Session 2: Policy for dealing with complaints (for submission)

This is what was found by Westminster SLC pod at Westminster College on policies for handling complaints, the reporting process, resources, and possible outcomes. All information below was discovered using Westminster's public-facing website.

- The link(s) to the reporting policy at our organization are here:
 - Organization, Company, University Policies
 - WC: Here's a link to the <u>main reporting page</u> that describes the response team.
 - Boise State's different reporting links are all aggregated on one webpage, which led me to a webpage which explains Title VI reporting and processes. From there I can get to a page on the specific Boise State non-descrimination and anti-harassment policy.
 - **DNR/UGS**: Rule R477-15 Workplace Harassment Prevention, last updated July 1, 2019.
 - Department, Lab, Division, Advisor or Supervisor Policies
 - WC: Do not exist for individual programs
 - **DNR/UGS**: Does not exist for specific programs
 - Are reporting policies regularly reviewed?
 - WC: Here is a link to a <u>PDF of procedure</u>.
 - At Boise State, the <u>non-descrimination and anti-harassment policy</u> specifies that "The Executive Director of Institutional Compliance and Ethics is also responsible for the periodic review and assessment of this policy and related policies and procedures." but does not give a specific timeline for what "periodic" means. I might be able to find that timeline elsewhere.
 - **DNR/UGS**: Not clear, although policies seem to change via legislative action or with new gubernatorial administrations.
 - What is the process for changing policy?
 - **DNR/UGS**: Depends on the level. All of the policies that are in place at the state seem to be a result of the Department of Human Resources Management (DHRM) or from the legislature.
 - Are the rates of reporting made publicly available (e.g. # of reports each year)?
 - **DNR/UGS**: Does not appear so.
- What mechanisms are available for reporting complaints, bias, microaggressions, harassment, and overt racism?
 - Who are the designated individuals/positions for reporting incidents?
 - At Boise State, it looks like there are <u>a few options</u> for reporting descrimination. That webpage gives the titles of positions, not specific people's names. The <u>info page on Title VI</u> also gives guidance on what to do if you're not sure who to make a report to. It looks like most complaints are filtered through the Title VI Coordinator.

- WC: The <u>Bias Education and Response Team</u>.
- DNR/UGS: The Utah Department of Human Resource Management (DHRM) has the official capacity for receiving these kinds of complaints. For UGS, we have a HR specialist, who works for DHRM but within our DNR building. She is tasked with being our contact person for all HR related questions. All state employees are required to complete workplace harassment and abusive conduct prevention training upon hire and every 2 years after that.
- o Can reports be made online? Where? Yes/No, Link Anonymously? Yes/No
 - At Boise State, you can make a Title VI report online (you can also use this form for a Title IX complaint--so I think it would be appropriate to report any form of bias/harassment/racism/discrimination and then it gets passed to the right office depending on what is going on) which goes to the Boise State Office of Institutional Compliance and Ethics, and it looks like you could leave off your name and contact information, but it seems like the form is mostly intended for non-anonymous reporting. You can also report anonymously through a company called EthicsPoint, which seems to handle many types of complaints, not just descrimination.
 - WC: Here is a place where you can report.
 - **DNR/UGS**: As described in Rule R477-15, "Complaints may be made through either oral or written notification and shall be handled in compliance with investigative procedures and records requirements in Sections R477-15-5 and R477-15-6."
 - The Utah Department of Human Resource Management (DHRM)
 Employee Gateway also has an "abusive conduct intake form"
 (word doc) that is submitted to DHRM admin. It does not define or have any information about what abusive conduct is. The page was last updated Dec 29, 2020.
- Who do in-person and online reports go to? Who has access to see reports?
 - At Boise State, it looks like the Office of Institutional Compliance and Ethics is the first stopping point for complaints. From the Title VI reporting form: "The Office of Institutional Compliance and Ethics receives and reviews all complaints and routes them to the appropriate university administrator for investigation." I have not figured out who exactly sees reports, but it is possible to look up the staff of the Office of Institutional Compliance and Ethics.
 - **DNR/UGS**: Communications all go through the HR specialist at DNR.
 - WC: The report is first reviewed by the Bias Education and Response Team (BERT) and examined by Title IX and EO Coordinator.
- Are police included in the process? When and how? Are individuals accompanied by an advocate or someone from the organization?
 - From what I have read so far about Boise State's non-descrimination and anti-harassment policies, there has been no mention of police or advocates, but maybe I just haven't read enough yet about the process.

■ WC: If there is an immediate threat of danger, reporters are encouraged to contact campus patrol.

• What are the outcomes or consequences for reported individuals?

- Westminster College has a bias reporting process (through BERT-Bias Education and Response Team) designed to offer support to all involved/named individuals identified in a formally submitted bias incident report, starting with the reporting party of the bias incident submission to learn of the reporting party's needs for support and appropriate follow up with reported individuals. Courses of action with reported individuals usually include a supporting conversation with the reported individual's (staff/faculty) direct supervisor (or in the case involving students, the Dean of Students Office). Reports may be submitted anonymously; therefore, BERT is only able to respond according to the amount/depth of information provided, e.g., name(s)/contact information. BERT reviews each bias incident report to determine if the report is appropriate to handle through the BERT process or should be referred to Title IX, equal opportunity, or the Student Code of Conduct. BERT does not investigate, initiate disciplinary action, or impose sanctions that are policy violations.
- Who decides the outcomes/consequences? What is the process?
 - In the case of a bias incident report submission, outcomes may range from internal tracking the bias incident report as formally submitted and closed with no further action because the report was submitted anonymously. Otherwise, the immediate next step after BERT reviews and discusses the case is that it is assigned to a team member who contacts the reporter to arrange a meeting to learn about the type(s) of supports that the reporter would like. Depending on this conversation with the reporter, a proceeding step might be to reach out to the reported individual(s) or their direct supervisor to offer guidance and support/steps toward resolution. These steps (and outcomes) are documented as part of the tracking process and the case is eventually closed. A case may be reopened if new/relevant information becomes available.
 - Are reports tracked? How are they tracked? By who?
 - Bias incident reports are internally tracked from the time of formal submission to closure through a secure online system.
 - Are repeated complaints escalated to a disciplinary board? What is the process?
 - In the case of repeated incidents/reported individuals, BERT may make a referral to other campus processes, such as Title IX, EO, Dean of Students Office, Provost Office, or Office of Human Resources.

What resources are available for individuals reporting?

- Counselors or advocates, especially those of the same race, ethnicity, and gender.
 - **DNR/UGS**: The state contracts with Bloomquist-Hale, which provides free short-term counselling for any state employee. https://blomquisthale.com/

- WC: Resources available for individuals reporting begin with members of BERT along with the campus ombudsperson, the Counseling Center, Campus Patrol, and the Student Health Center. Specific to students: Disability Services, Financial Aid, Global Peace and Spirituality Office, and off-campus resources such as the University of Utah's Behavioral Health, and city-wide legal assistance resources. Specific to employees: Employee Assistance Program, Human Resources, Equal Opportunity, and the Title IX Office.
- Automatic or requested investigation of potential impact on grades or evaluations.
 - WC: As these investigations are outside the scope of BERT, these questions would be directed to the appropriate offices/processes, e.g., Academic Grievance Committee.
- Protection against retaliation or repercussions, accommodations for continuing work/courses, option for pass/fail or outside assessment.
 - WC: The following guidance is included on the list of resources sent to students, staff, and faculty who submit a (non-anonymous) bias incident report: Retaliation. The College strictly prohibits retaliation (such as intimidation or harassment) against someone who has made a report and will take prompt action in response to any retaliation. If you feel you have experienced retaliation, please contact bias@westminstercollege.edu.

• 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?
- Working groups or committees with power to change or propose changes to policy.
 - **DNR/UGS**: We are working to form a DEI committee just for UGS, and made up of non-administrative staff. We have the support of our director.
- Cultural surveys, regular or only after wide-spread reports or high-profile incidents.
- Leadership proactively asks students and/or staff for input on how to improve.