

URGE

Unlearning Racism in Geoscience

URGE Complaints and Reporting Policies PacIOOS Pod

This is what was found by PacIOOS at the School of Ocean and Earth Science and Technology (SOEST) at the University of Hawai'i on policies for handling complaints, the reporting process, resources, and possible outcomes. Some information was public and other answers were only found through personal communication. When compared to 2,475 other U.S. universities, UH Manoa ranked 75: <https://www.collegefactual.com/colleges/university-of-hawaii-at-manoa/student-life/diversity/>

The most recent research conducted by the UH Manoa on student diversity was in 2016: http://www.hawaii.edu/diversity/wp-content/uploads/2016/09/Manoa-Diversity-Profile_Mar30-2016.pdf

- UH Manoa policy for sexual discrimination and bullying:
<https://www.soest.hawaii.edu/soestwp/sexual-harassment-and-bullying/#policy>
- UH Manoa Office of the President: DISCRIMINATION COMPLAINT PROCEDURES FOR STUDENTS, EMPLOYEES, AND APPLICANTS FOR ADMISSION OR EMPLOYMENT: <https://www.hawaii.edu/policy/archives/apm/pers/a9920.pdf>
- SOEST/RCUH/JIMAR related information:
Office of Title IX, Policies and Procedures: <https://manoa.hawaii.edu/titleix/policies/EEO/AA>: <https://www.hawaii.edu/offices/eeo/>
- Equal Employment Opportunity & Sexual Harassment within JIMAR:
<https://www.rcuh.com/3-000/3-100/>
- Are reporting policies regularly reviewed? What is the process for changing policy?
SOEST policies on racism are under immediate review during the 2021 academic year, with development of a website to address:
 1. SOEST Code of Conduct
 2. FLOW charts and diagrams for reporting
 3. Demographics
- Are the rates of reporting made publicly available (e.g. # of reports each year)? Unknown by our pod.

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

SOEST policy for handling complaints about incidents of harassment falls under the UH system guidelines, as defined under Title IX.

- While there are clear policies for harassment, there are no specific policies on racism.
- Sex and Gender-related complaints fall under Title IX, and can be categorized as formal and informal.

Formal complaints:

- Formal complaints can go through either Associate Dean Chip Fletcher, SOEST HR, RCUH HR, or UH campus HR
- A formal complaint triggers a process that includes:
 - 2-person fact finding process that includes a series of interviews with people that are relevant to the report. This can take months.
 - Interviews are recorded and summarized.
 - A notebook accumulates with the content of interviews. This builds as new names surface and those folks are interviewed as well.
 - The fact finders create a summary to pass on to a 3rd person decision maker who determines liability and where fault lies
 - Decision-maker determines the penalty within the guidelines, which can include:
 - Leave with Pay
 - Leave without Pay
 - Remove from position of authority
 - chair, director, etc.
 - loss of employment

Informal complaints:

- Workplace hostility is a broad category, and could include microaggressions, overt racism, etc.
- When someone comes to the Associate Dean Chip Fletcher, he is required to react immediately. This is true of anyone employed by UH that witnesses or has someone report an incident to them.
 - Nominally must report to SOEST HR.
 - If faculty is not involved, HR will handle it (e.g., if staff)
 - If faculty/student, the complaint goes to Anita Lopez or Associate Dean Chip Fletcher, or SOEST Dean Brian Taylor, if necessary.
- In these situations that don't rise to a formal complaint:
 - Associate Dean Chip Fletcher, for example, listens to the aggrieved party, asks necessary questions, and contacts the person that committed the offense to

- discuss the issue and explain how the act was inappropriate, often employing empathic understanding to educate the person on how their actions affect others.
- Associate Dean Chip Fletcher also tells the responding party that they may not go back to the aggrieved party and talk about the issue at all. Associate Dean Chip Fletcher tells the aggrieved party to come to him if the person brings it up again.
 - Using a template, Associate Dean Chip Fletcher records the message, and provides the responding party to accept his memo or report/edit it. Ideally, he will accept the edits, but if he cannot, he comments that he doesn't accept the edits. Both Associate Dean Chip Fletcher and the responding party sign the memo, and it goes into the HR record.
 - Often that can be the end of it.
 - If however, there are multiple events like this involving the same responding party-- the process and penalties are not clearly defined.
 - SOEST Dean's office is currently in discussions on how to address this.
 - SOEST is currently developing a SOEST Code of Conduct and hopes that this will help provide a mechanism by which they can confront this and other issues, and use it as a way to educate and guide everyone within the school on how to act and create an environment that is safe for everyone.
 - Goal is to complete this by the end of the 2021 school year.
 - Rather than a network of consequences, SOEST is hoping to build an environment and workplace where people thrive and are happy.
 - Also plan to hold workshops and training sessions Summer 2021 and Fall 2021.

Anonymity:

- To date, most folks that come to the Associate Dean Chip Fletcher are students, and many don't want their name brought into it.
 - There is no legal confidentiality though, especially if one wants action taken.
 - In cases where someone wants to have confidentiality, the Associate Dean Chip Fletcher explains the issue with this, and how there should be no retribution for reporting, and that it is memorialized in the memo. But if the person still insists on being anonymous, they can talk about the situation *theoretically*, and they record the incident as hypothetical.
 - And then, HR can watch for more occurrences related to the same person being reported.
- **What resources are available for individuals reporting?**
 - Counseling and Student Development Center: <https://manoa.hawaii.edu/counseling/>
 - UH Confidentiality Advocacy Program: advocate@hawaii.edu

- UH Manoa Office of Student Equity Excellence Diversity:
<https://www.hawaii.edu/diversity/>
- Protection against retaliation or repercussions, accommodations for continuing work/courses, option for pass/fail or outside assessment.
University of Hawai'i has a non-retaliation policy to protect anyone filing an informal or formal complaint, serving as a witness, or participating in any manner in a complaint resolution process or investigation.
- **What resources are available to groups raising issues or proposing changes?**
 - BIPOC letter to Oceanography Department demanding change within the department regarding racial issues with recommendations for change to address issues, 203 signatures which included graduate students, post-doctoral fellows, and faculty.
 - SOEST 1 Year Response to the External Program Review (2020):
<https://manoa.hawaii.edu/ovcaa/wp-content/uploads/2020/10/SOEST-One-Year-Progress-Report.pdf>
 - The Oceanography Department is currently affecting change through hiring with JEDI emphasis and conscious efforts to reflect the cultural and ethnic background of the student population.
 - Establishment of SOEST Code of Conduct (currently underway).