URGE Session 2 — Deliverable — Complaints and Reporting Structure

This is what was found by the **URGE Pod** at the **School of Earth and Space Exploration at Arizona State University** on policies for handling complaints, the reporting process, resources, and possible outcomes. [Some information was public; answers that were only found through follow up with contacts are noted.]

- The link(s) to the reporting policy at our organization are here:
  - Top Level University Policies can be access from: https://www.asu.edu/reportit/
    - The top-level univeristy policy covering harrassment and discrimination is ACD 401: https://www.asu.edu/aad/manuals/acd/acd401.html
    - More detailed explanations of reporting policies with an emphasis on sexual harassment/assault: https://sexualviolenceprevention.asu.edu/report
    - Also Office of University Rights & Responsibilities: https://urr.asu.edu
  - Department, Lab, Division, Advisor or Supervisor Policies
    - For SESE, there are various references in various places to university policies and procedures. SESE JEDI Task Force is focused on producing a Strategic Plan. Creating a SESE Code of Conduct is a priority goal in the Strategic Plan, which will start to be implemented in ~6–12 months. [Information provided by URGE Pod Members]
  - Are reporting policies regularly reviewed? What is the process for changing policy?
    - Policies are not regularly reviewed, but addressed on an 'as needed' basis. [Personal Communication with Deborah Clarke, ACD Manual Coordinator]
    - ACD revisions must be approved by the faculty senate and the provost. The manual coordinator recommended reaching out to our senator to suggest changes. [Personal Communication with Deborah Clarke, ACD Manual Coordinator]
  - Are the rates of reporting made publicly available (e.g. # of reports each year)?
    - Anything that falls under the Cleary Act (crimes) is reported, but not incidences of harassment or racism in general.

- What mechanisms are available for reporting complaints, bias, microaggressions, harassment, and overt racism?
  - Who are the designated individuals/positions for reporting incidents?
    - Dean of Students is a designated point person for reporting harassment by/of students
    - SESE has faculty in leadership positions to deal with incidents (e.g., Prof. Till for an Inclusive Community, Prof. Hartnett for graduate students). General sense is that they would be approached and hopefully steered to the formal policies. This informal process has issues, including creating inequities depending on individual relationships with the individuals, and an additional, informal responsibility for those in leadership roles. [Information from URGE Pod Members]
    - Graduate students will tend to reach out to their peers first before reaching out to faculty. There is a specific role, currently held by Mara Karageozian, of Graduate Advocate on the Graduate Council to make anonymous and report feedback. Need to formalize/make more obvious the reporting mechanisms. [Information from URGE Pod Members]

- There are student groups that solicit anonymous or anonymous accounts, like Sun Devils Against Sexual Assault, and try to advocate for support but this is not an official reporting process.

○ Can reports be made online? Where? Yes (see below) Anonymously? No (except via the ASU Hotline… see below)
- For reporting employees, reports can be made via email (URR@asu.edu) or phone (480-965-5057)
- The Dean of Students or the Office of Student Rights and Responsibilities can be called or visited (contact information here: https://sexualviolenceprevention.asu.edu/report/srr)
- Incident reports for the Office of Student Rights and Responsibilities can be filed online by anyone against a student or a student organization online here: (https://eoss-forms.asu.edu/form/campus-community-incident-report), or a form can be downloaded and filed in person w/o an appointment.
- Anonymous reporting is primarily available via the ASU Hotline: https://sexualviolenceprevention.asu.edu/report/hotline, both online and via phone (1-877-SUN-DEVL) that is specifically designated for anonymous reporting of all ethics concerns: "*Reports to the ASU Hotline can be made anonymously. ASU's ability to respond to anonymous reports may be limited based on the information available*."
- ASU has confidential support resources available (https://sexualviolenceprevention.asu.edu/confidential-support)

○ Who do in-person and online reports go to? Who has access to see reports?
Names and/or positions or "Not publicly listed/Unknown"
- The specific names and positions are not publicly listed/are unknown, except in instances covered by Title IX.

○ Are police included in the process? When and how? Are individuals accompanied by an advocate or someone from the organization?
- Police are not included in the normal report investigation process.
- Police are included when there is a formal criminal report made.
- Individuals have a right to a support person or advocate, but if there is a process to ensure victims have an advocate, it is not clear. There is an ASU Victim Advocate who is available to act as an advocate (https://cfo.asu.edu/victim-services)

● What are the outcomes or consequences for reported individuals?
- Disciplinary action depends on the employment classification of the individual:
    - Faculty: ABOR 6-201.J. and L
    - Administrators: ABOR 6-101.H.
    - Academic Professional Staff: ABOR 6-302.G. and I or ACD 508-03
    - University Staff: SPP 301, SPP 801, SPP 808
    - Classified Staff: SPP 809; and, at SPP 901.
    - Students: Student Code of Conduct
  Student Code of Conduct Procedures: https://eoss.asu.edu/dos/srr/codeofconduct

○ Follow-up by supervisor, training (bias, etc.), disciplinary action, termination.
- Possible outcomes or consequences run this gamut depending on the mechanism of reporting and the specifics of the policy violations.

- There have been high-profile cases of faculty/deans being fired or "resigning," so severe consequences are possible. However, outcomes are not transparent/publicized in general.
○ Who decides the outcomes/consequences? What is the process?
    - For university-level reports to the Office of Rights and Responsibilities, or similar, involving employees the procedures here are followed: https://provost.asu.edu/policies/procedures/p20
    - For university-level reports to the Offfice of Students Rights and Responsibilities, or similar, the procedure here are followed: https://eoss.asu.edu/sites/default/files/student_code_of_conduct_procedures_revised_8.10.20.pdf
    - In general, answers are more obvious for super-formal channels such as a police report. However, the most common/impactful day-to-day outcomes/consequences are not transparent.
    - Discussion of informal tracking of people and complaints (lots of legal implications regarding the idea of compiling allegations against people, when the allegations have not been fully investigated). https://academic-sexual-misconduct-database.org
    - Anecdotally, the level of investment may depend on the priorities (including career trajectories) of the leaders who are tasked with handling the case. Other issues are caused by lack of formal institutional knowledge transfer when people change positions. Priorities also shift in terms of policy and culture changes as leadership changes. [Information Provided by URGE Pod Members]
○ Are reports tracked? Yes/No How are they tracked? By who?

    - For complaints investigated at the University level (Office of Rights and Responsibilities,etc.) involving employees: "The written report and referenced exhibits developed or created as a result of an investigation, shall be retained by the Office of University Rights and Responsibilities for the length of the employee's term of employment and for a period of 5 years from the time of separation of employment by the employee. All other related documents, materials and records shall be destroyed in accordance with the records retention policy."
    - For complaints investigated at the university level involving students: https://www.asu.edu/aad/manuals/ssm/ssm104-06.html
    - For SESE, it depends: Some issues are mediated at the level of ADs/Director, other issues are elevated to the institutional level (Dean of Students, ORR). Internal SESE issues are documented; issues that are elevated are *definitely* documented. Certainly there are issues of sensitivity and confidentiality. [Information provided by URGE Pod Members]

○ Are repeated complaints escalated to a disciplinary board? What is the process?
    - Same answer as previous: For SESE, it depends: Some issues are mediated at the level of ADs/Director, other issues are elevated to the institutional level (Dean of Students, ORR). Internal SESE issues are documented; issues that are elevated are

definitely documented. Certainly there are issues of sensitivity and confidentiality. [Information provided by URGE Pod Members]

- What resources are available for individuals reporting?
- Counselors or advocates, especially those of the same race, ethnicity, and gender:
  - [Student Advocacy and Assistance](#) is part of the Dean's Office and can assist students with finding resources and acting as advocates.
  - ASU Victim Advocate (primarily for crimes) https://cfo.asu.edu/victim-services.
  - ASU Counseling is available 24/7: https://eoss.asu.edu/counseling
  - For employees, the Employee Assistance Office (https://cfo.asu.edu/eao-wellness), can take confidential reports and will also assist with connecting employees to resources.
  - There are no known provisions for providing counselors or advocates of the same race, ethnicity, or gender.
- Automatic or requested investigation of potential impact on grades or evaluations; Protection against retaliation or repercussions, accommodations for continuing work/courses, option for pass/fail or outside assessment.
  - ASU is 'obligated to consider' requests for accommodations. The following channels need can be used for requests
    - Academic Requests:
      - The Dean's Office can be contacted to work with an individual to have accommodations made, including requesting an investigation of potential impact on grades or evaluations.
      - options for change include, but are not limited to, change to another course section, change to an alternative course delivery method, change in workgroup assignments, and imposition of physical separation restrictions. (This is primary mentioned in relation to Title IX violations, however)
    - Living Arrangements:
      - Contact ASU Housing (front desk staff have contact information for after business hours)
      - including, but not limited to, reassignment to another available location within ASU University Housing, housing access restrictions, or alteration or cancellation of an ASU University Housing license
    - Transportation:
      - Students contact: Dean of Students Office
      - Employees contact: Office of University Rights and Responsibilities
      - options include, but are not limited to, allowing a parking permit change, assisting with arrangements for alternate public transportation, or other transportation accommodations that reasonably address the request
    - Work:
      - Students contact: Dean of Students Office
      - Employees contact: University Rights and Responsibilities

- options include, but are not limited to, alternative work location, alteration of work schedule, or identification of other work opportunities.
- Within SESE, case by case basis (e.g., SESE emergency fund to ameliorate financial issues). SESE can also escalate issues to make additional resources available. Academic accommodations may be created ad hoc, but, again, case by case basis. [Information provided by URGE Pod members]

● 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?
- We have regular SESE community conversations. There are lists of action items created, SESE JEDI Task Force (+ Task Force Allies) has a more formal brief to identify action items.
- SESE Listening Sessions (weekly with leadership summer and Fall 2020; targeted at each part of our community (ugrads, grads, etc.) with JEDI Task Force Spring 2021)
○ Working groups or committees with power to change or propose changes to policy.
-SESE JEDI Task Force
-SESE Leadership (Associate Directors, Director)
○ Cultural surveys, regular or only after wide-spread reports or high-profile incidents.