

**Southeastern Archaeological Conference (SEAC) Task  
Force on Sexual Harassment and Assault**

**Report to SEAC Executive Board**

**Compiled by**

**Robbie Ethridge, Chair**

**and**

**Jera Davis, Michael Fedoroff, Gayle Fritz,**

**Meredith Hardy, Scot Keith, Patrick Johnson, and Chris Rodning**

**November 8, 2018**

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## **SEAC Task Force on Sexual Harassment and Assault Report to Executive Board, November 7, 2018**

Compiled by Robbie Ethridge, Chair, and Task Force members Jera Davis, Michael Fedoroff, Gayle Fritz, Meredith Hardy, Scot Keith, Patrick Johnson, and Chris Rodning

### Committee Members (November 2017 – November 2018)

*Chair:* Robbie Ethridge, University of Mississippi

*Students:* Patrick Johnson, College of William and Mary

*Academics:* Chris Rodning, Tulane University, and Gayle Fritz, Washington University in St. Louis

*CRM:* Jera Davis, New South Associates, and Scot Keith, New South Associates

*Government Agencies:* Michael Fedoroff, Corps of Engineers, and Meredith D. Hardy, National Park Service

### **I. Task Force Activities from November 2017 to November 2018**

1. Tulsa Task Force meeting--the Task Force met at the meetings in Tulsa to discuss the tasks for the next year. SEAC provided lunch and the facility, and we extend our thanks to the SEAC Executive Board for these funds.

2. Student representatives—in summer 2018, former student and Task Force member Mary Scales, resigned from the Task Force when she took a position in the west and therefore discontinued her membership with SEAC. Also, Patrick Johnson has now graduated and is working in CRM; Patrick will continue on the Task Force. If the Task Force continues into 2019, Robbie Ethridge will seek two other student representatives to serve on the Task Force.

3. Augusta Task Force meeting--the Task Force will meet in Augusta, on Wednesday, November 14, 4:00-5:30 pm, in Lamar A. We will discuss the process for the grievance procedure and meet with Mike Polk, representative from the Register of Professional Archaeologists, to discuss the RPAs grievance procedures and policies on sexual harassment and assault. SEAC provided the facility and afternoon coffee, and we extend our thanks to the SEAC Executive Board for these funds.

4. RPA representative--the Task Force has invited Mike Polk, chair of the Ethics Committee of the Register of Professional Archaeologists to attend the annual meeting at SEAC expense (see Appendix A: Task Force Expenditures for 2018) to discuss with the Task Force and members of the Executive Board the RPA grievance procedures and their policies on sexual harassment and assault. He will also attend the plenary session (see below) and be available to answer questions.

5. Student luncheon--at the request of the SEAC Student Affairs Committee and coordinated by Patrick Johnson and Gracie Riehm, members of the Task Force will be joining students for their annual luncheon at the 2018 meetings on Thursday, November 15, 2018, noon to 1:30 pm, Lamar A. After a brief report on the Task Force activities, the Task Force will solicit input from students about SEAC's role in mitigating and preventing sexual harassment and assault.

6. Plenary Session--the SEAC Executive Board approved, for the 2018 meetings, a plenary session entitled "Toward Evidence-Based, Community Solutions to Sexual Harassment and Assault in Southeastern Archaeology." Maureen Meyers presentation will put the sexual harassment and assault survey into a broader context; Liz Horton et al. will present the results of the survey; Sarah Bennet will present a personal reflection on her experiences; and Robbie Ethridge will present a brief report on the Task Force activities for 2017 and 2018 and the proposed grievance procedure. After the presentations, 40 minutes will be devoted to membership comments and discussion. The Task Force is especially interested in getting membership feedback on the grievance procedure proposal (see Appendix B: SEAC Task Force Proposal for a SEAC Process for Reporting, Investigating, and Adjudicating Sexual Harassment and Sexual Assault Complaints).

7. In 2017 the Task Force submitted a report and a list of recommendations to the Executive Board. The Executive Board approved all of the recommendations. Between November 2017 and November 2018 we have worked to accomplish each of these recommendations. All but two have been completed or are near completion. Below are the current statuses of the 2017 recommendations.

a. Extend the Task Force until November 2018. The Task Force is currently in place until November 2018.

b. Policy Statement and Code of Conduct. These were finalized and approved by the Executive Board in May 2018. Ethridge submitted them to Karen Smith on August 14, 2018 who then posted them on the SEAC website. Karen also made a prominently displayed link on the website, "Sexual Harassment," where all items related to sexual harassment and assault will be posted.

c. Awareness Campaign. Chris Rodning introduced the awareness campaign at the 2017 meetings with a brief presentation at the business meeting. The Executive Board in August 2018 approved an awareness campaign budget (see Appendix A: SEAC Task Force Expenditures for 2018). The Task Force will launch the awareness campaign at the 2018 meetings. For this the Task Force has:

- asked Karen Smith to create a Sexual Harassment link and pull-down menu on the SEAC website and to post the SEAC policies, code of conduct, and survey results, with links to the Proposed Grievance Procedure and the Task Force Activities page;
- created a Task Force link on the SEAC Sexual Harassment pull-down menu; the Task Force page will post activities, reports, and so on, generated by the Task Force;

- created and posted on the SEAC website an on-line training module on sexual harassment and assault;
- created and have activated Twitter and Facebook accounts to share Task Force activities and other items related to sexual harassment and assault
- created a SEAC brochure on sexual harassment and assault that will be distributed at the 2018 meetings;
- arranged to meet with students at the 2018 Student Affairs luncheon (see I.5 above);
- arranged a plenary session for the 2018 meetings (see I.6 above);
- purchased items for an awareness table at the 2018 meeting that includes ribbons, stickers, t-shirts, pins, brochures, and flip books to distribute;
- drafted a shortened SEAC statement on sexual assault and harassment for inclusion in the conference program (unfortunately, the statement was not included in this year's program);
- the Task Force recommended collecting personal stories and narratives as part of the awareness campaign, but upon legal advice, we declined to proceed with this for now; but we have made recommendation in this regard for next year.

d. Appoint a Sexual Harassment and Assault Coordinator (SHARC). The Task Force has written a proposal for a grievance procedure for addressing sexual harassment and assault that the Executive Board will be evaluating over the next months. Part of this proposal includes appointing a SHARC who would then chair the committee charged with overseeing the grievance procedure (see II.8 below and Appendix B: SEAC Task Force Proposal for a SEAC Process for Reporting, Investigating, and Adjudicating Sexual Harassment and Sexual Assault Complaints).

e. Mechanisms for mitigating sexual harassment and assault. The Task Force submitted the proposal, "SEAC Process for Reporting, Investigating, and Adjudicating Sexual Harassment and Assault Complaints," which was distributed to the Executive Board in October 2018 for comment. On November 7, 2018, the Task Force then posted the slightly revised proposal on-line and sent an email to the membership asking members to review the proposal and to offer comments at the plenary session or whenever convenient for them (see II.8, II.9, II.10, and II.11 below and Appendix B: SEAC Task Force Proposal for a SEAC Process for Reporting, Investigating, and Adjudicating Sexual Harassment and Sexual Assault Complaints). The Executive Board will evaluate the proposal over the next months.

## II. Task Force Recommendations for November 2018 to November 2019

The SEAC Task Force now recommends that SEAC:

1. Extend the Task Force until November 2019.
2. Classify sexual harassment and sexual assault as scientific misconduct. Precedent for this has already been set by the American Geophysical Union, whose policy states that sexual harassment and assault are classified as scientific misconduct because such conduct causes harm to, interferes with, or sabotages scientific activity and careers. Sexual harassment and assault creates a hostile environment that reduces the quality, integrity, and pace of the advancement of science by marginalizing individuals and communities. It also damages productivity and career advancement, and prevents the healthy exchange of ideas (adapted from the American Geophysical Union). If this is approved, the policy statement on the website will be revised to reflect this change.
3. Develop a code of conduct for the annual meetings which will be printed in each conference program and ask that conference organizers be responsible for appointing SEACSafe officers to whom someone can report misconduct and who will act as an advocate for anyone experiencing sexual harassment or assault at the annual meeting.
4. Sponsor a “Me Too” town hall at the next annual meeting, pending legal counsel. This will be an open forum, facilitated by the SHARC and the Task Force where people can share their stories publicly.
5. Encourage principal investigators doing field work to include training on sexual harassment and assault for all field participants BEFORE going into the field and to place “advocates” or SEACSafe officers at field locations. To facilitate this recommendation, we also request that the Task Force arrange and preside over a workshop at the 2019 meetings for those interested in adopting these practices. Advocates will require some training, either on-line or through a Title IX office. The Task Force can investigate training opportunities and make recommendations.
6. Revisit and revise the current fieldwork Code of Conduct that the Task Force put together last year.
7. Devise a list of university field schools, departments, federal and state agencies, and CRM firms that have policies, codes of conduct, etc., that conform to SEAC expectations regarding reporting, mitigating, responding to, and preventing sexual harassment and assault. Entities stay on this list unless they get two or more substantiated grievances filed against them (for the proposed grievance procedures see Appendix B: SEAC Task Force Proposal for a SEAC Process for Reporting, Investigating, and Adjudicating Sexual Harassment and Sexual Assault Complaints), at which point they will be taken off the list. They could be rehabilitated back onto the list if and when they address the grievances brought against them. This list is intended as a

mechanism by which people can make informed decisions about the work environments at field schools, university programs, cultural resource firms, and other workplace or student environments.

8. Require members to take the on-line training module developed by the Task Force when registering for the annual meeting or when beginning or renewing their membership to SEAC. The training module is available on the SEAC website under the “Sexual Harassment” menu and can be linked as a requirement for membership renewal or conference registration.

9. Institute a Sexual Harassment and Assault Response Coordinator, or SHARC, as a permanent member of the Executive Board (see Appendix B: SEAC Task Force Proposal for a SEAC Process for Reporting, Investigating, and Adjudicating Sexual Harassment and Assault Complaints).

10. Institute a permanent Ethics Committee (see Appendix B: SEAC Task Force Proposal for a SEAC Process for Reporting, Investigating, and Adjudicating Sexual Harassment and Assault Complaints).

11. Institute grievance procedures that would adjudicate sexual harassment and sexual assault (see Appendix B: SEAC Task Force Proposal for a SEAC Process for Reporting, Investigating, and Adjudicating Sexual Harassment and Assault Complaints).

12. Consider the following process for numbers II.8, II.9, and II.10 above: the Task Force will gather comments from SEAC members on the proposal until the second week of January 2019; the Executive Board will then review the comments and decide whether or not to proceed with appointing a SHARC and adopting a grievance procedure. If the Executive Board decides not to proceed, the Task Force will complete any other approved recommendations for November 2018 – November 2019. If the Executive Board decides to proceed, the Task Force will, with input from the Executive Board and legal counsel, draft a final proposal for consideration by the Board. If the Board then approves the final proposal, the Task Force will work on its implementation, with the goal of having the procedure fully implemented by November 2019.

13. Allocate funds to seek legal counsel on any grievance procedure put into place.

**APPENDIX A: TASK FORCE ON SEXUAL HARASSMENT AND ASSAULT 2018 EXPENDITURES**

(please note that this is an estimate since some of the items are still outstanding; these are denoted with an asterisk)

	Unit cost	Quantity	Subtotal	Shipping, Extra Costs	TOTAL
<b>Awareness Campaign Table Items</b>					
Flip books	\$4.31	100	\$431.00	\$13.93	\$444.93
Buttons	\$2.75	100	\$275.00	\$0.00	\$275.00
Fans	\$1.68	100	\$167.50	\$0.00	\$167.50
Stickers (2.5" circles; sheets of 200)	\$0.24	200	\$47.19	\$0.00	\$47.19
2x6 banner	\$109.00	1	\$109.00	\$0.00	\$109.00
Ribbon pins (packs of 10 ribbons x 15 = 150 total)	\$10.00	15	\$150.00	\$0.00	\$150.00
Rainbow ribbon temp tattoos (packs of 20 x 3 = 60 total)	\$5.00	3	\$15.00	\$0.00	\$15.00
Ribbon appliques (2 sheets of 50 x 1 = 50 total)	\$35.00	1	\$35.00	\$21.00	\$56.00
T-shirts (Sm - XL)	\$7.00	90	\$630.00	\$25.00	\$655.00
T-shirts (2X)	\$9.00	10	\$90.00	\$0.00	\$90.00
T-shirts (3X)	\$11.00	3	\$33.00	\$0.00	\$33.00
Brochures	\$1.30	500	\$650.00	\$0.00	\$650.00
<b>SUBTOTAL</b>					<b>\$2,692.62</b>
<b>Expenses for SEAC Conference</b>					
Table	\$65.00	1	\$65.00	\$0.00	\$65.00
*Coffee/tea/snacks for meeting	\$200.00	1	\$200.00	\$0.00	\$200.00
<b>SUBTOTAL</b>					<b>\$265.00</b>
<b>*RPA Representative to visit SEAC in Augusta</b>					
Airfare (Salt Lake City – Augusta)	\$819.00	1	\$819.00		\$819.00
Local transportation (Ogden to Salt Lake Airport and return)	\$83.00	1	\$83.00		\$83.00
Per Diem (\$60/day)	\$60.00	5	\$300.00		\$300.00
Rental car in Augusta	\$450.00	1	\$450.00		\$450.00
Hotel (Holiday Inn Express)	\$126.84	4	\$507.36		\$507.36
<b>SUBTOTAL</b>					<b>\$2,159.36</b>
<b>TOTAL TASK FORCE EXPENDITURES (NOV. 2017-NOV. 2018)</b>					<b>\$5,116.98</b>



## **APPENDIX B: SEAC PROCESS FOR REPORTING, INVESTIGATING, AND ADJUDICATING SEXUAL HARASSMENT AND SEXUAL ASSAULT COMPLAINTS**

### **PROPOSAL SUBMITTED TO SEAC EXECUTIVE BOARD, NOVEMBER 2018 BY THE SEAC TASK FORCE ON SEXUAL HARASSMENT AND SEXUAL ASSAULT**

Contact: Robbie Ethridge, Chair, SEAC Task Force, [rethridg@olemiss.edu](mailto:rethridg@olemiss.edu), 662-816-6369

*Note: The following proposal is a draft proposal for comment. It adheres to grievance procedures regarding scientific misconduct and ethics violations in place by the American Geophysical Union, the American Astronomical Society, and the Register of Professional Archaeologists. The language of this proposal will need to be adjusted and vetted by legal counsel before implementation. We ask the members of SEAC to consider the proposal and to offer comments and suggestions for revisions at the 2018 meetings and afterwards until the second week of January 2018. To that end, the Task Force will participate in a Plenary Session at the Augusta meetings on Friday, November 16, 2018, 3-5 pm, Ogelthorpe DE, to gather feedback from the membership at large. In addition, if you would like to submit comments and suggestions via email please contact Robbie Ethridge ([rethridg@olemiss.edu](mailto:rethridg@olemiss.edu)) or the Immediate Past President, Jay Johnson ([sajay@olemiss.edu](mailto:sajay@olemiss.edu)).*

*After gathering input from the membership, the Executive Board will determine whether or not a grievance procedure is warranted for SEAC. If the Executive Board determines that a grievance procedure is needed, the Task Force will then revise the proposal, taking into consideration comments and discussion from the membership as well as from legal counsel, and submit a final proposal for approval by the Executive Board.*

#### **SECTION 1: DEFINITIONS**

- 1.1 Legal Definitions**
- 1.2 SEAC Definition of Sexual Harassment**
- 1.3 SEAC Definition of Sexual Assault**

#### **SECTION 2: INVOLVED PARTIES**

- 2.1 The Sexual Harassment and Assault Response Coordinator (SHARC)**
- 2.2. The Ethics Committee and the Executive Board**
- 2.3 The Complainant and the Respondent**

#### **SECTION 3: GREIVANCE PROCEDURE**

- 3.1 Formal and Informal Allegations**
- 3.2 Procedure for the Preliminary Investigation**
- 3.3 Procedure for the Formal Investigation**
- 3.4 Review by the SEAC Executive Board**
- 3.5 Sanctions**
- 3.6 Appeals**
- 3.7 Conflict of Interest**
- 3.8 Statute of Limitations**
- 3.9 Retaliation is Prohibited**

## **SECTION 1: DEFINITIONS**

### **1.1 Legal Definitions**

According to the United States Equal Opportunity Commission, sexual harassment includes comments directed at someone because of their sex as well as unwelcomed sexual advances or demands for sexual favors.<sup>1</sup> The Department of Justice defines rape as forced penetration of any body part of another person without that person's consent.<sup>2</sup> This definition of rape acknowledges that the sex and gender of the perpetrator and victim is irrelevant, a victim is not required to physically resist, and a person may be unable to provide consent (e.g., due to intoxication, psychological coercion, physical incapacitation, or other physical and mental incapacities). Sexual assault includes actual or attempted physical attacks (e.g., rape) and any sexual contact (including fondling or groping) or behavior without explicit consent of the recipient.<sup>3</sup>

### **1.2 SEAC Definition of Sexual Harassment**

SEAC considers sexual harassment to be scientific misconduct (see SEAC Task Force 2018 Report). Sexual harassment is defined as deliberate and unsolicited verbal comments, gestures, or physical contact that is unwelcomed. This includes suggestion that any person's promotion, employment, compensation or treatment is in any way contingent upon or related to their participation in or rejection of conduct of a sexual nature. Sexual harassment also includes unwanted advances, flirtations, sexually degrading words used to describe an individual, display of sexually suggestive objects or pictures, suggestive comments including sexual jokes, or verbal or physical conduct of a sexual nature. Hostility toward or intimidation of members of the opposite sex may also be sexual harassment. Sexual harassment is a violation of Title VII of the Civil Rights Act of 1964.

SEAC urges its members to use discretion, care, and awareness that their words and actions communicate respect for others. This is especially important for those in positions of authority since those of lower rank may be reluctant or intimidated to express their objections.

### **1.3 SEAC Definition of Sexual Assault**

SEAC considers sexual assault to be scientific misconduct (see SEAC Task Force 2018 Report).

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<sup>1</sup> U.S. Equal Employment Opportunity Commission, "Facts About Sexual Harassment," see <http://www.eeoc.gov/eeoc/publications/fs-sex.cfm>.

<sup>2</sup> See, "Attorney General Eric Holder Announces Revisions to the Uniform Crime Report's Definition of Rape," January 6, 2012, available at <http://www.justice.gov/opa/pr/attorney-general-eric-holder-announces-revisions-uniform-crime-report-s-definition-rape>.

<sup>3</sup> See "Sexual Assault," Department of Justice, updated April 2, 2015. <http://www.justice.gov/ovw/sexual-assault>.

SEAC defines sexual assault as any actual or attempted physical attacks (such as rape) and any sexual contact or behavior without explicit consent of the recipient. This includes fondling, groping, grabbing, kissing, and so on.

## **SECTION 2: INVOLVED PARTIES**

### **2.1 The Sexual Harassment and Assault Response Coordinator (SHARC)**

The SEAC President will appoint a SHARC for a three-year term. The SHARC will chair the Ethics Committee and be responsible for coordinating responses, investigations, recommendations, and reports related to allegations of sexual harassment and assault, whether informal or formal. The SHARC will also be responsible for writing a yearly report on the activities of the SHARC and the Ethics Committee. The SHARC will also keep records of any allegations filed with the Ethics Committee. At the close of an investigation, the SHARC will submit digital files of all proceedings to the SEAC secretary for permanent archiving. The SHARC will take on all other responsibilities detailed below as the Chair of the Ethics Committee.

Upon appointment but before taking office, the SHARC will undergo sexual harassment and sexual assault training through a legitimate Title IX training agency at SEAC expense at the earliest convenience. *[Note: If this proposal is approved by the Executive Board, the Task Force will investigate such agencies and the costs and make recommendations to SEAC.]*

The SHARC will serve as the liaison between the Ethics Committee and Field Advocates or SEAC Safe Officers (see SEAC Task Force 2018 Report); however the SHARC will not act in the capacity of an advocate and will remain objective and impartial.

The SHARC will also be responsible for reviewing the current state of SEAC policy, practices, and grievance procedures in regards to sexual harassment and assault, and, as appropriate, recommend updates and revisions. The SHARC will also make recommendations, if appropriate, for any additional resources, guidance, or training that may be helpful or needed in mitigating and assessing allegations of sexual harassment and assault. The SHARC will also be responsible for appointing a committee to devise, implement, and analyze any follow-up surveys on sexual harassment and assault deemed advisable by the Executive Board.

### **2.2 The Ethics Committee and the SEAC Executive Board**

The SEAC Task Force recommends that SEAC institute an ethics or grievance committee (herein referred to as the Ethics Committee). The Ethics Committee reports to the Executive Board and is responsible for investigating allegations of sexual harassment and sexual assault, adjudicating the allegation, and recommending appropriate remedial action. The SHARC will chair the Ethics Committee, and work with the SEAC President to appoint four additional members from the SEAC membership. In order to establish rotating terms, the members of the inaugural committee will serve 1, 2, and 3 year terms. After year 1, newly appointed members will serve 3 consecutive years. Depending on the case, the Ethics Committee reserves the right to enlist additional members if necessary. The Chair is responsible for finding temporary

substitutes for any committee members that recuse themselves for whatever reason from processing an allegation. The Chair will name one of the committee members as the Vice Chair to assist and serve as Chair in the event that the Chair has a conflict of interest or if the Chair cannot serve for other reasons.

After an allegation has been thoroughly processed (see below), the Ethics Committee will submit a report which will include their recommendation for any remedial actions to the SEAC Executive Board. The Executive Board will review the findings of the Ethics Committee and will determine whether or not to accept the Ethics Committee's recommendations for consequences or, alternately, ask the Ethics Committee for further processing. The Executive Board has the final authority to accept or reject the Ethics Committee's recommendations and to determine what actions will be taken if an allegation of sexual harassment or sexual assault is found to be substantiated.

### **2.3 The Complainant and the Respondent**

The Complainant is the individual(s) who registers the allegation with the SEAC Ethics Committee. The complainant need not be a SEAC member. The Respondent is the individual(s) against whom the allegation is made. The Respondent must be a SEAC member at the time of the alleged harassment or assault.

## **SECTION 3: GRIEVANCE PROCEDURE**

### **3.1 Formal and Informal Allegations**

Allegations of sexual harassment and assault may be submitted in any form (i.e., verbally, in writing, electronically) to any member of the SEAC Ethics Committee (members and their contact information will be posted on the SEAC website) at any time. *[Note: There are on-line confidential reporting mechanisms, such as Ethics Point, that can be used to file formal complaints. If SEAC is interested, the Task Force can further investigate such services.]* However, SEAC cannot adjudicate anonymous allegations, and all formal complaints, therefore, must be filed by a Complainant that is willing to identify herself or himself to the Ethics Committee, the Executive Board, and the Respondent. Allegations for both SEAC-related activities and non-SEAC-related activities (such as a field school) can be filed.

The SEAC Ethics Committee and Executive Board will observe strict confidentiality when an allegation of sexual harassment or sexual assault is reported, up until the investigation process has been completed and a ruling by the Executive Board has been made, at which point confidentiality may or may not be preserved, depending on the case and the findings. SEAC recognizes that an allegation of sexual harassment and assault is not, in and of itself, proof of misconduct and that an allegation bears the potential to damage the career of an accused party. Those making allegations of harassment or assault in bad faith will be subject to disciplinary action such as verbal warnings and expulsion from SEAC events. The Ethics Committee will treat all allegations and all parties involved with fairness, objectivity, and confidentiality.

When an allegation of sexual harassment or assault involves activity that is against the U.S. code of law, or the code of law in other respective regions, the SEAC Ethics Committee will work with all appropriate authorities and home institutions as needed and required to resolve the allegation. Such authorities include but are not limited to (1) research, business, governmental, and academic institutions; (2) U.S. civil and criminal courts, or (3) police and other enforcement bodies.

The SEAC Ethics Committee is committed to listening to and to addressing complaints and to guiding Complainants through options confidentially before she or he decides how to proceed, including details for informal solutions and formal complaints. Informal solutions, if so desired by the Complainant, include such things as asking the Respondent to issue an apology and assurances that the action will not happen again, a member of the Ethics Committee mediating a dialog between the Complainant and Respondent, speaking with the Respondent without the Complainant present and without revealing the Complainant's identity if requested, asking the Respondent to avoid the Complainant, asking the Respondent to leave the annual conference meeting, and so on.

After speaking with a member of the Ethics Committee to initially lodge a complaint, if the Complainant wants to proceed with a formal allegation, the Complainant must submit a formal allegation in writing that includes:

1. The name and affiliation of the person(s) submitting the allegation and the name and identifying information of the person(s) alleged to have committed the misconduct.
2. A description of the allegation that, if possible, includes dates, places, and circumstances of the alleged misconduct. However, the Ethics Committee understands that in many cases the Complainant may remember details about some aspects of the offense but not all. We advise anyone who is experiencing unacceptable behavior, if possible, to keep detailed records of such incidents, to speak with confidants or others about the incident, or otherwise document the incident as best as one can.
3. Any documents or other relevant items with annotation showing specifically how the item relates to the allegation.
4. If possible, a list of any witnesses or bystanders who are willing to testify.
5. A statement explaining any conflict(s) of interest the Complainant has with the accused. A conflict of interest does not preclude the filing of an allegation.

After filing a complaint with SEAC, a Complainant may request that SEAC provide protections from harassment, discrimination, or bullying at SEAC activities. Such actions may include barring the Respondent from the Complainant's talk, barring the Respondent from a SEAC activity, or providing the Complainant with an escort during SEAC activities.

### **3.2 Procedure for the Preliminary Investigation**

Upon receipt of an allegation, the Chair of the Ethics Committee will notify the SEAC President within 10 business days that an allegation has been filed. The Chair will also acknowledge receipt of the allegation to the Complainant within 10 business days. The Ethics Committee will review the material and conclude either item (a) or item (b) below within 15 business days of receipt of the allegation:

(a) does not constitute sexual harassment or sexual assault as defined by SEAC (see SEAC Background and Resource Guide for Addressing Sexual Harassment and Violence on the SEAC website) and no further action is warranted, or

(b) appears to constitute sexual harassment or sexual assault as defined by SEAC and requires further investigation.

The Ethics Committee will report their conclusions to the SEAC President. If the Ethics Committee agrees that the allegation does not constitute sexual harassment or sexual assault as defined by SEAC, then the Chair of the Ethics Committee will notify the Complainant immediately and the allegation will be dismissed.

If the Ethics Committee believes that the allegation may constitute sexual harassment or sexual assault, then the Chair will provide notification to the Respondent and Complainant and the Ethics Committee will begin its investigations. The Chair will explain, in writing, the details of the complaint to the alleged offender. If the Respondent admits to the alleged misconduct at any time during the procedure, the investigation will be halted and the Ethics Committee will prepare recommendations to the Executive Board for actions and or sanctions to be taken.

### **3.3 Procedure for the Formal Investigation**

The Ethics Committee has 90 days to complete its investigation, but may ask for an extension of time from the SEAC President if needed. If the internet and conference calls are to be used as part of the investigation, adequate security and confidentiality of the proceedings must be taken. Additional members may be added to a specific investigation to provide subject matter expertise pursuant to the allegation. *[Note: SEAC could also retain external consultants or legal counsel to investigate an allegation. If SEAC is interested, the Task Force can further investigate such services and make recommendations.]*

1. The Chair of the Ethics Committee will consult with the Committee to determine the schedule of the investigation and make assignments regarding specific actions to be undertaken by the committee members. All procedures will be conducted under strict confidentiality.

2. The Chair of the Ethics Committee will formally notify the Complainant and Respondent in writing that an allegation has been received and will be investigated and will provide an approximate timetable and description of the investigation.

3. The Respondent will have 15 business days to submit any exculpatory evidence. Likewise the Complainant has 15 business days to submit any additional evidence other than what was submitted in the formal allegation process. The Complainant and Respondent may also provide written statements from themselves or others as part of the proceedings. In both cases, the Respondent or the Complainant may ask the Ethics Committee for a time extension if needed.

4. The Ethics Committee will be responsible for the collection of any additional information and evidence (including speaking with witnesses, especially if the facts are in dispute or if the Ethics Committee deems it otherwise necessary).

5. After collecting the evidence, the Ethics Committee will conduct separate interviews with both the Complainant and the Respondent (this can be done either through teleconferencing or a meeting held at a mutually agreed upon location). SEAC will cover any necessary travel expenses for all concerned. The Chair will schedule the meetings/conference calls and advise the Respondent and Complainant at least 15 business days in advance. All information that has been collected by the committee will be forwarded to both the Complainant and the Respondent no later than 10 business days before the meeting/conference call, so that all parties may evaluate it.

6. During the meeting/conference call the Ethics Committee will summarize the allegation and associated evidence of sexual harassment or sexual assault, and the Complainant and Respondent will be given the opportunity to respond.

7. The Committee, in Executive Session, will then consider all the evidence presented; make a finding as to whether sexual harassment or sexual assault has occurred; and recommend a response by SEAC. The Ethics Committee recommendations require a majority vote.

8. The finding and recommendation of the Ethics Committee will be forwarded to the Executive Board in a report prepared by the Ethics Committee and submitted by the Chair. The report should be a clear, complete, and final determination of all charges. At a minimum, the report will include the following: (1) summary of the alleged misconduct, (2) summary of the fact-finding activities of the committee, (3) discussion and conclusion of the fact finding, (4) recommendations for actions and or sanctions to be taken, and (5) appendices as needed containing supporting documents and written statements.

9. A Respondent may retain the services of an attorney at their own cost. SEAC may also retain services of an attorney if it deems this necessary. If an attorney is needed, as determined by the Ethics Committee, the Executive Board should ensure adequate resources are available to secure the necessary legal services.

### **3.4 Review by the SEAC Executive Board**

The Executive Board will review findings and recommendations submitted in the Ethics Committee report within 15 business days of receipt of the report. The Executive Board, by majority vote, will either accept or reject the Ethics Committee's recommendations of actions to

be taken. However, the Executive Board may not reject the conclusions (findings) of the Ethics Committee. The Board can request additional investigations or processing which the Ethics Committee will have up to 90 days to conduct. The Board will notify immediately the Chair and the Respondent and the Complainant of its decision. The Executive Board will summarize its action in a report for the record and a copy forwarded to the Ethics Committee for their files. The Respondent has the right to accept or reject the recommended sanctions and will inform the Chair of the Ethics Committee in writing within 30 days of receipt of the notification as to his/her decision. If the Respondent accepts the sanctions, the Chair will complete the disciplinary action. If the Respondent does not respond within the 30 days, the Chair will send another notification and request an immediate response. If the Respondent does not accept the findings and the sanctions, the Respondent has the right to appeal (see below).

The Executive Board has the final authority to accept or reject the recommendations of the Ethics Committee and to determine what actions or sanctions should be taken if an allegation is substantiated.

### **3.5 Sanctions**

If a finding of sexual harassment or sexual assault has been made, the Ethics Committee will recommend to the Executive Board appropriate actions or sanctions as well as the period over which the sanction will be in effect, and/or recommendations for education or training. Sanctions, in increasing severity, may include but are not limited to the following:

- a. Written reprimand or warning.
- b. Removal from SEAC volunteer position.
- c. Withdrawal/retraction of presentations, publication, or posters.
- d. Suspension from publishing in *Southeastern Archaeology* for a specific period, including permanently.
- e. Removal from SEACs Compliance List (see SEAC Task Force 2018 Report).
- f. Suspension from making presentations at SEAC-sponsored meeting(s) for a specific period, including permanently.
- g. Suspension of membership.
- h. Permanent expulsion from SEAC.
- i. Denial or revocation of honors and awards.
- j. Notification to respondent's home institution.



When a SEAC member is sanctioned by another organization for sexual harassment or sexual assault, the Executive Board may consider separate sanctions for SEAC. All members are required to self-report if they are currently under investigation or have been convicted of sexual harassment or assault when they are nominated for a SEAC committee or office or selected to receive SEAC award. Nominations for awards and recognition will include a statement that to best of knowledge of the nominator, the nominee is not currently under investigation and has not been convicted of sexual harassment or sexual assault. A member may request in writing from the SEAC Executive Board an exemption from this reporting requirement if there are mitigating circumstances that the Executive Board should consider.

### **3.6 Appeals**

Once the Executive Board has decided on actions to be taken against the Respondent, the Respondent has 60 business days to file an appeal of the sanction and/or the finding. An appeal must be based on new evidence or reconsideration of evidence and include a narrative justification for the appeal. The Executive Board will review the appeal and sustain or revise its decision on the sanction or refer the appeal to the Ethics Committee for reconsideration of the finding. The Executive Board will evaluate the appeal within 30 days of receipt, at which time the President will inform both the Respondent, the Complainant, and the Ethics Committee of their decision and what, if any, course of action will be taken.

If the Executive Board requests the Ethics Committee to reconsider their findings after an appeal, the Ethics Committee has up to 90 days to reconsider the finding and any new evidence from the Respondent. If necessary, the Ethics Committee may ask the Board for an extension of time for gathering additional information. The Ethics Committee then follows the guidelines established above in the grievance procedure.

### **3.7 Conflict of Interest**

Real or apparent conflicts of interest must be avoided in all actions by the Ethics Committee, the Ethics Committee Chair, the subject matter experts retained by the Committee, and the Executive Board during an investigation. To this end, members of the relevant committee must recuse themselves from participation in the investigation if they are from the same institution (for institutions with multiple campuses this applies only to the same physical campus), have worked closely with, have a personal relationship with, or are related to either the Complainant or Respondent.

### **3.8 Statute of Limitations**

The shorter the period between incident and report helps greatly in the ability to investigate and bring proper remedy to a case. SEAC encourages anyone subjected to sexual harassment and sexual assault to file a complaint within one to two years of the incident taking place so that a timely investigation may be carried out. However, SEAC, at its discretion, may investigate older incidents on a case-by-case basis; and, there is no absolute SEAC statute of limitation for considering breaches of SEAC policy on sexual harassment and sexual assault.

### **3.9 Retaliation is Prohibited**

SEAC will not tolerate any form of retaliation against persons who file a complaint or assist in the investigation. Retaliation is a serious violation of SEAC policy and will be subject to disciplinary action and grievance procedures outlined above.