Draft URGE Complaints and Reporting Policy for the University of Arkansas

This is what the UARK Geoscience Pod at the University of Arkansas found 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. We also have used this opportunity to note measures that may be insufficient, with recommended actions to improve the measures that we have some control over (departmental) or can hope to influence. We will finalize this document by summer and re-visit as needed.

● The link(s) to the reporting policy at our organization are here:
  - University of Arkansas Reporting Policies (Section 5 of Faculty/Staff Handbook)
  - Report an incident at the University of Arkansas
    - Title IX
    - Office of Equal Opportunity and Compliance (OEOC)
  - Reporting policies are regularly reviewed and are currently under review.
  - Certain reports are made available to the public (Crime and Title IX)

● What mechanisms are available for reporting complaints, bias, microaggressions, harassment, and overt racism?
  - Anyone can make a report.
  - Reporting can be done online, over the phone, or in person.
    - Title IX Procedure and contact information.
    - OEOC procedure and contact information.
  - Anonymous reports can be made over the phone but are not encouraged.
  - In-person, phone, and online reports go to their respective departments for investigation. All reports are confidential and are only accessible on a need-to-know basis.
    - Liz Means, Title IX Compliance Coordinator (email: edavisme@uark.edu)
    - Shane Barker, Title IX Deputy Coordinator (email: sxb028@uark.edu)
    - J’onnelle Colbert-Diaz, OEOC Compliance Officer/ADA Coordinator (email: jcdiaz@uark.edu)
    - April Daniel, OEOC Grievance Officer (email: axd004@uark.edu)
    - Melanie Chandler, OEOC Case Manager (email: mxc028@uark.edu)
  - Police are not involved in the process unless the victim asks for police involvement.

● What are the outcomes or consequences for reported individuals?
  - A designated Compliance Officer decides the outcomes/consequences.
  - The process starts with an internal investigation/interviews. Both sides can engage legal counsel. The person target of a complaint is given opportunity to respond.
Corrective measures can go from training to termination.

Are reports tracked? Yes/No

- Title IX: “For a period of at least seven years, the University will maintain the records of: 1) Each sexual harassment investigation, including any determination regarding responsibility, any recordings or transcripts, disciplinary sanctions, and remedies provided to the complainant; 2) Any appeal and the result therefrom; 3) Any informal resolution and the result therefrom; 4) All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. These materials will be made publicly available on the University’s website. 5) Records of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, along with documentation of the University’s bases for its conclusion that its response was not deliberately indifferent.”

“Documentation pertaining to terminations, expulsions or educational sanctions may be retained indefinitely.”

- OEOC: “Investigation records will be maintained by OEOC, including for statistical purposes and to document that the University has responded to complaints. Investigation determinations and records of administrative actions taken in response will be kept in employee personnel files if a complaint is substantiated. Further, such a record may be retained in personnel records where a finding of a violation of this policy was not sustained but where administrative action was determined to be appropriate.”

“Records maintained by OEOC may include, but are not limited to, information to document receipt of the complaint and that the University has responded to all complaints; notification of the person against whom a complaint is made as well as their response; steps taken to investigate the complaint; and whether the complaint was a violation of policy. The records will document actions taken to stop discrimination (including discriminatory harassment) and any actions taken, corrective or disciplinary.”

- For actions within the department the reports reside with the Department Chair. We recommend that the Chair annually provide the D&I committee with a summary report (by category) of complaints and outcomes. This preserves institutional memory and allows for tracking of any persistent problems (e.g., multiple reports by multiple individuals of racial discrimination) as well as opportunity to track improvements and/or zero reported infractions.

Resolution and punishment

- Title IX: “The Title IX Coordinator will communicate a decision to the complainant and the respondent to the extent that it affects him/her. Remedies must be provided in all instances in which a determination of responsibility for sexual harassment has been made against the respondent. Remedies must be designed to restore or preserve equal access to the University’s education program or activity. Such remedies may include the same individualized services described above as “supportive measures”; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent.”

- OEOC: “While OEOC does not impose disciplinary action, the respondent should be aware that the University takes allegations of discrimination (including discriminatory harassment) and retaliation very seriously. After OEOC conducts a fair, equitable, and timely investigation, OEOC may recommend corrective action to the appropriate University officials, if warranted. Such action can include, but is not limited to, specialized training, and other actions up to and including termination of employment or review under the Code of Student Life.”
● **What resources are available for individuals reporting?**

  ☑ Support for those that need to report:
    - Student resources: [Title IX](https://example.com/TitleIX) and [OEOC](https://example.com/OEOC)
    - Faculty/Staff resources: [Title IX](https://example.com/TitleIX) and [OEOC](https://example.com/OEOC)
  ☑ Reporting does not impact student grades or faculty/staff evaluations.
  ☑ Students and faculty/staff are protected against retaliation or repercussions from reporting.
    - “The University prohibits retaliation based on a protected activity, such as the filing of a complaint of alleged discrimination (including discriminatory harassment, or sexual harassment) or participation in the investigation of such a claim. Any witness, complainant or respondent involved in an investigation shall not be retaliated against for their participation in the fact-finding process.”

● **What resources are available to groups raising issues or proposing changes?**

  ☑ Currently, there is no option for students, faculty, or staff to propose large-scale policy change. (This could change in the future)
  ☑ Policies are reviewed and updated over time.
    - [The 2019 – 2021 plan](https://example.com/plan)
    - [The metric dashboard](https://example.com/dashboard)
  ☑ Leadership asks students and/or staff for input on how to improve via a [Suggestion box](https://example.com/suggestionbox)