

## **Guidelines for Reporting and Responding to Reports of Inappropriate Behavior**

### **Vanderbilt Department of Physics and Astronomy**

The department of Physics and Astronomy operates as a community with the understanding that *inappropriate behavior towards any member of the department will not be tolerated.*

Students, faculty and staff in the Department of Physics & Astronomy have several avenues available to them by which to address grievances. In general, it is suggested that **the complainant first attempt to address grievances to the offending party**. It is also recommended that all members of the department be familiar with the definitions of harassment and discrimination provided on the Opportunity Development Center (ODC) website.

#### **Guidelines for dealing with complaints**

If you are a student, research associate (post-doc), or staff member who becomes aware of an incident of inappropriate behavior, you should take the following actions:

- Acknowledge the complaint.
- Direct the complainant to the information contained in this document.
- Report the incident to a faculty member or supervisor.

If you are a faculty member who becomes aware of an incident of inappropriate behavior, you should take the following actions:

- Acknowledge the complaint.
- Understand that how it looks to the complainant is important.
- Suggest documentation of problem.
- Offer to talk to offending party if appropriate.
- Offer to take complaint to Climate Committee.
- Offer to take complaint to Department Chair.
- Explain that not much can be done if reasonable details can't be given (no "witch hunts").
- Follow up promptly and explain what, if any, further action might be taken.

Specific recommendations for resolving a complaint may include one or more of the following:

### **1. Informal Resolution**

When attempting an informal resolution, particularly in cases where the complaint deals with issues of sexual harassment or discrimination, it is best to follow these points:

- Confront the person or persons giving rise to the complaint promptly
- Bring a witness.
- Be clear about what behavior is offensive, intimidating or embarrassing, and describe its effect.
- Ask that the behavior stop immediately.

It may be appropriate to deliver a letter containing this information to the person instead. Be sure to retain a copy of such a letter. In cases where an offending behavior happens more than once, it is advisable to keep a journal of the events, including date, time, location and witnesses. This can help if one chooses to pursue formal action, and can also help to keep events in perspective.

*Reprisals against complainants who initiate such communication in good faith, and allegations made in bad faith will not be tolerated.*

If an informal resolution cannot be reached or is inappropriate to seek, if one is uncomfortable addressing the offending party directly, or if one is uncertain about the issues, please contact the following bodies. These are listed in the suggested order of contact.

### **2. Climate Committee**

The Climate Committee of the Department of Physics & Astronomy is formed by the Department Chair to hear concerns expressed by students, faculty, and staff about working conditions in the department. The committee currently consists of two faculty members, two graduate students, and one representative of the research professors / postdocs. The website for the committee is at

[http://www.vanderbilt.edu/A&S/physics/volker/dept\\_climate/](http://www.vanderbilt.edu/A&S/physics/volker/dept_climate/)

and includes contact information and links to available resources.

The committee is available to anyone wanting to discuss issues of working conditions in the department. All conversations will be kept confidential. Though formed to hear complaints regarding working conditions and suggest actions to improve those conditions, the committee is also available to assist all parties involved in the informal resolution of a problem, and to advise persons believing their actions may be subject to criticism.

### **3. Director of Graduate Studies (for graduate students)**

The Director of Graduate Studies (DGS) is the chair of the Graduate Program Committee (GPC). The DGS and the GPC are responsible for academic and curricular issues, appointment of Ph.D. committees, admissions, and, to some extent, course scheduling. The DGS can frequently act in conjunction with the Climate Committee to alleviate problems early on.

### **4. Department Chair**

The Department Chair oversees all aspects of the department, including the graduate program. The chair also acts as liaison between the department and the Dean of the College of Arts and Sciences. If an issue cannot be resolved by the Climate Committee, it may be taken to the department chair.

As a rule, the department chair will acknowledge the complaint in writing within one week of receipt and will meet with the complainant within one month to review progress towards resolution.

### **5. Opportunity Development Center (ODC)**

The next available step is to contact Vanderbilt's Opportunity Development Center. The ODC's website

<http://www.vanderbilt.edu/odc/studcom.htm>

contains many resources for assistance on affirmative action, information on how to identify sexual harassment, and instructions for filing complaints with the university. The ODC recommends that complaints first be brought to the person or persons giving rise to the complaint, and resolution first be sought at this level. If satisfactory resolution is not reached, the grievance procedure may be followed, whereby the student may file an official complaint with the Office of the Chancellor, which may refer the grievance to the Faculty Senate Committee on Student Affairs.

### **6. College of Arts & Science Administration**

If the problem cannot be solved by one of the above-mentioned bodies, graduate students may contact the office of the Dean of the College of Arts and Science, in particular the Associate Dean for Graduate Studies of the College. Faculty may contact the Dean of the College of Arts and Science.

**What complainants may expect :**

Complainants can expect to have their problem acknowledged and understood by at least one of the bodies mentioned above. They should expect to hear a response to the problem in 2 weeks and an update in 30 days. The complainant can also expect to be informed of any actions taken, subject to confidentiality requirements imposed by law.

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The Climate Committee of the Department of Physics and Astronomy:

Victoria Greene, chair

Volker Oberacker

Heather Andrews

Ron Belmont

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From the ODC web site:

## What is Sexual Harassment?

Sexual harassment is a form of sex discrimination that is a violation of Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972. The courts have defined two types of sexual harassment: "quid pro quo" and "hostile environment."

### **What is "quid pro quo" sexual harassment?**

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute "quid pro quo" sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.

### **What is "hostile environment" sexual harassment?**

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute "hostile environment" sexual harassment when such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

### **What is unwelcome sexual conduct?**

Sexual conduct becomes unlawful only when it is unwelcome. The challenged conduct must be unwelcome in the sense that the employee did not solicit or incite it, and in the sense that the employee regarded the conduct as undesirable or offensive.

### **Who can be a victim of sexual harassment?**

The victim may be a woman or a man. The victim does not have to be of the opposite sex. The victim does not have to be the person harassed but anyone affected by the offensive conduct.

### **Who can be a sexual harasser?**

The harasser may be a woman or a man. He or she can be the victim's supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non-employee.

### **What should a sexual harassment victim do?**

The victim should directly inform the harasser that the conduct is unwelcome and must stop. It is important for the victim to communicate that the conduct is unwelcome, particularly when the alleged harasser may have some reason to believe that the advance may be welcomed. However, the victim of harassment need not always confront his/her harasser directly, so long as his/her conduct demonstrates that the harasser's behavior is unwelcome. If these methods are ineffective, the victim should contact the ODC as soon as possible.