

COMPLAINTS AND REPORTING POLICY

WILLIAM & MARY

The following was found by the VIMS/W&M URGE Pod on policies for handling complaints, the reporting process, resources, and possible outcomes at William & Mary. Some information was public; answers that were only found through follow up with contacts are noted.

I. LINKS TO THE REPORTING POLICY AT WILLIAM & MARY

- William & Mary [Discrimination, Harassment, and Retaliation Policy](#)
- William & Mary [Resources for Reporting](#) (student, faculty/staff, or other)
- William & Mary maintains a [Compilation of Unit Diversity Plans](#); however as of February 2021 this is out of date, and does not include links to many diversity plans from schools and departments.
- William & Mary Arts & Sciences maintains an [Action Plan for Diversity and Inclusion](#) (updated 2020), informed by the [Arts & Sciences Council on Diversity and Inclusion](#) and the [A&S Task Force for Diversity, Inclusion, and Equity](#).
- The William & Mary Geology Department maintains an [Equity and Social Justice page](#), which includes links to its Principles of Community and results of recent Student Climate Surveys. No equivalent exists for the Marine Science Minor.
- Reporting rates are not found publicly. We assume the rates are not reported or are not readily available.

II. MECHANISMS AVAILABLE FOR REPORTING COMPLAINTS, BIAS, MICROAGGRESSIONS, HARASSMENT, AND OVERT RACISM

- The William & Mary [Resources for Reporting](#) site includes easily digestible information and links to various options and resources. Additionally, policies are summarized in the [William & Mary Discrimination-Related Resources](#) document.
- The designated individuals/positions for reporting incidents are listed below, along with additional information:
 - [Office of Compliance and Equity](#) - Pamela Mason, Chief Compliance Officer
 - **Students:** discrimination and harassment complaints are made through the [Dean of Students Office](#) or via the [Report Concerns or Violations](#) website.
 - **Employees:** William & Mary maintains an [Organizational Chart](#) of offices responsible for preventing and responding to discrimination in the workplace (employees)
 - Sexual harassment complaints as related to either students or staff requires mandatory reporting by some personnel (faculty and supervisors). These include reports of sex-based discrimination, including sexual harassment and sexual violence affecting a student and specific incidents of sexual violence occurring on W&M's Clery Act geography to the Title IX Office. This can be done at the [Title IX Reporting Site](#).
 - William & Mary maintains a specific [Student Sexual Harassment/Assault Infrastructure Guide](#).
- Reports can be made via [email](#) or anonymously via a secure dropbox to the [Office of Compliance and Equity](#) (see specific information [here](#)) or to specific individuals, as follows:

- **Students:** Director of [The Haven](#), Director of [Student Accessibility Services](#), [Student Health Center](#), [The Counseling Center](#), [Arts & Sciences Graduate Ombuds](#) (for grad students in A&S), [International Travel and Security Manager](#), [Campus Ministries United](#).
- **Employees:** [University Ombuds](#), [Employee Assistance Program](#) (four free counseling sessions at no charge, administered through health plans), [Virginia Employee Dispute Resolution Advice Line](#) (for VA state employees)
- Reports are submitted to and/or accessed in the following manner:
 - Office of compliance and equity team conducts an initial assessment
 - If it is determined the matter alleges discrimination, harassment, or retaliation, it is passed to a review team (OCE representative(s), HR rep(s) [employees], Dean of students [students], Arts & Sciences Dean [faculty], and William and Mary police department rep(s)) for evaluation.
- Police involvement:
 - Hate crimes, acts of violence or other criminal conduct should be reported to the police. In emergencies dial 911. On campus, contact [William & Mary Police](#) at 757-221-4596.
 - Members of the W&M Police Department participate in the Reporting Review Team.
 - It is unclear if advocates are automatically provided when police are notified. This may need to be requested from W&M by the reporter.
 - It is also unclear how the Office of Compliance decides whether or not others should be notified. It appears to occur only when they believe criminal act has occurred.

III. OUTCOMES OR CONSEQUENCES FOR REPORTED INDIVIDUALS

- ***Follow-up by supervisor, training (bias, etc.), disciplinary action, termination:***
 - **Faculty:** Consequences can include: A warning not to repeat the offending conduct and/or special monitoring of teaching or research; Separation of the parties involved; Required participation in an educational program (for example, about discrimination); A letter of reprimand; Removal from a research project (including long-term disbarment), suspension of access to laboratories, or other reassignment of duties; Loss of office, travel funds, research funds, etc.; Denial of a pay increase; Reduction in rank, salary or loss of endowed chair; Probation; Suspension (administrative leave) with or without pay; or Dismissal. Consequences occur after the reporting and hearing processes and are determined by the Provost, with possible input from the panel.
 - **Staff:** Sanctions for staff are dependent on the employee type: classified or operational, professional/professional faculty, executive, or other. Consequences occur after the reporting and hearing processes and are determined by the Provost, with possible input from the panel. The panel determines whether the complainant's rights were violated through discrimination or retaliation and/or whether a respondent engaged in misconduct. Additional details are outlined in the [Discrimination, Harassment, and Retaliation Policy](#).
 - **Students:** Consequences are much more explicit and can include the following: permanent dismissal, disciplinary suspension (for a definite or indefinite duration), deferred suspension, disciplinary probation, warning, loss or restriction of privileges, loss of housing, deferred loss of housing, housing probation, educational requirement, task/service participation, restitution, Alcohol/Substance Abuse Counseling/Education, Written Apology, Essay/Reflection or Research Paper, Counseling with Certified Counselor, Unilateral No Contact Order, Relocation of Housing, Required Withdrawal from

Course, Required Withdrawal from Student Organization, and Assignment to Mentor Program. Sanctions are determined by the Determination Official in consultation with the Dean of Students.

- ***The process for outcomes and consequences is detailed in the [Employee Discrimination, Harassment, and Retaliation Grievance/Complaint Procedure](#). In summary:***
 - Upon receipt the complaint is reviewed by the “Review Team”
 - Based on considerations listed in the protocol the Review Team determines the best course of action, which include (1) No further action under this procedure; (2) Remedial, but Non-Disciplinary Action; and (3) Further action under this procedure
 - After investigation, the “Determination Official” and/or the hearing committee are responsible for deciding whether a policy was in violation
 - Determination Official resolves matter administratively, which could include an administrative resolution; a hearing; and involvement of the Provost.
- ***Reporting Tracking***
 - ***Employees:*** On an annual basis, the Provost provides an anonymous account of the previous year’s discrimination and harassment complaints that involve faculty to the Faculty Assembly. It is unclear whether there is any tracking of discrimination and harassment reports regarding staff.
 - ***Students:*** Records related to student discrimination and harassment reports are maintained for three years as required by the Records Retention Schedules of the Library of Virginia, which implement the Virginia Public Records Act. This is reflected in consequences for student discrimination and harassment (i.e. if students receive a “warning,” further complaints can receive additional consequences). Complaints that involve specific criminal incidents may be reported in the daily crime log or Annual Security Report.
 - For all parties, complaints are treated confidentially unless required by law or to protect personal safety. The outcome is shared or kept confidential based on federal and state law.
- ***Escalation of complaints:***
 - Complaints are first reviewed within 72 hours by the *Civil Rights Review Team* to determine if any immediate actions are required, if protection is needed, and to develop a future course of action.
 - In cases of combined or multiple complaints against an individual, the process for disciplinary action remains the same, and all complaints will be consolidated and addressed together
 - After the Review Team has initially assessed the complaint, they will respond in one of three ways: 1) With no further action if they decide there is not enough evidence to move forward, 2) Respond with a remedial but non-disciplinary action (Ex. providing supportive measures and protections to the complainant) or 3) Proceed with a disciplinary action
 - Complainants can appeal to the appellate officer if complaints are deemed not to require an investigation based on evidence of bias or inconsistencies with the weight of evidence. The appellate officer ultimately determines whether repeated complaints are heard.

IV. RESOURCES AVAILABLE FOR INDIVIDUALS REPORTING

- ***General Resources:***
 - *Confidential Conversations:* [The Haven](#), [Student Accessibility Services](#), [Student Health Center](#), [The Counseling Center](#), [Arts & Sciences Graduate Ombuds](#)
 - [Report Concerns or Violations](#)

- [Whistleblower Policy](#)
- [How Complaints and Reports are Handled - Investigation Procedures](#)
- **Employee Specific Reporting:**
 - [Employee Discrimination, Harassment, and Retaliation Grievance/Complaint Procedure](#)
 - [Mandatory Reporting](#)
- **Reporting for Marginalized Communities:** Little information available or no specific policies

V. RESOURCES AVAILABLE TO GROUPS RAISING ISSUES OR PROPOSING CHANGES

- Letters from students/faculty/staff etc. may trigger a town hall, a meeting with organizational leadership, or policy change. The follow-up process for town halls and meetings is given by [The Center for Student Diversity](#), [Compliance & Equity \(Title IX\) Office](#), [The Dean of Students Office](#), or [Student Accessibility Services](#).
- In general the working groups or committees with power to change or propose changes to policy include the [Provost](#), [Faculty Assembly](#), [Staff Assembly](#), and individual administrative units and departments.
- Cultural surveys are irregular and have been focused at unit/departmental level. For example, the W&M Geology Department conducted a [Student Climate Survey](#) in 2018 and maintains a [website](#) on JEDI efforts and other resources. regular or only after wide-spread reports or high-profile incidents. Within the department, leadership proactively asks students and/or staff for input on how to improve.

VIRGINIA INSTITUTE OF MARINE SCIENCE

The following was found by the VIMS/W&M URGE Pod on policies for handling complaints, the reporting process, resources, and possible outcomes at the Virginia Institute of Marine Science (VIMS). Some information was public; answers that were only found through follow up with contacts are noted.

I. LINKS TO THE REPORTING POLICY AT VIMS

- VIMS defers to the [William & Mary Discrimination, Harassment, and Retaliation Policy](#) and [William & Mary Resources for Reporting](#).
- VIMS maintains no formal compilation of internal, departmental/unit-level, or lab-level policies.
- Reporting rates are not found publicly. We assume the rates are not reported or are not readily available.
- The [VIMS Diversity Plan](#) was developed in 2016. A Task Force report was completed in June 2019; this has not posted publicly as of February 2021.
- The W&M Diversity Policy, which VIMS is under, was created in 2014 and updated in 2020. Other revisions occurred in 2015 and 2016.
- The [VIMS Diversity & Inclusion Website](#) maintains VIMS principles of Communities and links to resources.

II. MECHANISMS AVAILABLE FOR REPORTING COMPLAINTS, BIAS, MICROAGGRESSIONS, HARASSMENT, AND OVERT RACISM

- **Students:** VIMS defers to William & Mary in almost all aspects of reporting for students. This is seen as problematic because graduate students otherwise have no interaction with the William & Mary Dean of Students Office.
- **Employees:** formal complaints are lodged through the William & Mary Human Resources representative on VIMS campus. Follow-up is through the [W&M Compliance & Equity Office](#). In addition, VIMS Staff can report complaints with their supervisor, or their supervisor's supervisor (chairs, deans, ombuds).
- Sexual harassment complaints as related to either students or staff requires mandatory reporting by some personnel (faculty and supervisors).
- The William & Mary [Resources for Reporting](#) site includes easily digestible information and links to various options and resources. This page is also linked to directly from the VIMS DiveIn website.
- All reporting policies and procedures defer to William & Mary.

III. OUTCOMES OR CONSEQUENCES FOR REPORTED INDIVIDUALS

- Follows W&M policy in full.

IV. RESOURCES AVAILABLE FOR INDIVIDUALS REPORTING

- **General Resources:** Confidential conversations can be held with VIMS Counselor Dr. Haygood-Jackson or the [VIMS Ombuds Team](#); otherwise, all W&M resources are available to VIMS students and employees
- **Employee Specific Reporting:** defers to W&M policies
- **Reporting for Marginalized Communities:** Little information available or no specific policies

V. RESOURCES AVAILABLE TO GROUPS RAISING ISSUES OR PROPOSING CHANGES

- Letters from VIMS students/faculty/staff etc. may trigger a town hall, a meeting with organizational leadership, or policy change. The follow-up process for town halls and meetings is given by [The Center for Student Diversity, Compliance & Equity \(Title IX\) Office](#), [The Dean of Students Office](#), or [Student Accessibility Services](#).
- Working groups or committees with power to change or propose changes to policy include:
 - VIMS [Graduate Student Association](#)
 - VIMS [DEI Task Force](#) and [DiveIn Committee](#)
 - DEI and Other Discrimination resources can be found on the VIMS [DiveIn Website](#).
 - Others include departmental and administrative units, the VIMS [Administration Team](#), [Faculty Council](#), [PPF Council](#), VIMS [Academic Council](#).
- The [VIMS Diversity Plan](#) was developed in 2016. A Task Force report was completed in June 2019; this has not posted publicly as of February 2021.
- Leadership proactively asks students and/or staff for input on how to improve.
 - Monthly advisory meetings and annual faculty/post-doc women's lunch
 - VIMS Internship Program Coordinator or Program Director