LSA Preventing Sexual Harassment Working Group Report

Submitted to Dean Anne Curzan of the College of Literature, Science, and the Arts on August 23, 2021, by the members of the LSA Preventing Sexual Harassment Working Group.

WORKING GROUP MEMBERS

Lilia Cortina, University Diversity and Social Transformation Professor of Psychology, Women's and Gender Studies, and Management and Organizations (co-chair)

Anna Kirkland, Executive Director, Institute for Research on Women and Gender, and Arthur F. Thurnau Professor of Women's and Gender Studies (co-chair)

Elizabeth A. Armstrong, Sherry B. Ortner Collegiate Professor of Sociology and Professor of Women's and Gender Studies

Julie Biteen, Associate Professor of Chemistry and Biophysics

Lindsay Cogswell, Team Supervisor, Human Resources

Imara Dawson, Managing Director, International Institute

Frieda Ekotto, Lorna Goodison Collegiate Professor of Afroamerican and African Studies, Comparative Literature, and Francophone Studies

Paula Hathaway, Manager, Graduate Education

Linda Kentes, Senior Manager, Academic Affairs

Dorine Lawrence-Hughes, Assistant Dean for Undergraduate Education

Jack Miller, Lecturer IV in Statistics

Kevin O'Neill, Chief Administrator, Women's and Gender Studies

Chris Poulsen, Associate Dean for Natural Sciences, and Henry N. Pollack Collegiate Professor of Earth and Environmental Sciences

Nathan Sadowsky, Student Administration Assistant Associate, Ecology and Evolutionary Biology

STUDY STAFF

Mikalia Dennis, Project Coordinator, DEI Office

Fiona Lee, Associate Dean for Social Sciences, Arthur F. Thurnau Professor of Psychology

Leanna Papp, Doctoral Candidate, Joint Program in Psychology and Women's Studies

Kamaria Porter, Doctoral Candidate, Center for the Study of Higher and Postsecondary Education

TABLE OF CONTENTS

SUMMARY OF RECOMMENDATIONS

1a. The Working Group recommends that LSA design, deliver, and evaluate faculty/staff education around gender harassment and other forms of sexual harassment.

1b. The Working Group recommends that LSA elevate the visibility of and expand existing guidelines for professional and respectful conduct, with the aim of making existing tools more prominent, widely understood, and widely used.

2a. The Working Group recommends that LSA modify hiring practices to include assessment of respectful and inclusive behavior and attention to potential history of harassing conduct.

2b. The Working Group recommends that LSA modify evaluation, promotion, and reward practices to include assessment of respectful and inclusive behavior and attention to potential history of harassing conduct.

2c. The Working Group recommends that LSA design, deliver, and evaluate new respectful workplace education for both staff and faculty.

3a. The Working Group recommends that LSA develop an ongoing harassment survey effort. Surveys should be paired with support from organizational change specialists, who can assist unit leaders in addressing problems revealed through surveys.

3b. The Working Group recommends that LSA make available additional vehicles for staff and faculty to share confidential concerns about workplace harassment.

3c.The Working Group recommends that there be periodic, anonymized, college-level reports summarizing violations and corrective actions taken under anti-harassment and professional standards policies.

4a. The Working Group recommends that academic units develop and implement changes to reduce opportunities for abuse of power, allow for multiple mentors, and protect trainee career development in cases where harassment arises.

4b. The Working Group recommends that there be funding mechanisms to support LSA graduate students who must leave harassing situations, so that they can make this transition without losing funding.

5a. The Working Group recommends that LSA educate, empower, and support leaders to take actions combatting disrespect and harassment, addressing the full spectrum of behavior from the seemingly small or first time event to the larger ongoing problems.

5b. The Working Group recommends that LSA modify practices for selecting and evaluating leaders to include assessment of how they are proactively taking steps to prevent and correct harassing behavior within their unit.

6. The Working Group recommends that LSA establish transparent monitoring structures for all changes in policy and practice that result from this report. The focus should be not only effectiveness but also fairness, anti-racism, and effects on employee self-governance.

IMPETUS AND OVERVIEW OF REPORT

In 2018, the National Academies of Science, Engineering, and Medicine (NASEM) published a landmark report on the causes, contours, and consequences of sexual harassment in higher education. Reviewing the research record, the NASEM report finds that most sexual harassment has disrespect at its root, and that reporting and investigative processes are necessary but insufficient to prevent this abuse. That report led to the creation of the NASEM Action Collaborative on Preventing Sexual Harassment in Higher Education, a multi-institutional initiative to prevent sexual harassment in higher education. U-M is a founding member.

The 2018 NASEM report outlines specific, evidence-based recommendations for preventing sexual harassment. An article in the Proceedings of the National Academy of Sciences argues that the implementation of these anti-harassment recommendations should be an urgent priority for leaders in higher education. To heed this call, LSA convened a Working Group for Preventing Sexual Harassment to take the crucial next step and develop actionable plans to implement the following NASEM recommendations: (1) address gender harassment, (2) create an inclusive and respectful work environment, (3) improve transparency and accountability, (4) diffuse hierarchies and dependencies, and (5) strive for strong and diverse leadership. The Working Group had several features:

- Focus on sexual harassment in the context of gender and other social identities, such as race and sexuality. Gender intersects with these identities to shape the enactment and experience of workplace harassment.
- Focus on proposing actionable changes to LSA policies and practices—not on problem assessment, root cause analysis, development of new recommendations, or enactment of the proposed changes.
- Focus on policies and practices that affect LSA employees: faculty, staff, graduate and undergraduate student employees (reflecting the NASEM report's concentration on employment).
- Focus on processes within LSA units. Note that this meant little focus on reporting, investigation, or remediation processes housed outside the college (within OIE, OGC, or UMPD). This made sense for several reasons:
  - NASEM's recommendations focus on unit-level processes (creating respectful and dignified work environments), which LSA has more authority over than processes outside the college.
  - Improved reporting, investigation, and remediation will not address more commonplace, and equally harmful forms of harassment that are seldom reported or investigated (i.e., "below the water" behaviors in the iceberg illustration of the NASEM report).
  - Research shows that improving reporting, investigation, and remediation has little effect on harassment behaviors. Institutional gaps in these processes require change, but addressing them alone is unlikely to prevent harassment.

Process and Structure of Working Group

Professors Lilia Cortina and Anna Kirkland co-chaired the Working Group, with Associate Dean Fiona Lee serving as the liaison to the LSA Dean's Office. Professors Cortina and Kirkland were co-authors of the NASEM report, and are experts on sexual harassment law and social science. Associate Dean Lee is U-M's lead in NASEM's Action Collaborative on Preventing Sexual Harassment.

The Working Group included an equal representation of faculty and staff, including staff members who work closely with graduate and undergraduate students. The Working Group was assisted by two doctoral students, Leanna Papp and Kamaria Porter.

Working Group Data Sources

The Working Group drew from four sources to develop this report:

1. The [NASEM 2018](#) report (described above).
2. The NASEM [Action Collaborative Repository](#), which compiles actions taken by over 60 other colleges, universities, and research institutions to address sexual harassment. A doctoral student researcher, Leanna Papp, analyzed policies from other institutions in the repository and we discuss relevant examples throughout.
3. Focus group interviews with LSA faculty, staff, and student-employees. We hired Sensei Change Associates, a local consulting firm with experience in higher education, to conduct these interviews. Sensei consultants convened a tenured faculty group of 5 women, a tenured faculty group of 10 men, a group of 7 women of color faculty at varied ranks, an untenured faculty group of 12 lecturers and assistant professors, a staff group of 8 women, a mixed-gender staff group of 6, a graduate student employee group of 15, and an undergraduate student employee group of 8. Student employees were paid for their time. We recruited a diverse range of people within each group. Focus groups met for a two-hour facilitated discussion of practices LSA could change to implement the five NASEM recommendations listed above. A doctoral student researcher, Kamaria Porter, saved the Zoom transcript from each discussion, de-identified it, and performed content analyses. Results of those analyses appear in the Appendix of this report. Ms. Porter also led and summarized a group discussion with 7 staff who work with the LGBTQ+ community. The Working Group studied all of these anonymized results and incorporated ideas from them into this report.
4. In-depth discussions within the Working Group, moderated by Professors Cortina and Kirkland, held in Spring/Summer 2021. Working Group members contributed to this report individually and collectively.

Context

The Working Group developed this report in the context of other events unfolding at the University of Michigan. The WilmerHale law firm had recently conducted independent investigations of sexual misconduct, resulting in two reports: one on Martin A. Philbert (July, 2020), the other on Robert E. Anderson (May, 2021). U-M retained the services of Guidepost Solutions in order to implement the recommendations of the Philbert report. On July 15, 2021, President Mark Schlissel and the Board of Regents approved a host of changes to the way that U-M addresses sexual misconduct, with a focus on care, support, prevention, and education. (This report had been fully drafted prior to the announcement of these changes.) Among the changes, the Office of Institutional Equity will be replaced with a new Equity, Civil Rights, and Title IX (ECRT) office, which will have a sub-unit focused on Prevention, Education, Assistance, and Resources (PEAR). These proposed university-wide changes are consistent with the philosophy and recommendations of this report. It is our hope that PEAR will support, resource, and complement LSA-specific recommendations outlined in this report.

During the same time period, LSA convened an Anti-Racism Task Force, which issued a report in April 2021. Our report shares points of connection with the Anti-Racism Task Force Report. Racism can produce and amplify sexual harassment, and sexual harassment often takes a racialized form. Anti-racism and sexual harassment prevention are thus tightly linked. Separate committees made sense, but we emphasize the importance of implementing recommendations from the two reports together. Both reports emphasize the need to move beyond addressing subjective or individual experiences and toward seeing racism and sexual harassment as major drivers of inequality and exclusion. Both reports urge greater accountability for change at all levels. They both emphasize that increased transparency is critical to ensure accountability and to ease despair and isolation. A simultaneous focus on reducing sexual harassment and on anti-racism can also guard against punitive or surveilling approaches that have racist consequences.

Organization of This Report

This report is organized around the five NASEM recommendations taken up by the Working Group: (1) address the most common form of sexual harassment — gender harassment, (2) create diverse, inclusive, and respectful environments, (3) improve transparency and accountability, (4) diffuse hierarchical and dependent relationships between trainees and faculty, and (5) strive for strong and diverse leadership. Within each of those sections, we briefly review relevant evidence, including excerpts from LSA focus groups. From there, we derive and propose specific changes to LSA policies and practices. Finally we note whether and how other institutions have undertaken similar changes. The report ends with a section on evaluation, which would be necessary to assess whether any changes implemented accomplish their intended goals, without negative consequences.

In writing this report, we relied on the following definition of sexual harassment from the 2018 NASEM report (pp. 13-14):

Sexual harassment is a form of discrimination that includes gender harassment (verbal and nonverbal behaviors that convey hostility to, objectification of, exclusion of, or second-class status about members of one gender), unwanted sexual attention (verbally or physically unwelcome sexual advances, which can include assault), and sexual coercion (when favorable professional or educational treatment is conditioned on sexual activity).

Note that our report also uses the term "workplace harassment." This is a broader concept, referring to unwanted, unwelcomed, demeaning, abusive, humiliating, or offensive behaviors. The conduct can be verbal, visual, physical, or electronic. It can be identity-based (e.g., motivated by sex, gender, race, sexual orientation, or other social identity) or it can be identity-neutral (that is, harassment without an identity trait as its target or topic, such as bullying). With a focus on prevention, we do not limit our report to workplace harassment that violates the law.

**SECTION 1: ADDRESS THE MOST COMMON FORM OF SEXUAL HARASSMENT —
GENDER HARASSMENT**

Gender harassment (a subtype of sexual harassment) is far more common than unwanted sexual attention or coercion, according to extensive research summarized in the NASEM report. Included in this category are "verbal and nonverbal behaviors that convey hostility, objectification, exclusion, or second-class status about members of one gender" (NASEM, 2018, p. 2). Gender harassment does not have sexual cooperation as a goal; instead it communicates denigrating, demeaning, or hostile attitudes based on sex or gender. Examples include insults to the abilities of any gender group, sexually degrading images and words in the ambient environment (e.g., graphic cartoons, sexual slurs scrawled on white boards), obscene gestures (mimicking masturbation or oral sex), and vulgar terms of address (for instance, calling a woman supervisor a "dumb cunt" or maligning a gender-nonconforming colleague as a "pussy"). Though some of these examples are sexualized, they differ from unwanted sexual attention in aiming to derogate people and drive them out, not pull them into sexual activity. These behaviors constitute "sexual" harassment because they are based on sex/gender.

Several LSA focus group members observed that gender harassment often involves "small daily things" that don't contain obvious misogyny. One faculty member noted:

Academics are smart and they know to avoid those stereotypical sexist comments, so [instead they do] things like devaluing certain women's intellectual contributions as members of the department, saying she's not much of a heavy hitter, or devaluing entire methodologies that have been feminized over time.

Other focus group members witnessed female professors being referred to as "lightweight" or "talked about in this dismissive second class citizen way." In a similar vein, focus groups of LSA staff recounted experiences of women staff being incessantly interrupted in meetings, snapped at, assigned disproportionate cleaning duties, and given advice in a condescending or patronizing manner ("mansplaining"). As one faculty focus group member observed, "the gender harassment often is very subtle. And it's not something that people will necessarily take upon themselves to report."

Popular wisdom might suggest that gender harassment is less severe than unwanted sexual attention or coercion, because gender harassment contains no sexual threat (in lay terms, gender harassment is a put-down, not a come-on). This assumption, however, has not held up to scientific scrutiny. Research reviewed in the NASEM report shows that gender harassment can be just as damaging to personal and professional wellbeing, compared to the more predatory, sexualized subtypes of sexual harassment (unwanted sexual attention and sexual coercion). Gender harassment can also be a precursor to those sexualized subtypes. And yet, gender harassment tends to get short shrift in sexual harassment complaint systems, investigations, and penalties imposed for policy violation.

Gender harassment also tends to be neglected in anti-sexual harassment educational programs. But according to the NASEM (2018) report, such programs have the potential to reduce gender harassment and other forms of sexually harassing behavior. Those shown to be most effective at changing behavior have particular qualities: (1) last four or more hours; (2) are delivered by a human (not just computer) instructor; (3) include active modes of instruction (e.g., interactive exercises) rather than solely relying on passive lectures or videos; and (4) are tailored to the particular audience (see NASEM, 2018, p. 152). Most educational programs around sexual harassment are never evaluated appropriately, however.

The NASEM report also emphasizes that sexual harassment (especially gender harassment) typically takes place in work environments where uncivil and disrespectful conduct is common. In other words, general rudeness may be a precursor (or "gateway drug") to gender harassment. Promotion of respect — and appropriate intervention in cases of disrespect, incivility, or bullying — may therefore prove powerful in the prevention of sexual harassment.

Based on this evidence, the Working Group developed the following recommendations.

1a. The Working Group recommends that LSA design, deliver, and evaluate faculty/staff education around gender harassment and other forms of sexual harassment.

- Engage harassment prevention specialists to design and deliver this anti-harassment educational program. Following NASEM recommendations, the program should be conducted synchronously by live qualified trainers, last several hours in length (which can be divided across multiple sessions), involve participants engaging in interdependent tasks, and be tailored to the culture and needs of LSA constituencies (that is, education programs should be audience-specific). Unit leaders should receive more extensive education than other faculty and staff (see recommendation 5a).

- Engage evaluation specialists to assess the new programming for its effectiveness (e.g., do participating units show reduced rates of harassment?). Evaluations can also assess for unintended negative consequences (e.g., does the new educational program activate resentment or regressive gender stereotypes among participants?).

- Anti-harassment education should be ongoing. In other words, rather than following a one-and-done training model, the program should adopt a continuing education (CE) model, similar to professions that require ongoing CE credits. For faculty, certain benefits (e.g., taking a new graduate student, serving on a search committee) could be contingent on being up-to-date with this education.

- Open a new Center for the Prevention of Workplace Harassment to house these education and evaluation functions.

On the last point, the recommendation of a new Center for the Prevention of Workplace Harassment comes up multiple times in this report. We propose that this new unit be entirely

dedicated to the prevention of sexual harassment in employment (or perhaps more broadly, the prevention of workplace harassment, both identity-based and identity-neutral). Unit staff should be well-versed in the scientific and practitioner literatures on sexual harassment. Some would be training specialists, developing anti-harassment and respectful workplace education for faculty and staff (see recommendations 1a, 2c, and 5a). Others would be survey specialists who design, administer, analyze, and report on findings from faculty/staff surveys on sexual harassment (see 3a below). And still others would be organizational change specialists, assisting unit leaders in preventing and correcting sexual harassment (also 3a). Some Center staff would create periodic reports for the LSA community, summarizing violations and corrective actions taken under anti-harassment and professional standards policies (see 3c). This new Center would also organize the monitoring activity recommended at the end of this report (see 6). Housing all of these efforts in one place would ensure that they are coordinated, led by a common vision, and resourced well enough to be scaled up to the entire College. This would be an area of innovation, as we know of no examples of a Center such as this at any other institution.

In terms of existing examples of anti-sexual harassment educational programming, U-M's Center for Research on Learning and Teaching (CRLT) developed [Moving the Needle](#) (MtN), a series of anti-harassment workshops for faculty, staff, and graduate students. Led by trained facilitators, the full MtN program spans eight hours, often delivered across multiple sessions. It includes research presentations, case studies embodied via theatrical performances, and interactive discussions of harassment based on sex, gender, and other identities. The series offers entry-level skill development related to disrupting sexual harassment (particularly gender harassment), and it invites participants to think about context-specific structural changes that could make their environments more resistant to harassment. To date, over 1000 U-M employees have participated in at least two hours of MtN programming.

Other institutions have also developed new educational programs that attend to gender harassment. For example, in the NASEM Action Collaborative Repository, [Wellesley College](#) described a new program during the 2020-2021 academic year that focuses on all forms of sexual harassment but identifies gender-based harassment as the most common. Wellesley's educational program is intended to be audience-specific and tailored to first year students, returning students, resident assistants and house presidents, staff, faculty, and confidential resources (e.g., counseling staff). This program launched virtually due to COVID and included written resources, pre-recorded videos, live discussion sessions, and live follow-up programming. Wellesley also required additional sessions for individuals in leadership roles, such as department chairs, staff managers, and resident assistants. Wellesley's programming includes multiple sessions, includes live elements, is customized to the audience, and requires additional sessions for leaders.

[Rutgers University](#) developed an educational program to begin in 2020 that was tailored to the School of Medicine's faculty and staff, with the intention to develop and customize it further for other Rutgers communities. Rutgers describes their program as tailored to particular

university communities, meant to facilitate skill development among audience members, and both interactive and trauma-informed.

Northwestern University also created customized, department-specific programming that involves three to six workshop sessions over six months, and requires individual work between sessions.

1b. The Working Group recommends that LSA elevate the visibility of and expand existing guidelines for professional and respectful conduct, with the aim of making existing tools more prominent, widely understood, and widely used.

U-M already has multiple existing policies that regulate employee conduct and take complaints or hear problems. The Standard Practice Guide contains a statement against discrimination and harassment, an expectation for professional conduct by faculty (more detail below), and also incorporates the Sexual and Gender-Based Misconduct Umbrella Policy. There is a Faculty Handbook. As of July 15, 2021, U-M has new policies that prohibit faculty and staff supervisors from soliciting intimate relationships with subordinates and that enable the revoking of emeritus status if misconduct comes to light after it is granted. U-M also has a policy prohibiting instructors from engaging in intimate relations with students. There is a website dedicated to sexual misconduct reporting and resources. The Office of Institutional Equity (OIE) handles Title IX complaints based on gender, race, and other protected categories in accordance with federal law and interpretive guidelines. There is also an anonymous compliance hotline. There is a Campus Climate Support staff team available in the Dean of Students Office. There are confidential mediation services provided to resolve employment disputes (with exceptions -- see below). Staff, faculty, and students each have access to their own Ombuds office or Ombudsperson, who serves as a confidential, impartial, informal, and independent resource. LSA also has its own Faculty Ombuds.

The Working Group emphasizes the potential of SPG 201.96 (Professional Standards for Faculty), a faculty respect policy. It is important and useful that these professional behavior standards are not tied to a civil rights or identity-based motivation because they enable LSA to respond to a wider range of harmful conduct. Generally hostile environments lead to identity-based abuses (sex and gender harassment, race harassment, sexual orientation harassment, etc). SPG 201.96 is broad enough to reach all of these abusive behaviors. This policy states that U-M "expects its members to engage each other in a professional manner, with civility and respect" and that "the University will not tolerate conduct which hinders other members of the community in the exercise of their professional responsibilities and academic freedoms." Behaviors (oral, written, visual, or physical) that may be sanctioned under this policy are those that "according to a reasonable person standard, have the purpose or effect of unreasonably interfering with an individual's employment or educational performance; and/or have the purpose or effect of creating an intimidating, hostile, offensive or abusive climate for an individual's employment, academic pursuits, living environment, or participation in a University activity." (These recommendations are closely related to those in the next section, recommending ways to create diverse, respectful, and inclusive environments.)

In light of this array of pre-existing policies that carry consequences, including useful language about professionalism and respect, we specifically recommend that LSA:

- Increase transparency and knowledge about existing policies surrounding respectful and professional behavior, especially SPG 201.96. This could be part of the new educational programming organized out of the Center for the Prevention of Workplace Harassment (see recommendations 1a, 2c, and 5a). Visual reminders in the environment (e.g., placards or posters) could reinforce these policies.

- Support the creation of a mirror policy based on SPG 201.96 for staff that extends similar professional behavior standards to all employee groups. Educate both new and existing staff about this policy.

- Engage additional staff as needed to manage increased usage of SPG 201.96 and related policies. As faculty and staff become more knowledgeable about these policy mechanisms, LSA should see more complaints requiring more investigations.

- Make it clear that unit leaders can take action against disrespectful or unprofessional behaviors regardless of the status (or absence) of an OIE complaint. Provide examples of appropriate types of actions that may be taken. Encourage leaders to consult with the dean's office (through their divisional associate dean) about appropriate actions.

- Support a change to the [SPG on mediation](#), which currently does not provide access to a trained mediator "to respond to alleged unlawful harassment or discrimination." Mediation should be an option regardless of the status (or absence) of an OIE complaint. If everyone involved agrees, using a trained, neutral, third-party mediator could be one way for leaders to resolve conflicts caused by lack of professionalism or disrespect. These outside professionals may be more able to develop solutions than the relevant ombudsperson, who is a UM employee in another role and not a professional in conflict resolution. If we would like leaders to take more actions against early warning signs or lower-level behaviors, services such as these should be expanded and widely advertised.

- Develop ways to communicate expectations of respectful and professional behavior at the hiring stage. One option would be for faculty and staff hiring contracts to include language referencing the SPGs on sexual and gender-based misconduct as well as professional standards. Another option would be to present these standards after the recruitment process has concluded.

On the last point, the Working Group had different views on the inclusion of these expectations in faculty and staff hiring contracts. Some were concerned that adding this information to an already lengthy offer letter would lessen its impact and bury it or that it might send a message of mistrust at a touchy point of recruitment. Other members thought that

including the expectations explicitly would send a welcoming message that one is joining a community in which mistreatment is taken seriously. We are not aware of evidence from any evaluation that points to a best practice.

Other institutions have pursued or enhanced their respectful workplace policies, some with greater detail and naming specific problems such as interrupting colleagues. At Michigan State University, academic leaders (e.g., deans, directors) collaborated with academic HR and academic governance groups to develop a Code of Professional Standards and Behaviors for Faculty and Academic Staff. The Code aims to:

> (1) address behaviors rather than thoughts or beliefs, (2) balance professional debate and disagreement with ensuring a civil, respectful, and safe environment for all faculty, academic staff, students and support staff, and (3) be aspirational, constructive, and positive rather than punitive or paternalistic.

This Code of Professional Standards explicitly names appropriate and inappropriate behavior, rebuking the latter. For example it states, "When we engage in respectful and professional dialogue, we listen and respond to others with open-mindedness and civility. We do not interrupt or otherwise silence others, engage in personal attacks, comment on others' appearance, or abuse positions of authority and power."

SECTION 2: CREATE DIVERSE, INCLUSIVE, AND RESPECTFUL ENVIRONMENTS

LSA must take steps to ensure a diverse, inclusive, and respectful work environment, because toxic, abusive, secretive, and rude settings allow sexual harassment to take root and flourish. Abusive environments, even characterized by silence and low-level aggressions, cultivate despair that things will never improve and teach those who would intervene that their actions will not help and could only cause more problems. These environments also set the stage for harassment based on sex and gender. As the NASEM report explains, "sexual harassment often takes place against a backdrop of incivility, or in other words, in an environment of generalized disrespect. This is especially true for gender harassment, because when it occurs, it is virtually always in environments with high rates of uncivil conduct" (p. 125).

One important diagnostic element in a specific subculture on campus is understanding whether expectations for respectful and inclusive behavior are superficially understood, but where the rules do not apply equally and some powerful people can behave however they like. As the NASEM report describes:

> Academic star culture refers to the beliefs or assumptions that well-known academics on campus who command significant resources can operate without ordinary rules being applied to them. Recent sexual harassment scandals in academia revealed the problems of star culture when luminaries in male-dominated fields allegedly engaged in years of sexual harassment with relative impunity (e.g., Geoffrey Marcy, Brian Richmond, David Marchant, and John Searle). For real change to happen in the academy, norms and rules (and consequences for violating them) would need to apply to all members of the campus community, no matter how famous or well funded. (p, 130).

If respectful behavior were part of honorifics, some of these situations may be prevented. "Collegiate professors should minimally be collegial," as one working group member said.

Disrespectful environments create multiple levels of burdens on women faculty and staff, who often help manage abusive behavior even when they are not targeted or directly involved. As one LSA faculty focus group member explained:

> Every time we hear these rumors or something happens, again I'm pulled away from my research. Again, I'm not preparing for teaching because I have to handle this issue. And it's, of course, important to handle, but these are things that my junior male colleagues aren't spending their time on. They're not spending their time talking to female students about how to handle these things. [There's an] emotional investment that takes away from your cognitive capacity to do deep work.

Graduate student employees occupy many roles simultaneously and work in social environments that can compromise professionalism. One focus group participant described it this way:

Departments and some units will have sort of social events like a night at the bar like a karaoke night or something like that, or like a movie night. And that will definitely encourage sort of a social aspect and inclusion, but can also lead to blurring the line between these are co-workers and these are friends. And so that can lead to sort of a breakdown in professionalism in some respects and so [we need to] really define what is respectful in these situations and how you can be friendly and social but also maintain an element of professionalism and definitely respect.

Graduate student work life illustrates this point very well, but faculty and staff also work in an array of settings with different social expectations (conference happy hours, departmental picnics, informal mentoring, remote field work, etc.).

Any good solution to the problem of disrespectful work environments within LSA must protect those most vulnerable to retaliation. Employees who are more vulnerable are often well-informed about problems that are being hidden or denied, but they are reluctant to share information. Solutions must also focus on the long-present workforce as well as on new hires.

2a. The Working Group recommends that LSA modify hiring practices to include assessment of respectful and inclusive behavior, and attention to potential history of harassing conduct.

Specifically, we recommend that LSA:

- Take additional steps to learn about past history of respectful and inclusive work behavior (and conversely: harassment) in candidates for leadership.

- Require finalists for senior faculty and leadership positions to allow access to parts of their prior employment personnel records specific to their own commission of workplace harassment.

- Require finalists for all employment positions to disclose whether any employer is currently investigating them for workplace harassment, or has ever formally found them to have committed such harassment. Finalists should also disclose whether they have ever left employment while being actively investigated for perpetrating workplace harassment.

- Cooperate and advertise our cooperation in similar efforts at other universities to avoid passing on known harassers.

- Require diversity and inclusion statements from all faculty and leadership applicants, requesting that they explicitly address not only their own beliefs but also their track records in supporting diversity, equity, and inclusion (noting that inclusion includes promotion of respect and prevention of harassment).

- Specifically ask in letters of recommendation and phone conversations for recommenders to address applicants' history of respectful and inclusive work behavior.

- Encourage chairs or heads of hiring committees to ask job candidates direct questions about the role of respectful and inclusive behavior on the job and the ways they would respond (or have responded) if they witnessed workplace harassment.

- Write expectations of professional, respectful, non-harassing behavior contractually in the offer letter or communicate them clearly and in writing as part of the onboarding process.

These recommendations came up in both the NASEM report and in LSA focus groups. They aim to raise the profile of our obligations to create environments in which we can all flourish. Key features are the transformation of this vigilance into an affirmative duty to our colleagues and to the profession and the acknowledgment that respectful and dignified working conditions are more important than "star" recruiting.

The committee thoroughly discussed the implications of asking about investigations at prior workplaces in an anti-racist frame. Members wondered whether those accused in frivolous claims may be more likely to be people of color, and they worried that asking these questions (and then imposing the burden of explaining a yet-unresolved complaint) may deter people from applying. Asking about being under current investigation would indeed capture both those in the midst of trying to clear their name from a wrongful or unfounded accusation as well as perpetrators seeking a new position before being found responsible. Members of the committee were confident that we would be able to distinguish these cases appropriately. The NASEM report emphasizes that reporting of any claims is a relatively rare occurrence, and what little evidence that exists from similar contexts suggests that baseless reports are a very small share of reports generally (p. 80). Nonetheless, they do happen. Within the Working Group, this recommendation was described as "critical" and one of the most powerful recommendations in this report. The new Chief People Officer was identified as someone who could evaluate and prevent inequitable uses or impacts of this policy. We also recommend transparency and ongoing self-evaluation in Section 6 below.

These policies would not be in conflict with the "ban the box" movement to remove questions about prior involvement with the criminal justice system from employment applications, as recommended in the LSA Anti-Racism Task Force Final Report. Our recommendations do not involve job candidates disclosing criminal investigations, convictions, or incarcerations. Internal employment investigations into harassing behavior are not civil actions or criminal matters and are typically kept confidential within institutions by law. These recommended policies do not impinge employee privacy laws because they ask for a voluntary waiver of the right to keep employment investigations confidential. (If the applicant does not agree, they would not be able to proceed.) The Working Group noted that, as other institutions adopt these policies, we would not want to become a safe haven for applicants to bypass these requirements at peer institutions. There were concerns that asking about these histories is

meaningfully similar to asking about criminal history, however, and could be suspect for the same reasons. The committee was in agreement that we do not want to hire known harassers, however. Members held different views about the risks and benefits of these recommendations and agreed on the need for vigilance against racist effects. Everyone on the committee supported these recommendations. We include a detailed account of our range of views here to create a record for continued monitoring of the way these policies operate in practice, should they be adopted.

Similar policies are emerging at other institutions. For instance, the University of Wisconsin system implemented two new policies in 2019. The first policy requires that information about resolutions, settlements, active investigations, and active administrative appeals related to sexual harassment is included in personnel files. The second policy requires that job candidates report whether they are under current investigation for sexual violence or harassment, if they left a place of employment during an investigation, and if they have been found to have engaged in violence or harassment. References are also asked to provide this information about applicants.

Beginning in the 2019-20 academic year, Vanderbilt University included a self-reporting requirement in faculty offer and appointment letters. These letters include the following language:

> Vanderbilt is committed to an open, inclusive, and ethical work environment in which faculty, staff, and students treat one another with respect. By signing this offer letter, you are confirming that you have not been the subject of an investigation or action based on alleged workplace misconduct. If you have been or are currently the subject of an investigation or any administrative action based on an allegation of workplace misconduct, you must disclose that fact to either the dean of the college or school considering your appointment or the Provost of Vanderbilt prior to acceptance of this offer. Formal execution of the offer and a faculty appointment will not be completed until Vanderbilt can assess the information and make a determination of its effect.

Prospective job candidates are informed at the application stage that they are expected to disclose whether they have ever been the subject of an investigation or administrative action based on workplace misconduct.

Under a new Washington state law, all institutions of higher education are required "to request in writing that the applicant's current or former higher education employers disclose whether the final candidate: is the subject of any substantiated findings of sexual misconduct; is currently being investigated for sexual misconduct; or has left a position during an investigation into a violation of any sexual misconduct policy." The required disclosure also releases the other institutions of higher education from liability. Even before the state law went into effect in July 2021, the University of Washington required applicants to disclose ongoing investigations into reports of sexual misconduct as well as to report if they have ever been found responsible for misconduct. Furthermore, applicants are required to authorize current and previous employers

to share findings of misconduct and ongoing investigations. Finally, the University of Washington directs its faculty and staff to disclose ("shall disclose") substantiated findings of sexual misconduct to other institutions even if they do not ask.

2b. The Working Group recommends that LSA modify evaluation, promotion, and reward practices to include assessment of respectful and inclusive behavior and attention to potential history of harassing conduct.

Specifically, we recommend that LSA:

- Create a committee to consider modifying faculty tenure and promotion procedures to include evaluation of candidates' contributions to respect and inclusion. This modification could be part of a broader evaluation of contributions to DEI. It could also include attention to any history of intimidating, hostile, offensive or abusive work behavior.

- Require a record of contributions to respect and inclusion for advancement to full professor, with promotion delayed for problematic behaviors until they are resolved.

- Evaluate all faculty and staff regularly (such as at annual reviews) for respectful and inclusive behavior, elevating these criteria such that problems would result in failure to earn a raise in pay even if other areas of performance are high. If a raise is withheld because of abusive behavior, the chair or supervisor should communicate clearly about the problem and suggest resources for improvement. (We also recommend under 5a below that leaders receive education about how to perform these evaluations in non-discriminatory ways.)

- Modify prizes and honors to make it clear that winning them requires respectful and inclusive behavior, with an absence of abuse, and that they can be withdrawn in proven cases of workplace harassment.

- Develop ways for all members of units (including trainees and staff) to give feedback on faculty behavior, confidentially and protected from retaliation, such as during the annual merit review process.

- Empower leaders to impose a range of consequences for abusive behavior (invoking policies such as SPG 201.96 and using tools such as merit increase withholding, promotion to full delay, bans from recruiting new graduate students). Support leaders in addressing this behavior regardless of the status of an OIE filing and before problems escalate.

- Communicate clearly to the LSA community that unit leaders are required to take action against abusive behavior.

- Develop written expectations of what is necessary before a faculty member can take a graduate student, fellow, or other trainee (e.g., history of treating trainees with respect, participation in specific educational programs). Specify what consequences may follow if expectations are not met (e.g., no graduate students or postdoctoral fellows admitted to work with abusive faculty members, even if they have extramural grant funding).

The NASEM report is clear that "[f]ocusing evaluation and reward structures on cooperation, respectful work behavior, and professionalism rather than solely on individual-level teaching and research performance metrics could have a significant impact on improving the environment in academia" (p. 129). At its worst, academia rewards shirking and high-handed disregard for others in the pursuit of individualized scholarly advancement. These reward structures can easily become toxic, particularly for less powerful people in these environments. These dynamics are on display in at least some settings. Many staff perceive few or no safe opportunities to offer feedback when they see problematic faculty behavior. As one staff focus group member put it, **"The staff member might not be willing to challenge the decision or give feedback to a faculty member because there's potentially this feeling of they're only going to be - there's only negative outcomes for me in this, right? It won't change the person's behavior and I'm sticking my neck out to make this observation."**

Aimed at both new and existing employees, some of these recommendations would intervene in dynamics that have been problematic for a long time. Some require and support actions that will be difficult to take, especially in the case of powerful people whose behavior has rarely ever been checked.

Other institutions have adopted similar changes. The University of California, Berkeley described in a NASEM Repository report how it assesses faculty commitment to diversity, equity, inclusion, and belonging (DEIB), in part by emphasizing the importance of these values in several areas of review. Among the areas of review are faculty hiring, promotion, appointment to leadership positions, and receipt of awards and endowed chairs. Faculty hiring procedures were reviewed to ensure that they include assessment of contributions to DEIB. In relation to career advancement, UC Berkeley emphasized creating and communicating clear DEIB criteria to department members who are involved in reviews, as well as requiring that individuals up for promotion are compliant with mandated harassment education. Potential leaders are expected to be knowledgeable about and have a record supporting DEIB, which should be described in nomination letters. Finally, contributions to DEIB are considered when bestowing awards and endowed chairs. UC Berkeley expressed concern that when known harassers receive leadership positions, awards, and endowed chairs, these decisions communicate that such behavior is tolerable at high levels of the university.

Rutgers University also incorporates considerations of conduct in reappointment, promotion, and tenure. This work resulted in the inclusion of the Statement on Professional Ethics applied to all criteria for tenure and promotion (research, teaching, and service) within the 2020-2021 Academic Reappointment/Promotion Instructions for Tenured and Tenure-Track Faculty (Non-Libraries) in the AAUP-AFT Negotiations Unit. For example, the Rutgers Policy

Section 60.5.1, Statement on Professional Ethics, reads: "As teachers, professors...avoid any exploitation, harassment, or discriminatory treatment of students" and "As colleagues… [p]rofessors do not discriminate against or harass colleagues."

Scholarly and scientific societies are also starting to modify reward structures to include attention to harassment. For example, in 2020 the Society for Industrial and Organizational Psychology (SIOP) expanded its anti-harassment policy to require that nominees for awards, recognitions, leadership, or fellowship self-disclose if they are currently under investigation, or in the past have been found responsible, for harassing conduct. Likewise, nominators are required to disclose whether, to their knowledge, any organization is currently investigating their nominee, or has in the past found their nominee responsible, for misconduct. This new SIOP policy also allows for revocation of fellowship and other awards as a sanction for harassment. Other professional societies, such as the American Association for the Advancement of Science and the American Geophysical Union, have added similar provisions to their anti-harassment policies.

2c. The Working Group recommends that LSA design, deliver, and evaluate new respectful workplace education for both staff and faculty.

Specifically, we recommend that LSA:

- Engage specialists to design and deliver a new workplace respect educational program. Programming should take into account the localized needs of and variation among units, including those whose mission and members bring in cultural perspectives from around the world. It should include ongoing and required education for leaders.

- Engage an evaluation specialist to assess the new programming for effectiveness and possible unintended negative consequences.

- These new education and evaluation functions can also be housed at the Center for the Prevention of Workplace Harassment.

Successful workplace respect interventions aim to promote respect and inclusion (and prevent intimidating, hostile, offensive, or abusive work behavior). Examples can be found in the respectful workplace programs designed by Fran Sepler for the U.S. Equal Employment Opportunity Commission: Leading for Respect (for supervisors) and Respect in the Workplace (for all employees). These programs focus on "the words and actions that promote respect and fairness, and participants' responsibility for contributing to respect in the workplace." Their goal is to foster shared understandings of respect and inclusion. Supervisors also practice ways of responding to concerns, including methods of coaching those exhibiting problematic behavior. Another example is the Civility, Respect, and Engagement in the Workplace (CREW) program, designed for settings where staff work in teams (e.g., healthcare). Under the CREW model, teams meet weekly or bi-weekly with a trained facilitator to set goals and promote collaboration.

They collectively generate lists of strengths, areas needing improvement, and plans of action that then get implemented, evaluated, and modified as needed over time.

Some may worry that workplace respect interventions erode free speech or silence critical voices. It should not be necessary, however, to choose between the free and open exchange of ideas and dignity on the job. We do understand concerns that respectful workplace policies could potentially redound to harm those who express themselves vigorously or those who have historically been seen as too loud, nagging, or whose identity and self-presentation are an ill fit with academic norms. Researchers who study respectful workplace interventions are also very careful about possible unintended consequences. They believe that respectful conduct policies and practices can protect marginalized groups, by ensuring that work is a dignified experience for all individuals, no matter their race, gender, sexuality, or other social identity. That said, we recommend that LSA evaluate all interventions recommended in this report for possible unintended consequences (see Recommendation 6 below).

Other institutions are also engaging in initiatives to bolster respect in the academic workplace. For example, Dartmouth College has a new workshop series dubbed Cultivating an Inclusive Community (CIC). Presented by the Office of Institutional Diversity & Equity (IDE), these interactive workshops occur on a monthly basis and are open to all employees. They address such topics as microaggressions, implicit bias, bystander intervention, and allyship. As explained in the report Dartmouth submitted to the NASEM Action Collaborative Repository, CIC workshops "equip attendees with the proficiencies to engage in constructive dialogue, intervene as an active bystander, succeed as an ally, and create solutions." Each workshop is assessed for efficacy via anonymous pre- and post-workshop evaluations.

SECTION 3: IMPROVE TRANSPARENCY AND ACCOUNTABILITY

The NASEM report emphasizes the importance of transparency. One route to transparency is sexual harassment surveys to surface problems that are not formally reported to the institution (which is most instances of harassment). This is important because "creating a climate that prevents sexual harassment requires first having a clear understanding of the existing climate and tracking it over time" (NASEM, 2018, p. 155). Measuring the climate for sexual harassment (using validated tools such as the Sexual Experiences Questionnaire, discussed in detail in the NASEM report) and repeating that measurement on a regular basis can enable tracking of problems and progress over time. To promote transparency, results of such surveys should be released publicly, aggregating across respondents, units, or time periods as necessary to protect the identities of individual respondents. Data from these assessments can then inform the development and adaptation of harassment prevention, intervention, and response strategies.

It is important that any new harassment survey be paired with support for units to help them develop actionable steps based on survey findings. This support can take the form of organizational change specialists (trained in organizational development or related field) who have particular expertise in harassment prevention and intervention, and can work with leaders on creating change. Without this additional support, new sexual harassment surveys may be seen simply as tools for the institution to surveil and penalize struggling units. In other words, there exists a tension between the desire for unit-level data on harassment and the fear of those data being used against the unit (as one LSA faculty focus group member explained). Support from specialists may help allay that fear and promote meaningful change.

Conducting regular sexual harassment surveys, releasing results publicly, and using the results to inform supported, unit-level change would demonstrate strong institutional commitment to reducing sexual harassment. Such efforts would shift the transparency/accountability lens from being solely at the level of the individual (rooting out and reprimanding individual harassers, one at a time) to the collective level (fostering broader, longer-lasting, impactful change in departments, programs, and administrative units).

3a. The Working Group recommends that LSA develop an ongoing harassment survey effort. Surveys should be paired with support from organizational change specialists, who can assist unit leaders in addressing problems revealed through surveys.

Specifically, we recommend that LSA:

- Develop, implement, analyze, and release the results of a new series of harassment surveys, designed following best practices (summarized in the NASEM report) in the measurement of workplace harassment. Surveys should include validated tools to measure specific, first-hand, work-related experiences of harassment based on sex, gender, and other identities (e.g., race). Staff in charge of these surveys should be knowledgeable of survey methods as well as sexual harassment scholarship.

- Repeat surveys on a regular basis to provide ongoing tracking of concerns and areas of improvement over time. The population being surveyed each year can be alternated (e.g., staff, tenure-track faculty, non-tenure-track faculty, graduate employees). This may help prevent survey fatigue in any one population.

- Offer support from organizational change specialists to help unit leaders develop change strategies based on survey findings. These specialists could conduct follow-up interviews with unit members, recommend changes to leadership, and advise leaders on how to cultivate a work environment that prevents harassment and promotes respect.

- Hold units accountable for making improvements when they are revealed on surveys to have high rates of workplace harassment. Privileges could be withheld from problematic units (e.g., pause on faculty searches) until they make changes. Conversely, department-level rewards (e.g., additional staff position or faculty line) could be offered to units that honestly reveal and tackle harassment problems.

- House the staff who develop, implement, and analyze the harassment surveys in the new Center for the Prevention of Workplace Harassment. The Center can also house the organizational change specialists.

Other institutions have begun relying on surveys to increase transparency and accountability around sexual harassment. The University of California, Berkeley, for example, invited all students, staff, and faculty to share experiences, beliefs, norms, and knowledge of sexual harassment (and other forms of gender-based violence) on its MyVoice Survey, starting in 2018. The intention is to survey community members again in 2022. A detailed accounting of survey procedures and results appear in a report shared publicly with the community. UC Berkeley hired NORC (a non-profit research organization at the University of Chicago) to develop, conduct, analyze, and report the results for the survey.

The University of California, Santa Barbara's NASEM Action Collaborative Steering Committee recommended that the university regularly conduct campus-wide climate surveys similar to the one implemented by UC Berkeley. UC Santa Barbara launched a climate survey for all campus members, including faculty and staff, earlier this summer.

Rutgers University began conducting sexual violence surveys among students in 2014, assessing thier experiences of sexual harassment, sexual assault, and dating violence. These surveys are repeated every three to four years, with the time between assessments used to analyze data and shape programming. In addition, in fall 2021 the university will administer a sexual harassment survey across all four Rutgers campuses, and including faculty, staff, postdoctoral fellows, and academic administrators. Rutgers University shares climate survey reports by campus, population, and more.

Related to the idea of surfacing problems, multiple LSA focus group members expressed wishes for a place to raise confidential concerns below OIE. It may not be possible or desirable to create another layer of reporting. It may be that people are not aware of the role ombuds or mediators could play in discussing matters confidentially or managing difficult conversations. It may be that what we heard reflects dissatisfaction with OIE coupled with frustration that confidentially speaking with an ombudsperson has no path to action. What faculty, staff, and students want is multiple confidential routes to inform people responsible for acting about problems, for actions to be taken relatively quickly and with a range of appropriate responses, and to hear later about what resulted.

An "information escrow" system could offer a new way to raise sexual harassment concerns, with maximum confidentiality protections, but without requiring a formal complaint. Such a system would allow staff and faculty to record information confidentially about harassment experiences (e.g., names, dates, locations, emails, texts). The information would go to a trusted intermediary (an "escrow agent"), who would only notify the institution under prespecified conditions. For example, an information escrow for sexual harassment could allow a harassed employee to place a complaint into escrow with instructions that it be forwarded to university authorities only if the employee consents or if the escrow agent receives a second complaint about the same harasser. Scholars have noted that this type of system reduces the burden of being the first person to make a complaint. In both the NASEM report and LSA focus groups, Callisto came up; this is a high-tech example of an information escrow system surrounding college sexual assault. Callisto uses an online platform to enable student-survivors to: (1) build a time-stamped record of a sexual assault, (2) forward that record to campus authorities when and if the survivor chooses, and (3) opt for a matching feature, where the record is forwarded to campus authorities if the system has a record of another incident involving the same assailant.

3b. The Working Group recommends that LSA make available additional vehicles for staff and faculty to share confidential concerns about workplace harassment.

Specifically, we recommend that LSA:

- Increase faculty and staff access to confidential individuals such as ombuds or trained mediators. Ombudspersons offer advice that is confidential, informal, and impartial. Mediation is a voluntary and confidential conversation among parties in dispute, facilitated by an impartial, third party, professionally trained mediator.

- Develop (or strongly urge U-M to develop) an information escrow system for confidentially recording information about workplace harassment. To maximize trust and confidentiality protections, the system should be housed entirely outside of U-M platforms (e.g., no U-M login).

The University of California, Merced provides access to confidential and private conflict resolution resources to assist community members as they seek to address incidents of

harassment and discrimination. This informal conflict resolution group is developing an ambassador program. The program identifies and prepares 10 trained staff and faculty members who are publicized on campus as peer-led trainers and support resources for harassment complainants and respondents.

The University of Chicago, as part of their effort to develop alternative resolution options for harassment, has held 40-hour mediation skills workshops for Equal Opportunity Programs staff and other campus partners.

Another route to transparency, discussed in the NASEM report, is to publish anonymized reports about anti-harassment policy violations and institutional responses to those violations. For people to have confidence that their institution does not tolerate sexual harassment, the institution must show that complaints are investigated appropriately and wrongdoers are held accountable. Institutions can provide regular reports containing anonymized information about complaints, investigations, findings, and sanctions. Such reports demystify how complaint processes work, improve transparency, and demonstrate that the institution takes these matters seriously.

At U-M, OIE issues two annual reports of this kind, one about student-perpetrated sexual harassment and other forms of gender-based violence, and another about sexual harassment by faculty, staff and third parties. Both are university-level reports, summarizing all complaints to OIE under policies surrounding sexual harassment. As far as we know, there are no reports like this broken down at the level of schools and colleges. College-level reports may be challenging, given the small number of cases annually and the need to protect the privacy of all parties (reporting could increase, however, with the new Equity, Civil Rights, and Title IX office). There are also no reports that we could locate detailing complaints or sanctions under SPG 201.96 (Professional Standards for Faculty).

3c. The Working Group recommends that there be periodic, anonymized, college-level reports summarizing violations and corrective actions taken under anti-harassment and professional standards policies.

Specifically, we recommend that LSA:

- Publish a periodic report--possibly annual or biannual--summarizing violations and corrective actions taken within LSA under SPG 201.96 and related policies. If a parallel SPG is developed for staff (see Recommendation 1b), this college-level report can also summarize violations and corrective actions taken under that new policy.

- Publish (or encourage the ECRT office to publish) a periodic report summarizing violations and corrective actions taken within LSA under the Sexual and Gender-Based Misconduct Umbrella Policy.

- Ensure that these reports are written in language protecting the identities of all parties to these violations, while also providing minimal descriptions and statistical summaries. If there have been too few violations in a given period to summarize them without revealing identities, reports can aggregate data across more time periods. Conversely, if there is a large uptick in complaints under SPG 201.96 and related policies, reports could be published more frequently.

- House staff charged with creating these reports in the new Center for the Prevention of Workplace Harassment.

The NASEM report and Action Collaborative Repository include examples of similar reports at other institutions. For example, Yale University publishes a semiannual [Report of Complaints of Sexual Misconduct](#) to inform the community about complaints of sexual misconduct brought to the attention of the university and the actions taken by the university to address those complaints. UC Berkeley also publishes [annual reports](#) on a website specifically designed for transparency and accountability around sexual violence and harassment. The annual reports describe reporting, investigation, and adjudication processes, policies, and the university's efforts to address violence and harassment. Notably, the data in Berkeley's annual reports do not come solely from a Title IX office, and several campus departments play a role in writing and reviewing the reports.

SECTION 4: DIFFUSE THE HIERARCHICAL AND DEPENDENT RELATIONSHIP BETWEEN TRAINEES AND FACULTY

Significant power imbalances in relationships between trainees and faculty can create situations ripe for harassment. The trainee may become isolated with or dependent on a single abusive supervisor, without alternative options for training, funding, or employment. Moreover, as the NASEM report explains, "when power is highly concentrated in a single person, perhaps because of that person's success in attracting funding for research (i.e., academic star power), students or employees are more likely to feel as if revealing the harassing behavior will have a negative impact on their lives and careers" (p. 4). One LSA graduate employee focus group member remarked how problematic hierarchies and abuses of power are more likely when student funding is tied to a particular faculty member. STEM fields may be the first to come to mind here, though isolation and abuse can also arise through single-advisor arrangements in the arts, humanities, and social sciences.

These problems may extend beyond graduate student trainees and apply to others working in research contexts, such as lab managers, postdoctoral fellows, technicians, and interviewers. They are in a different employment situation when confronted with an abusive supervisor or an end to funding because of supervisor abuse. Employees whose job ends through no fault of their own have the right to 30-90 days notice and salary under Reduction in Force (RIF) policy, depending on length of time working for U-M. Those on RIF status have priority for re-hiring. Not all employees qualify for RIF status however (for example, outside contractors or temp hourly research employees), and the 30-day RIF period for those employed less than 10 years is quite short.

To counteract this problem, better safeguards are needed for employees at all levels: undergraduate and graduate research assistants, postdoctoral fellows, research scientists, technicians, interviewers, schedulers, and other support personnel. The specific changes needed may differ by department, program, or field of study. Any solution should reduce isolation and dependency on a single supervisor. Trainees should have options for severing ties with an abusive advisor without losing access to funding or educational or employment opportunities. The NASEM report also recommends arrangements such as "mentoring networks or committee-based advising" that create "a diversity of potential pathways for advice, sponsorship, support, and informal reporting of harassment" (p. 135). These changes can help solve the problem of high pressure, isolating, and individualized power dynamics by re-imagining supervision as the responsibility of multiple individuals, or a whole department. They may protect against the possibility that abusive individuals can push supervisees off the path to a career.

4a. The Working Group recommends that academic units develop and implement changes to reduce opportunities for abuse of power, allow for multiple mentors, and protect trainee career development in cases where harassment arises.

Specifically, we recommend that LSA:

- Encourage all academic units to analyze their practices around supervision and mentorship, and move away from models that make trainees wholly dependent on a single advisor. For instance, units could consider cohort-based mentoring, co-supervision models, mentoring committees, and models in which the Director of Graduate Studies (or similar position) serves as second advisor to all graduate students.

- Advise units against mentoring arrangements in which a trainee's mentors have conflicts of interest (e.g., being spouses or close personal friends). In the case of smaller units, it may be necessary to seek mentors from adjacent units.

- Communicate that it is a departmental responsibility to proactively reconstitute advising relationships, or proactively assist students in finding new advisors, when abuses arise. New mechanisms may be needed to incentivize faculty to accept advisees who have left abusive situations.

- Develop a process for making visible, recognizing, and rewarding all faculty mentoring labor, including the role of secondary or informal advisor. There should also be protection against certain groups of faculty (e.g., women, faculty of color) being disproportionately tapped to mentor students outside of their own research programs. Units may wish to help students find mentors without overburdening those they view as most approachable.

- Expand protections for research employees (e.g., technicians) who find themselves working in abusive contexts, or losing employment due to supervisor abuse. For example, there could be better job cushioning (such as extending the RIF period to 90 days). There could also be incentives for other teams to hire research employees whose work ended because of misconduct by others.

4b. The Working Group recommends that there be funding mechanisms to support LSA graduate students who must leave harassing situations, so that they can make this transition without losing funding.

Specifically we recommend that LSA:

- Ensure that advisor-independent transitional funding is guaranteed for at least one full semester in any instance where an LSA graduate student must leave an advisor, research group, or unit that has problems with workplace harassment (regardless of whether a harassment complaint has been filed). Work with Rackham as necessary.

The Massachusetts Institute of Technology (MIT) implemented a funding model for doctoral students that offers one semester of advisor-independent funding as they transition between research supervisors. This funding may result from a fellowship, teaching assistantship, research assistantship, or another form of support. Critically, students who use

transitional support resources may also receive accommodations such as flexibility around program milestone timelines. MIT also developed transition support coordinator positions for their departments, labs, centers, and Office of Graduate Education. These coordinators serve important roles in transitional success; for example, they aid students in finding alternative references if the student is uncomfortable requesting a letter of recommendation from a former advisor.

SECTION 5: STRIVE FOR STRONG AND DIVERSE LEADERSHIP

Leaders drive organizational norms, policies, and practices, which influence whether sexual harassment happens in a work setting. As the NASEM report put it, "organizational leadership, and the signals that leaders send about civility, respect, and tolerance for sexual harassment, are powerful cues that individuals in the organization take seriously—and they adapt their own behaviors (if not their attitudes) accordingly" (p. 123). By leaders, we mean department chairs and program directors, but also figures such as chief administrators, department managers, and those who supervise the work of GSIs and undergraduate employees.

LSA focus group members described ways that leaders create conditions for disrespectful behavior based on gender even if they are not engaged in harassing conduct directly. As one faculty focus group member described, "grad directors are really powerful people in terms of department culture. If they're rude or dismissive when talking about female faculty, grad students of those female faculty will get this attitude like you need to prove that it's worth listening to you. Whereas, for the man it's 'Tell me what you need me to do - you're a superstar.'"

Faculty observed that right now, there is not a uniform approach that is capable of responding to the full spectrum of problematic behavior. "[I]t's very personal how deans of different schools deal with similar types of issues, there's lack of a common matrix," one focus group member said. "Actions need to be taken in a way that is fair and balanced with the behavior; [but] it's very difficult to navigate and also respond in a balanced way that assesses biases versus actual aggressions versus a whole spectrum of that iceberg. It's left to individual leaders to navigate that, which is a lot of responsibility, perhaps too much."

Finally, some leaders do not feel well-equipped to disrupt abusive dynamics in their units. "In graduate school you're not learning how to be a manager, you're not getting how to handle conflict, you're not getting a course on how to have a tough conversation with your staff," noted a staff focus group member. "Our faculty don't know how to handle tough conversations, or they don't know what to say or how to say it."

In order to be effective, policies and practices to promote strong leadership around sexual harassment must address leaders in all roles and levels (e.g., department chairs, staff leaders, center directors, lab managers). Vigilance against abusive work behavior should be an affirmative duty for leadership, rather than the passive assumption that everything is okay unless there is an active scandal. Leaders should be asked how they know they don't have harassment in their unit, how they know that they are not promoting or rewarding harassers, etc. LSA should educate leaders around these issues and empower them to take action.

5a. The Working Group recommends that LSA educate, empower, and support leaders to take actions combatting disrespect and harassment, addressing the full spectrum of behavior from the seemingly small or first time event to the larger ongoing problems.

Specifically, we recommend that LSA:

- Engage specialists to design new educational programming for both faculty and staff in leadership roles, facilitating skill-development in the prevention and correction of workplace harassment. This education could cover constructive ways of navigating difficult conversations, managing conflict, and intercepting disrespect before it devolves into harassment. This could be the same staff designing other educational programming recommended in this report, housed in the new Center for the Prevention of Workplace Harassment.

- Provide leadership education on how to evaluate faculty and staff for respectful and inclusive behavior (e.g., during annual reviews) and how to ensure that decisions on what is or is not respectful are not being made in discriminatory or biased manner.

- Empower unit leaders to impose consequences (like withholding merit raises) for conduct that does not rise to the level of an OIE report but is still disrespectful or abusive. This should be a required part of the leadership role, and leaders that take bold action should be rewarded for doing so.

- Create a toolkit of resources and menu of options for leaders who need to take difficult actions against violations of professional standards, including Dean's Office support and professional third party mediators if all parties agree.

- Offer coaches, consultants, or crisis teams to help unit leaders navigate issues of respect, inclusion, and anti-harassment. They should have particular expertise in the prevention and correction of workplace harassment (rather than generic "leadership coaches"). This could be another role for staff in the new Center for the Prevention of Workplace Harassment.

Other institutions have implemented similar steps toward preventing and addressing harassment. For example, the University of California, Berkeley published a [Preventing Sexual Harassment in Your Academic Department](#) toolkit meant to assist leaders in preventing and intervening in sexual harassment. UC Berkeley's toolkit provides guidance on a range of topics including professionalism at events, field placements, and collecting and interpreting misconduct-related data. The toolkit also links to relevant policies, programs, and offices, and provides sample language for value statements, climate survey announcements, mentorship expectations, and more. Intended to be used to create change within a community, the toolkit also offers actionable steps beginning with planning and ending with evaluation.

5b. The Working Group recommends that LSA modify practices for selecting and evaluating leaders to include assessment of how they are proactively taking steps to prevent and correct harassing behavior within their unit.

Specifically, we recommend that LSA:

- Make vigilance against workplace harassment an affirmative duty for leadership that is a regular part of leaders' accountability and selection (rather than a passive assumption that there is an absence of harassment or toxic culture unless a scandal arises).

- Ensure that selection procedures and performance reviews of those in formal leadership include opportunity for all members of the community—including junior faculty and staff—to provide confidential input. There should be an explicit invitation for people to discuss the leader's handling of workplace harassment.

Features of this recommendation that match the problem include its formalization and the shift to an affirmative duty. This recommendation is only workable if paired with full support for leaders to take actions and if there is adequate staff support for additional work that will be generated.

We were not able to locate materials in the NASEM Action Collaborative Repository describing steps such as these. Should LSA choose to take innovative steps in this direction, a description could be submitted to the Repository.

SECTION 6: EVALUATION PLAN

As the NASEM report notes, many sexual harassment interventions are not well evaluated and so it is hard to know if they are effective. Moreover, there are unintended effects that could be harmful, such as bias and inequality in identifying problematic behaviors (tone policing when employees have well-grounded complaints, often racist and sexist in application); infringements on academic freedom; violations of privacy; lack of due process; and erosion of faculty governance. The Working Group firmly believes that steps to prevent harassment and promote respect need not have these unintended effects. But without careful monitoring, policies may evolve or be applied over time in problematic ways.

6. The Working Group recommends that LSA establish transparent monitoring structures for all changes in policy and practice resulting from this report. The focus should be not only effectiveness but also fairness, anti-racism, and effects on employee self-governance.

Specifically, we recommend that LSA:

- LSA create an implementation monitoring group, tasked with periodically reviewing the implementation of these recommendations and making suggestions for changes if needed. It should include faculty (not limited to tenure-track/tenured faculty), staff, and student-employees as members. It could evolve out of the membership of this Working Group or it could be located within pre-existing governance structures.

- Ensure that the monitoring group has access to confidential information, including personnel files, even if de-identification is not possible (for example, in a hypothetical case in which there is only one Black man in a unit who has been the subject of a wrongful claim, sharing that information will likely identify him but otherwise there is no way to accurately describe the situation to the evaluation body, and so the information should be confidentially shared with members of that body only). Proactively provide the monitoring group with any information that would otherwise be released under Freedom of Information Act requests.

- They should specifically receive information sufficient to assess the impact of requiring job candidates to disclose findings or investigations of misconduct at prior employers.

- Require the monitoring group to publish findings, subject to privacy restrictions at the point of publication. This would elevate transparency in harassment prevention efforts.

- Provide the monitoring group with access to staff and administrators who can help them perform their reviews and publish their findings.

- Locate this monitoring activity in the Center for the Prevention of Workplace Harassment, informed by evidence and best practices and drawing on faculty expertise.

APPENDIX

Representative quotes from faculty, staff, graduate student, and undergraduate student focus groups as they relate to the NASEM recommendations described in this report.

NASEM Recommendation #1: Address the most common form of sexual harassment: gender harassment.

Faculty	"It can be very subtle, even something like interrupting women more often than men. A woman can present something and it gets ignored, but when a man says the same thing, it is noticed. Women are labeled as emotional, but men are labeled as assertive. Advice that you get as a young woman is not to wear too much makeup, lower the tone of your voice, and watch how you dress."
Staff	"One thing that came up was around delegation of duties, especially pertaining note-taking, cleaning, setting up, and taking down, that kind of thing. I've seen those consciously assigned, but that is a surface level solution. A lot of the stuff we were discussing is a pretty complicated interaction between people's own internalized gender socialization ideas and other people's internalized ideas."
Graduate Student	"There's a lot of gender bias in formal spaces. For instance, if a woman's on a panel, men are more likely to critique them much more harshly or go after their work. It's kind of seen as normal. And it's very, very common. We've come across it in all of our departments."
Undergraduate Student	"Some examples given were when GSIs in discussion or labs often use microaggressions or harmful jokes during class or ignoring pronouns when referring to others. And in many male-dominated STEM classes, women are ignored or talked down upon. Many times gender-based harassment goes unnoticed by institutions and also by the victims, so they fail to notice these violations and also fail to report them."

NASEM Recommendation #2: Create diverse, inclusive, and respectful environments.

Faculty	"We talked about the importance of not putting all this work on the women of color in the department. So whatever is done to set examples of inclusive and respectful climates and avenues for reporting, etc., all that work shouldn't fall on the women of color in the department."
Staff	"Getting the academic leadership to understand all the pressures that their staff are undergoing, even outside pressures that affect the employee. Just being empathetic to their situation and how their actions can exacerbate things for them or for how they can make it more positive."
Graduate Student	"Departments and some units will have social events like a night at the bar, karaoke night, or a movie night. And that will definitely encourage a social aspect and inclusion, but can also lead to blurring the line between co-workers and friends. That can lead to a breakdown in professionalism in some respects. Really defining what is respectful in these situations and

	how you can be friendly and social but also maintain an element of professionalism and respect [is important]."
Undergraduate Student	"A lot of the first-year students come from a variety of different places. Even something we think is simple, such as putting our pronouns in our bios, they're not even sure of the pronouns they should be or are using. So it's hard to hold them to the standard that we set without letting them know the standard and educating them to be up to the standard."

NASEM Recommendation #3: Improve transparency and accountability.

Faculty	"I don't think that information gets shared the way that it should. I appreciate that we don't want to re-victimize somebody, but at the same time, I think that that allies don't appreciate that the University does occasionally take what I think would be appropriate action, and I think potential perpetrators don't realize the University takes action, and both of those seem to me like a mistake."
Staff	"I've been told 'it's being handled' or 'it's been taken care of.' What does that mean? We don't know what are the repercussions for gender, sexual harassment. I have no idea what happens once it gets escalated, and so I think that's a little bit frustrating. Just closing that loop, as opposed to just saying 'we've taken care of it.' I don't know what that means."
Graduate Student	"We often see surveys that are fairly haphazardly done every couple years. That is a major problem because we're not actually able to track whether things are getting better, getting worse and whatnot. And we're not actually able to identify what is happening within our own institutional walls. However, tracking data and experiences and testimonials is only one component. The other is publishing the data in some capacity; we acknowledge that there's going to be issues of anonymity and confidentiality, which raises questions about how much info is published."
Undergraduate Student	"I've heard from from my friends and from some other people who are really disturbed and concerned about the sexual harassment allegations coming from a particular department. And you have them and this the faculty member in question, which is put on leave for some time, and then was brought back. And they felt like it didn't really address the sexual harassment. And there was no punitive - there was no accountability for his actions because he continued to get paid. And now he's teaching again."

NASEM Recommendation #4: Diffuse the hierarchical and dependent relationship between trainees and faculty.

Faculty	"There are hiring hierarchies and research groups where juniors rely on training from more senior research group members, and this is a situation where harassment can occur and may not be obvious to the group leader."
Staff	"The staff member might not be willing to challenge the decision or give

feedback to a faculty member because there's potentially this feeling that there's only negative outcomes for me in this. Like, it won't change the person's behavior and I'm sticking my neck out to make this observation."

Graduate Student	"We mostly talked about the relationships between advisors and advisees as being where the problematic hierarchies exist and where power gets abused. We noted this is especially the case in fields where grad student funding is tied to their advisor and if that's someone they select to work with before they arrive."
Undergraduate Student	"The barrier [to reporting] would be that I'm putting at risk, for example, my grade or a letter of recommendation because the professor has the power over me."

NASEM Recommendation #5: Strive for strong and diverse leadership.

Faculty	"A lot of this DEI work is so performative that people of color want to leave the room. In DEI discussions and DEI committees, I use the phrase "DEI the white way." They're not actually listening to the voices of people of color, they're doing it in a way that they're protected and comfortable. I think that is not the purpose of these DEI initiatives and that's why they're so problematic at university levels."
Staff	"You go through graduate school not learning how to be a manager, how to handle conflict, you're not getting a course on how to have a tough conversation with your staff. Our faculty don't know how to handle conversations, or they don't know what to say or how to say it, or they don't know not to say certain things."
Graduate Student	"There is a culture of inertia in academia and a culture of not rocking the boat. I find that one of the explicit positive characteristics that people see when they're choosing a new department chair is quite literally someone who won't rock the boat. I think that is endemic to this whole problem."
Undergraduate Student	"For the Dean of Students Advisory Board, we'll give feedback and then [they'll] come back the next week and be like, 'Oh, well, this is all we're going to do.' So I really don't have a say in this, you just made it seem like you got my feedback to make it look better."