

University of Minnesota Department of Earth and Environmental Sciences Field Programs Sexual Misconduct Policy

A 2013 survey of field-going scientists from 32 different disciplines in the life, physical, and social sciences, which compiled over 600 voluntary responses, found (of those responding to the survey) ~70% of women and ~40% of men reported harassment, and ~25% of women and 6% of men reported assault during fieldwork. Fewer than half of survey respondents recalled ever encountering a code of conduct at any of the field sites at which they had worked.

[Source: Clancy KBH, Nelson RG, Rutherford JN, Hinde K (2014) Survey of Academic Field Experiences (SAFE): Trainees Report Harassment and Assault. PLoS ONE 9(7): e102172. <https://doi.org/10.1371/journal.pone.0102172>]

Goals

- **Provide a safe and respectful environment for all field program participants. This includes staff, faculty, researchers, students, contractors, technicians, visiting classes, interns, guests, volunteers, etc.**
- **Ensure all participants have access to resources and support for addressing and resolving interpersonal conflicts, including gender-based discrimination, harassment and sexual assault.**
- **Detail specific reporting procedures to enable rapid communication and response in the event that any participant feels unsafe.**

Expectations

Everyone in the program has the right to be free from discrimination, unlawful harassment, sexual misconduct, and violence. Title IX is a federal law that gives everyone the right to equal access to education and employment in the absence of sexual harassment and gender discrimination.

You are expected to follow the law, as well as specific guidelines laid out in UMN policies and the Student Code of Conduct. Participants are expected to conduct themselves in a manner that does not infringe upon the rights of others. Violations may result in serious sanctions.

As explained below, some University employees have an obligation to report and take action in response to misconduct that they learn about. In order to foster an environment free of misconduct, every person, regardless of employment role, is encouraged to use their voice to improve the culture and take action to prevent or stop sexual misconduct. An engaged bystander is someone who lives up to that responsibility by intervening before, during, or after a situation when they see or hear behaviors that threaten, harass, or otherwise encourage unacceptable behaviors. At the same time, we recognize that it can be difficult to intervene in some situations. There are many resources available at the University for personal support and reporting.

Unacceptable behaviors

The following behaviors are prohibited by the UMN Code of Conduct, other University policies, and/or the Department of Earth and Environmental Sciences guidelines:

- **Sexual Misconduct, including Sexual Harassment, Sexual Assault, Stalking and Relationship Violence**, as defined in the UMN *Sexual Harassment, Sexual Assault, Stalking, and Relationship Violence* policy.
- **Retaliation**, as defined in the UMN *Sexual Harassment, Sexual Assault, Stalking, and Relationship Violence* policy and the UMN *Retaliation* policy.
- **Deliberately mischaracterizing a person's gender identity**, including through the use of a name or pronoun that the person has rejected, in a way that creates a hostile work or educational environment.

Any person who experiences or witnesses sexual misconduct is encouraged to record as many details as they can, regardless of whether or not a formal report is made.

Sexual misconduct in field activities

Participating in a field courses or research is a unique and exciting opportunity. Students often quickly form close relationships with each other and with instructors, researchers, and other program employees. Even in the context of these close relationships, discomfort and misconduct can occur. Below are some guidelines about behavior that you should consider.

Some behavioral guidelines:

- **Ask Once.** If you ask someone out once, and they do not say yes, do not ask them out again. Asking out includes hitting on, expressing interest, and making advances. If someone brushes off the advance, does not reciprocate in a positive way, or turns down the advance in any way, it must still be considered a “no.”

Individuals in positions of authority should be aware that asking out a subordinate, even once, could in some circumstances create a hostile work or educational environment for that subordinate and violate the University's policy prohibiting sexual harassment. As a result, this practice is strongly discouraged.

This guideline is intended to inform the behavior of someone interested in another participant, give people a simple way to understand expectations, and give program leaders a tool with which to evaluate a participant's behavior. Violation of this guideline could be considered sexual harassment. This guideline does not change the expectations set forth by the definition of sexual harassment in the UMN *Sexual Harassment, Sexual Assault, Stalking, and Relationship Violence* policy.

- **Be aware** that not everyone's personal boundaries are the same. For example, not everyone is comfortable with physical touch (including hugs).
- **Listen** to concerns raised.
- **Use** the name and pronouns individuals indicate that they use.
- **Seek resources.** If you have questions about what behavior is acceptable, please contact a program leader, the Aurora Center, and/or EOAA.

In addition, individuals who have actual or perceived influence over the work or academic progress of another person with whom they are in a personal relationship (including family relationship, business relationship, and romantic/sexual relationship) are expected to disclose the relationship to the department administrator or EOAA so that appropriate steps can be taken to address actual or perceived conflicts of interest. See UMN *Nepotism and Personal Relationships Policy*.

Reporting options

Reporting sexual harassment is an honorable and courageous action. Support exists for reporters, whether a formal report is made or not. A list of contacts can be found at the end of this document.

In accordance with University Policy, any person who **believes that they have experienced** an incident of sexual misconduct (including sexual harassment, sexual assault, stalking, or relationship violence) or gender-based harassment or any person who **witnesses** an incident of sexual misconduct or gender-based harassment, as outlined in University of Minnesota policies (<https://policy.umn.edu/policies>) and the Department of and Environmental Sciences Field/Research Code of Conduct, is encouraged to report that incident. Reports can be made to:

- a designated faculty member or teaching assistant in the field;
- the Office of Equal Opportunity and Affirmative Action (EOAA) (the Twin Cities campus Title IX Office); and/or
- the local police department.

All University of Minnesota employees (including TAs, RAs, and student employees) are required by University policy to report to EOAA (the Twin Cities campus Title IX office) when they learn about:

- any incidents of sexual assault, relationship violence, and stalking involving a University community member; and
- any incidents of sexual harassment impacting a student.

Supervisors and HR professionals are also required to report any incidents of sexual harassment impacting an employee to EOAA.

While the intent of the University's reporting policy is to support the targeted individual and prevent the recurrence of sexual misconduct, we understand that not every person wants to report to the University. Non-employee program participants (e.g., non-TA students) are NOT required to report sexual misconduct that they learn about. This allows individuals to confide in and seek the support of trusted friends without involving program leaders or university offices if that is their preference. In addition, other confidential resources for personal support are available, including the Aurora Center.

What happens after a report is made

Once EOAA learns that someone may have experienced sexual misconduct, EOAA contacts the impacted person to provide resources for personal support and options for responding to the situation. The impacted person can decide whether to talk with or share more information with EOAA. When the accused person is a student, EOAA will not investigate without the

impacted person's agreement, except in limited circumstances. When the accused person is a University employee, some responsive action will likely need to be taken.

If one or more parties involved in a sexual misconduct situation are not affiliated with the University, EOAA will determine on a case by case basis whether it can take responsive action and what other courses of action and resources might be available.

Accommodations/modifications

University of Minnesota program leaders should take appropriate measures to protect all parties associated with someone's sexual misconduct experience or investigation process. In the field, accommodations may include:

- separating individuals from each other;
- making modifications to housing arrangements;
- making schedule changes; or
- modifying academic requirements (e.g., extensions on assignments).

This is not an exhaustive list, and there are many options for accommodations. Accommodations should be made regardless of whether an impacted individual wants to initiate an investigation. Impacted individuals seeking accommodations are encouraged to provide input into what accommodations would be helpful to them.

Individuals seeking accommodations can contact a program leader, the Aurora Center, or EOAA.

What to do if someone discloses a sexual misconduct experience to you (and you are not subject to the University's reporting requirement)

If someone discloses to you that they have been targeted by sexual misconduct, there are a number of ways in which you can support them:

- Respond with empathy.
- Avoid making comments that suggest fault or doubt.
- Share that the University and Department prohibit sexual misconduct.
- Provide them with the list of contact information and resources included in this document, including resources for confidential personal support.
- Ask if they want your help in finding out what options exist.
- Ask what else you can do to help.
- Encourage them to report.
- Respect their decision not to talk with you if they do not want to.

It is common for survivors of sexual assault not to initially name what happened to them as rape or abuse, although they may recognize harmful behavior. Over time, as they feel safer, they may try to understand the experience through talking about it. The support of a friend can be extremely beneficial in the healing process.

What to do if you have experienced sexual misconduct

UMN Earth and Environmental Sciences supports you. You have the right to:

- Talk to anyone about your experience;
- Not talk to someone or anyone about your experience (silence can make the healing process more difficult, and we encourage you to reach out to a trusted friend or one of the resources listed below);
- Change your mind about talking to anyone about your experience at any time;
- Report to the UMN program leader, the police, or any of the other reporting options listed above;
- Bring someone with you to provide support during reporting or any resulting discussions;
- Seek reasonable accommodations to minimize the impact of the experience on the success of your work at field camp; and/or
- Seek medical assistance, including medical care and a medical forensic exam.

This is not intended to be a comprehensive list.

What to do if you see something inappropriate

The most effective way we – faculty, staff, students, and all other field camp participants – can prevent harm to any member of our community is by looking out for each other. All UMN ESCI community members are expected to share in the responsibility of creating a safe environment and to act when they witness behavior that could be harmful to others. In any potentially harmful situation, there are often other individuals along the way who recognize that a problem exists and have the ability to step in and help the targeted individual. Bystander intervention training programs provide tools to help bystanders act effectively in the way that works best for them. **Active bystanders** are individuals who take the responsibility to act when they see something or hear something that makes them uncomfortable. You do *not need training in order to be an active bystander*.

Here are some suggestions to take an active role in the safety of our community:

- Be aware of your surroundings and social situations.
- If a situation makes you or others uncomfortable, or it looks like someone is being targeted, recognize that this is a problem and that you can be part of the solution by helping.
- Take action to diffuse the situation while staying safe; some ideas include checking in with the targeted individual, telling the program leaders what is happening, recruiting help from friends, and diffusing the situation by distracting those involved ("look at that neat thing over there!").
- If you are uncertain if there is a problem, check in with the individuals involved to see if they are okay or need help. Look out for your friends and classmates, but never put yourself at risk!
- Seek help from resources, including the police and program leaders.

Contact Information

The following list of resources is available for students/faculty/staff to contact to report incidents:

Field Camps

Instructor 1 Annia Fayon (ESCI 3911 and 4911)

Instructor 2 Peter Kang (ESCI 4971W)

Instructor 3 Crystal Ng (ESCI 4971W)

Instructor 4 Scott Alexander (ESCI 4971W)

Teaching Assistant 1 _____

Teaching Assistant 2 _____

Teaching Assistant 3 _____

A report can also be made directly to the following faculty and staff in the Department of and Environmental Sciences main office (Tate Hall, Rm. 150) on campus in Minneapolis.

Donna Whitney, Head

Office 612-624-2041 (direct line) or 612-624-1333 (department main office phone); Email: dwhitney@umn.edu

Sharon Kressler, Department Administrator

Office 612-625-5068; Email: kress004@umn.edu

UMN Aurora Center

The Aurora Center for Advocacy & Education provides a free and confidential space for students, faculty, staff, alumni, family members and friends affiliated with the University of Minnesota, Twin Cities or Augsburg University who are victims/survivors/concerned people of sexual assault, relationship violence, or stalking.

<http://aurora.umn.edu/>

University of Minnesota – Title IX Coordinator

Tina Marisam

Director, Office of Equal Opportunity and Affirmative Action

Phone: 612/624-9547; Email: marisam@umn.edu

Report online at: <http://eoaa.umn.edu/reporting>

Non-UMN national resources:

National Sexual Assault Hotline: Provides confidential, one-on-one, crisis support 24/7

Phone: 1.800.656-4673

Website: <https://rainn.org/get-help/national-sexual-assault-hotline/>

For ESCI 4911, a report can also be made directly to the following Title IX officers:

University of Montana Western – Title IX Coordinators

Nicole Hazelbaker

406-683-7388; nicole.hazelbaker@umwestern.edu

Liane Forrester

406-683-7530; liane.forrester@umwestern.edu

<https://www.umwestern.edu/title-ix.html>

Resources used in the creation of this policy

This policy was modeled after the University of Alaska Fairbanks Toolik Field Station Sexual Misconduct Policy.

UMN Sexual Harassment, Sexual Assault, Stalking, and Relationship Violence policy:

<https://policy.umn.edu/hr/sexharassassault>

UMN Code of Conduct:

https://regents.umn.edu/sites/regents.umn.edu/files/policies/Code_of_Conduct.pdf

UMN Student Code of Conduct:

https://regents.umn.edu/sites/regents.umn.edu/files/policies/Student_Conduct_Code.pdf

UMN Retaliation policy:

<https://policy.umn.edu/operations/retaliation>

UMN Nepotism and Personal Relationships Policy:

<https://regents.umn.edu/sites/regents.umn.edu/files/policies/Nepotism%26Personal.pdf>