

USC Upstate Civility Policy

The University of South Carolina Upstate seeks to create an environment in which members of the University community are civil and respectful of individuals and individual differences. The faculty of the University believes that these goals can only be achieved through adherence to the values expressed in the Carolinian Creed. Accordingly, the faculty of the University considers bullying unacceptable because it undermines these values. This policy creates a process for reporting, investigating, and resolving complaints related to bullying. The intent of this policy is to stop bullying as quickly as possible in a just manner. It is further the intent of this policy to stop bullying while protecting academic freedom, preserving the highest standards of teaching and scholarship, and advancing the missions of the University as an institution of higher learning.

Bullying is repeated, unwelcome behavior that threatens, intimidates, humiliates, or isolates the targeted individual(s), or undermines their reputation or job performance. Bullying may be perpetrated by an individual in authority over the target, a peer, or an individual in a subordinate position. It may take, but is not limited to, one or more of the following forms:

- Verbal abuse
- Unwarranted criticism or malicious gossip
- Unwarranted monitoring
- Unwarranted physical contact
- Exclusion or isolation in the workplace
- Work interference or sabotage
- Cyberbullying
- Other offensive conduct/behaviors (including nonverbal) that are threatening, humiliating, harassing, or intimidating

When possible, faculty members are encouraged to resolve differences informally, either directly or through mediation by the USC Upstate Ombudsman (i.e., the Associate Vice Chancellor for Academic Affairs). If the matter remains unresolved, a written complaint of bullying should be brought to the attention of the person who has direct supervisory responsibility over the individual whose actions are in question (i.e., Chair, Director, Dean, Senior Vice Chancellor, Chancellor). All matters concerning the complaint, and any subsequent investigation, are to remain confidential. The written complaint should include as much of the following as possible:

- Clear, specific allegations against the person or people;
- Where possible, dates, times, and witnesses to incidents;
- Factual description of events;
- Documentary evidence, including direct quotes, if possible; and
- Descriptions of any actions the complainant or others have already taken.

The supervisor initiates an investigation within 10 days of receiving the complaint. The investigation includes interviewing all parties to the complaint, as well as any others who the complainant believes are able to provide additional material information. The responsible supervisor may designate an *ad hoc* investigatory committee to conduct or assist in the investigation. The investigation should normally be concluded no later than 30 days after receipt of the initial complaint. If the investigation cannot be completed within 30 days, written notification of the delay and the reasons for the delay are provided to

the complainant. When the investigation is completed, a confidential report is sent for appropriate action to the Chancellor. The complainant is notified when the investigation is completed.

If the responsible supervisor does not resolve the issue to the satisfaction of the parties of the complaint or within the required time frame, the complaint may be taken to the next higher supervisor, who reviews the record and determines whether the investigation was reasonably conducted and the findings supported by the evidence. The reviewing official may uphold, reverse, or modify the investigation findings, or may remand the matter for further investigation. If the result of review is not satisfactory to the parties, a final appeal can be made to the Chancellor, who may review the record and interview all parties to the complaint. Absent any discretionary review by the Chancellor, the decision of the reviewing official shall be final.

The procedures set forth in this policy are not exclusive. Complainants may use the grievance policy to address charges of bullying. If the grievance panel determines that it has jurisdiction and accepts the complaint, its proceedings supplant the procedures set forth in this policy.

If the final determination of the investigation is that bullying occurred, the University shall take appropriate remedial action, which may include disciplinary sanctions up to, and including, suspension with or without pay.

Regardless of whether a determination of bullying is made, reasonable efforts are taken to ensure that complainants who make allegations in good faith, and others who cooperate in good faith with inquiries and investigations, are not retaliated against. If relevant, the responsible supervisor will determine whether the complainants' allegation or witnesses' factual assertions were made in bad faith. If an allegation is determined to have been made in bad faith, appropriate action, which may include disciplinary sanctions, can be assessed.

We acknowledge that portions of this document were obtained from the University of New Mexico's "Procedures for Reporting and Investigating Complaints of Faculty Bullying" and the University of South Carolina's "Workplace Bullying" policy.

Approved by the Faculty Senate on April 18, 2014