work/courses, option for pass/fail or outside assessment?
    - **Protection against Retaliation** (section H) - “It is unlawful to take adverse actions against any member of the Northeastern community for

filing a complaint of harassment or discrimination, or for cooperating in an investigation of such a complaint. Retaliation against a member of the Northeastern community who, in good faith, reports alleged harassment or who participates in an investigation is a violation of this Policy. Any person who is determined to have engaged in retaliatory behavior will be subject to appropriate discipline. Retaliation may have an adverse impact in the following areas: hiring, firing, promotions, demotions, compensation, benefits, grading, pressure to withdraw from class, ignoring, refusing requests for assistance. This list is not exhaustive.”<sup>2</sup>

- **Request for Anonymity** (section I) - “If a Complainant requests to remain anonymous during an OUEC Resolution for an allegation of Sexual or Gender-Based Harassment, **the Assistant Vice President** will consider the request, balancing the request in the context of the university’s responsibility to provide a safe and non-discriminatory environment for university community members, as well as the fair and equitable treatment of the individuals involved. This includes the Respondent’s right to receive notice of allegations that prompted the investigation. The university will take reasonable steps to investigate and respond to a report of a Sexual or Gender-Based Harassment consistent with the request for anonymity, but its ability to investigate may be limited by the request. The university may not be able to honor requests for anonymity in all cases. In such cases, the Assistant Vice President will notify the Complainant that the university intends to proceed with the most appropriate resolution procedure, as deemed by the OUEC, and that during the process the Complainant’s identity may have to be disclosed to individuals who may have relevant information regarding the allegation.”<sup>2</sup>
- **Medical Amnesty** (section J) - “The university seeks to remove any barriers to reporting allegations of Sexual or Gender-Based Harassment. Accordingly, student Respondents, student Complainants and student witnesses will not be subject to disciplinary sanctions for drug or alcohol offenses that may have occurred in connection with alleged harassment or discrimination. For the full Medical Amnesty Policy, please see the Code of Student Conduct.”<sup>2</sup>
- **Supportive, Remedial, and Protective Measures for Students** (section K) - “The university offers reasonable and appropriate measures to protect students who are Complainants, Respondents, and witnesses, as appropriate, and to facilitate their continued access to university education programs and activities while maintaining the integrity of any investigation into an allegation of harassment or discrimination. Upon receipt of a report of discrimination, the university will inform the student Complainant(s) and Respondent(s) of, and promptly provide access to, the following supportive, remedial and protective measures as appropriate:

- options for on- and/or off-campus medical, counseling, and other related services;
- options for temporary alternate housing arrangements, including immediate relocation to different university housing, when available;
- options for requesting a residential hall ban;
- options for altering academic class schedules/obligations;
- options for a leave of absence;
- options for altering student organization schedules/obligations;
- options for altering work schedule or job assignment;
- emergency removal from the university's educational program for student respondents and administrative leave from employment for employee respondents (with or without pay);
- options for alternative transportation as well as a campus escort service;
- options for seeking disciplinary action against a Respondent who is a Northeastern community member;
- options for receiving a university No Contact Order; and
- options for seeking a Judicial Harassment Protection Order or a Restraining Order.

The above supportive, remedial and protective measures may be temporary or permanent and are available to Complainants even if they do not wish to participate in an OUEC or criminal investigation of the alleged discrimination. While the above outlined measures represent options that are generally available to the parties, not every measure is available to every party in every circumstance. Except under extraordinary circumstances as determined by the Assistant Vice President, the university does not provide supportive, protective and remedial measures to Third Parties.”<sup>2</sup>

**TO DO: Clarify whether similar measures exist for staff and faculty, and whether these apply to undergraduate and graduate students**

- **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?
    - To our knowledge, there isn't a formal process. Likely, any “bottom-up” effort would have to work with the faculty senate, so a petition could be brought to the faculty senate to start the process, with the outcome depending on their actions.
  - Working groups or committees with power to change or propose changes to policy



- There are EDIJ committees/working groups at both the MES- and COS-level that can likely propose changes to policy, but neither has the power to change policy
- Cultural surveys, regular or only after widespread reports or high-profile incidents
  - Northeastern: Campus Climate Survey conducted annually from 2014-2019 (results available [here](#)); additional climate surveys planned for this spring and fall
    - In general, other departments (at least within COS) are starting to implement similar climate surveys at the departmental level.
  - COS: summary report and results from the first College of Science Climate Survey (completed Sep 2020) distributed via department listserv accessible to students, staff, and faculty in Oct 2020. Not sure if this report is accessible elsewhere? Is it (or are there plans for it to be) housed somewhere on the COS website?
  - MES: Similarly, are these reports anticipated to be kept anywhere for accessibility?
    - MSC/MES has conducted a Diversity and Inclusion Survey annually since 2018 (usually in Jan/Feb) and a PDF of the final report has been distributed to the MES/MSC community (students, staff, faculty) via email/listserv (usually in Apr), in addition to being presented and discussed at meetings of the Diversity and Inclusion Committee
    - MSC/MES Diversity and Inclusion Survey 2020-2021 survey completed Feb 2021
    - Past reports are not currently posted, but reports could be archived.
- Leadership proactively asks students and/or staff for input on how to improve?
  - Prompts included in MSC/MES annual climate surveys
  - MES/MSC Diversity and Inclusion Committee had a Suggestion Box to submit anonymous comments, ideas, and solutions, though not many people took advantage of this reporting mechanism