PHASE 2 CHARGE

To develop recommendations for improving reporting and accountability in instances of misconduct; and
To develop recommendations for improving overall workplace culture and awareness

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I. EXECUTIVE SUMMARY

At the foundation of the work to address sexual misconduct is culture and climate change. Research demonstrates that an organization with a healthy culture and climate results in decreased rates of sexual harassment, reduction in retaliation against those who report harassment, and better psychological health and experiences in the workplace.

As such, actions to create a positive culture and climate where sexual misconduct is not tolerated, so that all at the University are able to thrive. It will also be important to find ways of enhancing the willingness of possible victims and bystanders to come forward with reports of their experiences through appropriate university channels.

The Working Group’s discussions, research, and recommendations highlight several themes regarding this work around culture and climate change:

- **Coordinate and align with DEI efforts.** Given that both initiatives focus on culture and climate, and need infrastructure and resources, coordination with DEI becomes both strategic and necessary when considering execution of sexual misconduct work.

- **Display leadership commitment.** Though this was referenced in Phase 1, the importance of strong, visible, support from leadership cannot be understated. This extends to messaging, modeling of behavior, demonstrating transparency, listening to community members, and attributing resources, as well as hiring, evaluating, and promoting leaders who are willing and able to learn to address constructively issues related to sexual misconduct.

- **Include all voices through a top-down and bottom-up approach.** Culture and climate change must be accomplished in partnership with all who are a part of the U-M community.

- **Continued focus on education and training that is multi-modal, as well as level and role specific.** As a continuation of the Phase 1 report, education and training that is ongoing and developed in partnership with subject matter experts remains a vital part of changing culture and climate.

- **Address gender harassment, the most common form of sexual harassment.** Many institutions focus their work on addressing more obvious forms of gender discrimination, such as sexual harassment; however, research shows that instances of gender harassment are more prevalent than other forms of gender discrimination and are equally, if not more, damaging than sexual harassment and such behavior remains the least reported form of gender discrimination. While these instances are not always sufficiently severe, persistent, or pervasive to violate an institution’s discrimination policies, mechanisms should be in place so that the behavior is identified as inappropriate and action taken is intended to prevent a recurrence.

Also falling within the larger culture and climate change work, is the second part of the Phase 2 charge focused on reporting and accountability. For many reasons, targets often do not formally report, whether it is due to fear of blame, damage to one’s career, or that appropriate action will not be taken; research shows that offering more diffuse and confidential resources, and less punitive reporting pathways can offer significant support to those experiencing or witnessing any form of sexual misconduct. As such, these reporting and accountability recommendations also encompass the importance of offering resources and ways in which to seek assistance for both targets and bystanders.
II. SUMMARY LIST OF RECOMMENDATIONS

CULTURE AND CLIMATE CHANGE AND AWARENESS RECOMMENDATIONS

Recommendation 1: Create, with broad community feedback and support, a university-wide vision and associated values to guide culture and climate change consistent with DEI work that is already underway.

   Recommendation 1A: As part of this commitment to establish guiding vision and values, expectations of harassment-free environments should also be clearly outlined and defined.

   Recommendation 1B: Culture and climate change efforts should not only come from the top down, but should also be collectively created with engagement from individuals and units.

Recommendation 2: Modify organizational power structures to support culture and climate change.

Recommendation 3: Expand efforts to address gender harassment (the most common form of sexual harassment), by establishing expectations, providing resources and education, and measuring attainment of gender diversity.

REPORTING AND ACCOUNTABILITY RECOMMENDATIONS

Recommendation 4: Clarify and readily share institutional and confidential pathways for individuals to seek assistance, have access to resources, report inappropriate behavior, raise concerns, and resolve conflicts.

   Recommendation 4A: Design an effective and visible communications campaign to encourage possible targets of harassment and misconduct to report their concerns through appropriate and clear channels.

Recommendation 5: Improve transparency and increase awareness of the reporting pathways and resources available.

Recommendation 6: Develop and readily share clear policies around corrective action for individuals who violate U-M standards of behavior and sexual misconduct policy.

EDUCATION AND TRAINING RECOMMENDATIONS

Recommendation 7: Conduct inventory of existing training and resources, both internal and external, to support and maintain skill building and behavior change.

Recommendation 8: Develop education and training focused on skill building and behavior change that includes the identification of learning outcomes and metrics for evaluation.

Recommendation 9: Identify a long-term strategy for sustainable and impactful delivery of education and training programs across the institution in order to efficiently cascade learning utilizing unit resources in addition to the Department of Organizational Learning.
III. BACKGROUND AND CHARGE

The Working Group on Faculty and Staff Sexual Misconduct (Working Group) was convened in March of 2018 by President Schlissel, with sponsorship from Kevin Hegarty, Executive Vice President and Chief Financial Officer, Martin Philbert, Provost and Executive Vice President for Academic Affairs, and Marschall Runge, Executive Vice President for Medical Affairs.

The Working Group’s charge was to develop recommendations for a more equitable and inclusive workplace climate by improving awareness, training, reporting, and accountability regarding all forms of sexual misconduct on the Ann Arbor (including Michigan Medicine), Flint and Dearborn campuses, with the aim of decreasing sexual misconduct in the University’s faculty and staff populations. The work was divided into two phases, with the primary objectives of each phase as follows:

Phase I

● To gather data and assess the current state of programming and activity (amount and effectiveness); and
● To develop recommendations for increasing faculty and staff education and training to include raising awareness of existing policy, reporting obligations and channels, bystander intervention, one’s own behavior and its impact on others

Phase 2

● To develop recommendations for improving reporting and accountability in instances of misconduct; and
● To develop recommendations for improving overall workplace culture and awareness regarding sexual misconduct

This Working Group submitted the Phase 1 report and recommendations to the President and Executive Vice Presidents on April 27, 2018 (Appendix A). All 7 proposed recommendations were accepted in full, and at President Schlissel’s request, with sponsorship from the Executive Vice Presidents, an Implementation Team was formed on May 14, 2018. The Implementation Team was charged with developing a plan to enact the Working Group’s Phase 1 recommendations, with mandatory training to be in place at the start of Fall 2018 semester. This plan was submitted to the President and Executive Vice Presidents on June 14, 2018 (Appendix B).

In parallel, the Working Group began its work on Phase 2 recommendations that are outlined in full in this report. These recommendations work in tandem with the Phase 1 recommendations and Implementation Plan, and reflect a comprehensive, strategic, and multi-layered approach for culture and climate change to address sexual misconduct at the University.
IV. APPROACH AND PROCESS

The Working Group reconvened on May 8, 2018 for its first meeting to address Phase 2 work. At this meeting, Phase 2 objectives were reviewed, and Subgroup D from Phase 1 reported their findings on behavior change detailing their work around employing the Influencer Model to describe actions required at different levels of the organization that will result in positive culture and climate change specific to sexual misconduct (Grenny, J. & Patterson, K., 2013, Appendix C). Additionally, following the successful structure of utilizing subgroups in Phase 1, four new subgroups were created, each facilitated by staff support leads, to meet the goals and timeframe of the charge for Phase 2. The subgroups and their membership are as follows:

- **Subgroup 1. Culture, Behavior Change and Civility**: An extension of Subgroup D from Phase 1 - but with a broader look at overall culture and mechanisms to achieve culture change which includes defining the culture we want to achieve and where civility fits into these efforts.
  - **Staff Lead**: Jennie McAlpine
  - **Membership**: Elizabeth Armstrong, Keisha Blevins, Carol Bradford, Amy Byron-Oilar, Dave Reid, Rob Sellers, Laurita Thomas, Rob Stephenson
  - **Staff Support**: Sonya Jacobs, Carol Lee

- **Subgroup 2. Seeking Help/ Assistance, Reporting and Accountability**: How to create an environment where both victims and bystanders feel comfortable asking for assistance and/or reporting incidents of sexual misconduct. Include a look at the reporting process(es). In addition, what currently is and what should be the University’s response to cases of sexual misconduct. How are individuals held accountable for sexual misconduct?
  - **Staff Lead**: Brian Cole
  - **Membership**: Gloria Hage, Pamela Heatlie, Beth Manning, Lori Pierce
  - **Staff Support**: Steve Camarata (Project Manager – Organizational Learning), Carol Lee

- **Subgroup 3. Power Relations and Structures**: Understanding the power relations and structures at the University that may enable/facilitate/encourage sexual misconduct.
  - **Staff Lead**: Kathleen Donohoe
  - **Membership**: Elizabeth Armstrong, Jennifer Linderman, Dan Little, Kim Saks McManaway
  - **Staff Support**: Krista Stelmaszek, Carol Lee

- **Subgroup 4. Education and Training**: A continuation of some of the work from Phase 1 focused on beginning to develop the multi-layered approach to training. Specifically, lay out the potential elements of the "101" training and specifics for the "focused training."
  - **Staff Lead**: Sonya Jacobs
  - **Membership**: Matt Kaplan, Ken Powell, Anna Ruszkiewicz, Kaaren Williamsen
  - **Staff Support**: Sara Armstrong (Artistic Director, CRLT Theatre Program, and Senior Associate Director, CRLT), Brian Cole, Carol Lee

The subgroups met in late May to begin work on developing recommendations. The full Working Group’s second meeting took place on May 18, 2018; Subgroup 1 reported on their preliminary work, given that their focus on culture and civility would serve as the underlying foundation for Phase 2. Subgroups continued meeting weekly; Subgroups 2-4 shared their findings at the Working Group’s third meeting on June 12, 2018.
Recommendations from all subgroups were compiled and synthesized into a draft report that was shared with the Working Group at the final Phase 2 meeting on June 22, 2018. The recommendations, inclusive of feedback from the Working Group, were subsequently finalized to produce this report, submitted on June 29, 2018.

The approach taken to structure the recommendations in this report is influenced by the use of a change model, of which several were considered and evaluated. Utilizing a framework grounded in research and customized for our organization can allow an understanding of the organizational tools needed and the order in which they are deployed, to best impact the likelihood of success.

A modified Cummings and Worley Framework for Culture Change (Cummings and Worley, 2009, Appendix D) was identified as a suitable framework for our institution. In recognition of the unique culture of a large research university, a step critical to success for culture and climate change in such a large, decentralized, academically oriented organization with an academic medical center was added – that of hearing all voices and empowering change from the ground up.

Cummings and Worley identify six elements for successful culture change in an organization:

1. Formulate a clear strategic vision, with input from a broad range of faculty and staff before roll out
2. Display top leadership commitment
3. Model culture change at the highest level
4. Modify organizational structures to support culture change
5. Select and socialize newcomers
6. Develop ethical and legal sensitivity
V. CULTURE AND CLIMATE CHANGE AND AWARENESS RECOMMENDATIONS

Research from the National Academies of Sciences, Engineering, and Medicine’s 2018 report, Sexual Harassment of Women: Climate, Culture, and Consequences in Academic Science, Engineering and Medicine, suggests that “the most potent predictor of sexual harassment is organizational climate” and that organizations that tolerate, or are perceived as tolerating sexual harassment, “are shown to have higher rates of sexual harassment than those organizations seen as intolerant.” Though the committee that produced this report was specifically charged with focusing on sexual harassment of women in sciences, engineering, and medicine, Drs. Lilia Cortina and Anna Kirkland, U-M faculty who served on this committee, confirmed the findings can be applied to academia broadly. The literature review and data that informs this report is comprehensive of all areas within a university setting and applies to sexual harassment of all gender identities.

“A positive climate decreases sexual harassment rates, reduces retaliation against those who confront and report harassment, and results in better psychological health and workplace experiences” (Buchanan et al. 2014; Fitzgerald, Drasgow, et al. 1997; Glomb et al. 1999; Glomb et al. 1997; Wasti et al. 2000). Institutions have the ability to impact the instances of sexual harassment and it is critical the University takes deliberate action to clearly demonstrate that sexual misconduct of any kind is unacceptable.

Within this report, organizational climate refers to employees’ shared perceptions of the policies, procedures and practices that are rewarded, supported and expected in a given organizational environment (Rousseau, 1988; Schneider, 1990). Organizational culture refers to a set of shared values, normative beliefs, and underlying assumptions that characterize organizations and shape the way of doing things inside them (Schein, 1985; Verbeke, Volgering & Hessels, 1998).

Culture and climate must both be addressed together; the climate should reflect and support the culture of the organization while at the same time, the culture should guide and set the tone for the climate that members of our institution experience.

To guide this critical change, the following recommendations are specific to improving overall workplace culture, climate, and awareness regarding sexual misconduct, aligning with steps 1-4 of the Cummings and Worley Framework for Culture Change. These recommendations both reinforce and provide additional depth to the recommendations put forth in the Phase 1 report.

Recommendation 1: Create, with broad community feedback and support, a university-wide vision and associated values to guide culture and climate change consistent with DEI work that is already underway.

The University should create an overall vision statement of the ideal culture and climate at the University, and adopt guiding values that will inform supportive behaviors and cultural norms. This statement of vision and values is foundational in creating a positive culture and climate at the University, and is the basis upon which sexual misconduct can be addressed. Vision and values should have community-wide agreement, to ensure all areas of the University have buy-in. Given what is already being done through DEI, it is important that this work is aligned and coordinated.
The guiding values suggested for the University are: Respect, Inclusivity, Responsibility, Openness, Civility, and Trust.

- **Respect** – Individuals show one another that they value their presence in and contributions to the community.
- **Inclusivity** – We pursue deliberate efforts to encourage the expression of different perspectives and to create a feeling of belonging and respect for all members of our community.
- **Responsibility** – Individuals protect the interests and safety of fellow community members.
- **Openness** – We remain open to the ideas and experiences of others and share information readily and as appropriate.
- **Civility** – We treat others respectfully for the purpose of fostering a sense of community.
- **Trust** – Individuals act with honesty and positive intent.

These values were derived from SPG 201.96 Professional Standards for Faculty (Appendix E), in alignment with the institution’s DEI efforts, and recognition that incivility and sexual harassment in the workplace have been shown to co-occur (Lim and Cortina 2005). These values are strongly and intentionally associated with diversity, equity and inclusion, as well as with reducing sexual misconduct, and could be applied globally to create expectations in all areas of the university. Further details on the research of these values, the process by which the suggested definitions were determined as well as accompanying behaviors, are detailed in Appendix F.

In addition to organizational climate, another contributing factor in creating the conditions under which sexual harassment is likely to occur within academia is “uninformed leadership on campus that lacks the intentionality and focus to take the bold and aggressive measures needed to reduce and eliminate sexual harassment” (Sexual Harassment of Women, 2018). Taking steps to formalize guiding vision and values can provide university leadership the tools and focus needed to create a climate free from sexual misconduct.

This recommendation provides further depth and suggested content to Section III of the Phase 1 report, in which this pursuit and ultimate confirmation of university-wide vision and values can reinforce the institutional commitment to creating an environment free of harassment, and aligns with Stages 1-3 of Cummings and Worley Framework for Culture Change, “Formulate a clear strategic vision,” “Display top leadership commitment,” and “Model culture change at the highest level” (Cummings and Worley, 2009).

Specific components to consider include:

- Given its extensive decentralization and current culture and climate, development of the vision and values should be vetted with a broad array of faculty and staff who represent diverse voices.
  - Discuss and gather input, and approach consensus on vision and values, particularly with stakeholders most likely to be the target of sexual misconduct.
  - Research culture and climate change efforts already underway in various units.
- These values should be infused in top leadership messages, goals, and actions, and should be incorporated within efforts around implementation of Phase 1, Recommendation 1.
  - This is further supported by the recognition that institutions that create policies that “start with explicit statements from presidents, provosts, deans and that include concrete intervention strategies aimed at preventing sexual harassment” are directly addressing conditions under which sexual harassment is likely to occur by equipping leaders to take bold, and intentional action (Sexual Harassment of Women, 2018). For U-M, leadership statements should also extend to chancellors and executive officers.
Recommendation 1A: As part of this commitment to establish guiding vision and values, expectations of harassment-free environments should also be clearly outlined and defined.

Introduce common expectations for all working environments, tying into our mission, vision, and values. Focus on a positive message that is consistent across all campuses, is coordinated with DEI efforts, and promotes collective and individual accountability.

Specific suggested components include:

- Provide unit leaders with training on how to identify problematic situations, intervene constructively, and work with others on ways to resolve these situations. This training should be created in partnership with the Educational Advisory Group (“EAG”) (as referenced in the Phase 1 Implementation Plan) and is further elaborated upon under Recommendation 8 on page 21. Specific recommendations around education and training are outlined in the Education and Training section of this report on page 20.

- Convene a cross-functional team to ensure this messaging is infused within the Sexual Misconduct 101 training (referenced in the Phase 1 recommendations to educate and raise awareness). Efforts should be coordinated with DEI, and encompass a positive approach that promotes a welcoming, inclusive, and respectful work environment to ensure everyone has a positive experience at U-M. This team should work in tandem with the EAG, as well as Michigan Creative, who will be producing the mandatory Sexual Misconduct 101 training, as referenced in the Implementation Plan.

- Conduct discussions about respect and inclusion on a periodic basis, for example in department meetings and in the classroom. Discussions should be led by facilitators and leaders at all levels trained in partnership with Organizational Learning. A toolkit can also be developed to equip departments to lead these discussions.

- Model appropriate behavior through leaders at all levels. Clearly communicate the responsibility of all within the community to create a positive culture and climate within the guiding vision, values, and associated behaviors.

- Consider commitment and positive contributions to harassment-free environments when leaders are selected and evaluated (aligned with Phase 1, Recommendation 2).

- Incorporate values and expectations into New Employee Orientation (aligned with Phase 1, Recommendation 5B).

- Identify policies to advise how units that exhibit consistently low morale or ongoing issues with the culture, climate, policies, and/or practices will be addressed. This may be a reason to consider replacing unit leadership. Deans, directors, and department heads, may need, on occasion, to devote substantial resources to organizational change efforts directed toward a particular unit, also involving organizational change management consultants.
**Recommendation 1B: Culture and climate change efforts should not only come from the top down, but should also be collectively created with engagement from individuals and units.**

To be successful, efforts to change culture and climate in a large, decentralized organization like the University of Michigan must come from the top, through strong, visible, sustained commitment from leadership, and from the engagement of individual units.

In recognition of the varying sub-cultures/climates of the University’s many individual departments and units, culture and climate change efforts in relation to sexual misconduct should be closely aligned with DEI efforts, whereby units should be involved in creating their own plans to improve their specific environment in accordance to those university-wide goals. There should be communication to and support for units to align sexual misconduct efforts with Year 3 planning and Year 4 DEI reporting; a communication campaign can incorporate a presidential kickoff of Year 3 DEI efforts.

Suggested components of unit-based plan creation are suggested below; however, specifics around process and content should be determined in the implementation phase of these recommendations, and in close coordination with DEI efforts. Formulating a clear strategic vision and support from the top must work in tandem with fostering unit level ownership within and consistent with the larger framework.

Overall implementation of this wider culture and climate change should be guided by the successes of the DEI strategy and plans; this is in further support of Phase 1, Recommendation 1A. Key elements of the strategic DEI plan that could also apply to Sexual Misconduct are detailed on Page 6 of the Implementation Plan.

Specific suggested components include:

- Engage with individuals and units for contributions to the U-M vision and values for the desired community.
- Provide Implementation packet for units that will:
  - Communicate clear expectations for unit goals
  - Provide examples of desired behaviors
  - Offer suggested engagement tactics to co-create, communicate and celebrate expected local behaviors, by addressing such things as:
    - How the current local cultural norms come into play
    - How structural changes may lessen abuse of power
- Identify 3-4 units willing to allow documentation of their experiences in addressing this subject, share their stories to the U-M population at large, and add to the compendium of education resources.
- Report at the unit level, similar to the DEI plans, to include how each unit is working to address the “5 factors that create the conditions under which sexual harassment is likely to occur:”
  - These 5 factors include: 1) perceived tolerance for sexual harassment, 2) male-dominated work settings, 3) hierarchical power structures, when power is highly concentrated in a single person, or those in which people are geographically isolated 4) symbolic compliance, and 5) uninformed leadership (additional detail around these factors are located in Appendix G).

Gender diverse work settings tend to decrease incidences of sexual harassment. This reinforces the importance of coordinating with DEI efforts and the overarching work around diversity under which all gender identities are included.
Recommendation 2: Modify organizational power structures to support culture and climate change.

The National Academies’ report identifies hierarchical power structures as a factor contributing to sexual harassment:

The environments in which the power structure of an organization is hierarchical with strong dependencies on those at higher levels or in which people are geographically isolated are more likely to foster and sustain sexual harassment. Moreover, 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 (Sexual Harassment of Women, 2018).

Further, the National Academies’ report cites “the dependence on advisors and mentors for career advancement” and “the system of meritocracy that does not account for the declines in productivity and morale as a result of sexual harassment” as two of the four specific aspects of the science, engineering, and medicine academic workplace that contribute to not only silencing targets of harassment but also “limiting career opportunities for both targets and bystanders” (Sexual Harassment of Women, 2018).

Improving workplace climate thus requires identifying and changing power structures that increase the likelihood for sexual harassment or other abuses of power to occur. In particular, it is optimal to disperse oversight to reduce situations where one individual monopolizes power over another individual’s professional development.

The following outlines specific ways in which this recommendation can be supported:

- **Explicitly identify power relations and, when possible, disperse oversight, reducing opportunities for the abuse of power.** How power is structured varies across units. Individual units will need to examine the power relations specific to their unit (e.g., faculty/graduate student, GSI/undergraduate, faculty/staff, key administrator/staff, faculty/postdoc, tenured faculty/assistant professors, tenured faculty/adjunct faculty, supervisor/staff, etc.) to identify where dispersion of oversight could lessen the possibility of abuse of power.
  - Empower the entire dissertation committee to collectively engage in graduate student oversight, rather than placing de facto power over a student’s career in the hands of one faculty member. Require more regular meetings of the entire committee. For STEM thesis committees, consider having the chair of the committee be someone other than the thesis advisor.
  - Develop workshop/orientation/handbook to clearly articulate professional norms and openly identify power in relationships.
  - Set reasonable term limits for leadership positions to allow for new perspectives and tactics, and to limit the power of any one individual.
  - Strengthen the networking already in place via the Staff Career Development Passport project where staff are encouraged to partner up with other staff who have volunteered to serve as advisors.

- **Develop a regular practice of data collection and self-reflection.** We should not assume that our units are free from abuses of power, but proactively evaluate the culture and climate of our units.
○ Mechanisms for collecting such information include unit climate surveys, internal or external program reviews, Rackham program reviews, or faculty/student/staff exit interviews (e.g. with graduate students who leave without obtaining the degree sought).
○ Unit leadership should act on this information to develop ongoing plans to improve the culture and climate of their units.
○ The Implementation Plan for this recommendation should offer guidelines for units to use to conduct a self-assessment.

● **Invest in role-specific training explicitly addressing power differentials.** Such training should promote both ethical leadership and provide information on reporting.
  ○ For example, develop an orientation for graduate students that identifies norms of professional behavior, power in academic relationships, and routes for conflict resolution. Make sure graduate students understand appropriate boundaries when they serve as GSIs and in other roles (e.g., graduate student in professor’s lab), or when traveling to meetings.
  ○ Training is to be developed in partnership with the EAG with the support of an Instructional Designer, as referenced in the Implementation Plan; specific recommendations around education and training are outlined in section VII, page 20 of this report.
  ○ Expand and resource the trainings entitled “Change It Up,” a training on bystander intervention and “Unconscious Bias in Everyday Life” to build cultural awareness and inclusiveness among staff, faculty and students.

● **Consider the way the arrangement of space and work norms may create opportunities for abuse of power.**
  **Redesign space and revise work norms, as necessary.**
  ○ Encourage instructors to hold office hours, insofar as is possible and reasonable, on campus in university-supplied offices, during formal work hours. Consider using collaborative spaces for office hours.
  ○ As spaces are re-designed, consider glass on doors to practice rooms, shared offices, and/or other meeting rooms.
  ○ Consider more collaborative spaces (e.g. labs) rather than individuals in power with control over “their space.”
  ○ Pay particular attention to norms around travel, fieldwork, or other time spent working off-site, and to after-hours work.
  ○ Provide chaperones in medical examination rooms.

● **Build on existing structures and change efforts.** The University has developed many programs to increase diversity and improve climate. Use these to reinforce a climate of respect and inclusion, to develop awareness and sensitivity to issues others may experience, and to provide guidance and resources around difficult issues. These programs may offer models for new programs or be extended to broader audiences (e.g. to Flint and Dearborn campuses). Examples of such programs include:
  ○ MORE (Mentoring Others Results in Excellence) committee at Rackham
  ○ Teaching Academy for new assistant professors
  ○ CRLT Players
  ○ Launch Committees for new assistant professors
  ○ Workshops for faculty engaged in graduate admissions, faculty recruiting, faculty promotion and tenure processes (Rackham, ADVANCE, CRLT)
Recommendation 3: Expand efforts to address gender harassment (the most common form of sexual harassment), by establishing expectations, providing resources and education, and measuring attainment of gender diversity.

Social/behavioral science recognizes 3 subtypes of sexually harassing conduct:

1. Sexual Coercion (explicit and implicit)
2. Unwanted sexual attention
3. Gender Harassment (verbal and visual behaviors that disparage, objectify, or humiliate people based on their gender/sex)

This concept has been commonly portrayed using an “iceberg” visual:
Sexual Harassment of Women: Climate, Culture, and Consequences in Academic Sciences, Engineering, and Medicine
https://www.nationalacademies.org/sexualharassment
Of the subtypes of sexual harassment, gender harassment is the most common but is the least likely to be reported. Further, “gender harassment has at least as great – if not greater – impact as unwanted sexual attention/coercion” (Cortina and Armstrong, 2018).

Sexual coercion and unwanted sexual attention are traumatic for the people involved, and more likely to result in court cases and public reporting. However, in many work settings, these intense experiences are low-frequency events...The more frequent, less intense, and often unchallenged gender harassment, sexist discrimination, sexist organizational climate...appear at least as detrimental for women’s well-being. They should not be considered lesser forms of sexism (Sojo et al, 2016).

Men can also be sexually harassed, and more often than not, the perpetrator is also male (Cortina and Armstrong, 2018). Additionally, being a sexual minority is also a major risk factor, indicating LGBTQ populations are more vulnerable to gender harassment, and unwanted sexual attention and/or sexual coercion, than their heterosexual counterparts (Cortina and Armstrong, 2018).

Research indicates that gender-based insults, exclusion, disparagement, and sabotage make up the foundation that allows people to engage in sexual harassment. As such, this raises the priority to build awareness around what behaviors constitute gender harassment in order to create a culture and climate where this behavior is unacceptable.

This recommendation further reinforces Phase 1, Recommendation 2 and should be implemented in partnership with DEI efforts, to further contribute to the creation of an inclusive and respectful environment.

Specific suggested components include:

- The establishment and support for pipeline programs.
- Prioritizing actions which result in greater gender, racial, and other forms of diversity in selection, hiring and promotions.
- Implementing best practices (reducing bias) around faculty and staff hiring and promotion.
- Supporting family-friendly policies (maternity, parental, lactating mothers returning to work).

Working to obtain gender diversity and equity should be one part of a multi-pronged, long-term strategy to address gender harassment as a whole. Paying increased attention to and enacting “policies that cover gender harassment as a means of addressing the most common form of sexual harassment” is a way in which leaders can work to prevent this and other types of sexually harassing behavior and more resources and attention should be dedicated to this area (Sexual Harassment of Women, 2018).

This recommendation also aligns with Stage 4 of the Cummings and Worley Model, “Modify organizational structures to support culture change” (Cummings and Worley, 2009).
VI. REPORTING AND ACCOUNTABILITY RECOMMENDATIONS

A part of undergoing a culture and climate change that specifically aims to eliminate sexual misconduct requires institutions to “reflect that they are listening to those who courageously speak up to report their sexual harassment experiences” as a part of mitigating perceived tolerance for sexual misconduct within our institution (Sexual Harassment of Women, 2018).

The evidence suggests that the workplace climate is seen as intolerant of sexual harassment when targets of sexual harassment are supported and protected; instances of harassment are investigated fairly and in a timely way—with due process for both targets and alleged harassers; those found to have committed harassment are punished appropriately; and the campus community is regularly informed about how the institution is handling/attending to claims and disciplining those who have violated policies. These are important ways to demonstrate and declare that sexual harassment is taken seriously and is unacceptable under any circumstances (Sexual Harassment of Women, 2018).

However, as referenced in Recommendation 3, most incidents of sexual harassment, specifically gender harassment, go unreported. Cortina and Bergdahl (2008) found that only 25% of targets will file a formal report with their employer. As a coping mechanism, “formal reporting for targets is the last resort; it becomes an option only when all others have been exhausted.”

The most prevalent reasons sexual misconduct goes unreported include: 1) bad behavior is minimized by those in power; 2) fear of retaliation; 3) conspiracy of silence as the powerful are protected, tolerated, seen as too valuable; 4) no consequences for harassers; 5) institutional responses are seen as incompetent or broken.

As such, these recommendations aim to not only encourage formal reporting, but also to connect individuals to resources, regardless of whether they choose to report, which can serve to benefit both targets and bystanders.

The following recommendations align with steps 4-6 of the Cummings and Worley Framework for Culture Change (“Modify organizational structures to support culture change,” “Select and socialize newcomers” and “Develop ethical and legal sensitivity”), with the aim of moving beyond “symbolic compliance with Title IX and Title XII” that result in “policies and procedures that protect the liability of the institution but are not effective in preventing sexual harassment” (Sexual Harassment of Women, 2018).

Recommendation 4: Clarify and readily share institutional and confidential pathways for individuals to seek assistance, have access to resources, report inappropriate behavior, raise concerns, and resolve conflicts.

Critical aspects of this recommendation are:

- Connecting individuals to resources ranging from legal, mental, professional, and confidential support, for which access is not tied to formal reporting.
- Ensuring there are multiple, confidential, easily accessible and commonly known options for seeking assistance with varying degrees of harassment.
- Ways to report are designed to remove opportunities for retaliation.
● Timely response and effective action is taken when issues are brought to light.

Specific suggested components include:

● Identify and train ombudspersons (confidential resources).
● Clarify/publicize additional confidential resources (including but not limited to SAPAC, FASCoO, and The Office of Counseling and Workplace Resilience).
● Promote bystander interventions.
● Clarify/publicize existing pathways for conflict resolution, for example Rackham’s assistance for graduate students and OIE’s Mediation Services program.
● Develop new pathways and reporting mechanisms as necessary, and provide easily available information as to how they work.
● Utilize the centralized web location per Recommendation 4 in the Phase 1 report to house these resources and pathways.

Recommendation 4A: Design an effective and visible communications campaign to encourage possible targets of harassment and misconduct to report their concerns through appropriate and clear channels.

Specific suggested component includes:

● Work with Michigan Creative on developing a marketing campaign to increase visibility and raise awareness of resources, reporting pathways, and the sexual misconduct website. This could be in the form of signage/pamphlets in bathrooms, posted on buildings, advertising on U-M wide newsletters, at sporting events, etc.

Recommendation 5: Improve transparency and increase awareness of the reporting pathways and resources available.

The following outlines specific ways in which this recommendation can be supported:

● Help community members understand who Responsible Employees (RE) are, and their obligations.
  ○ On an annual basis incentivize the review of Responsibilities at Michigan training
  ○ Update Responsibilities at Michigan regularly to ensure it reflects policy and practice and speaks to faculty and staff concerns (this module was initially created to address institutional response to student concerns).
  ○ Existing online training for REs should be evaluated by the EAG as referenced in the Implementation Plan, and updated with the support of an instructional designer. Updates to training should also include education for REs on how to be effective communicators about their responsibilities.

● Create easy to access information on the front page of the sexual misconduct website (Phase 1, Recommendation 4) that consolidates relevant information on expectations, reporting, processes, and resources
in one place. Design information that is intuitive and can contribute to increased reporting. Ensure content that helps our community understand the various processes and what resources are available.

- Review internal and external anonymous reporting options such as the Compliance Hotline and consider potential additional functionality offered by new vendors.

- Create a visual map of the reporting process to provide a clear understanding of the pathways for witnesses and targets to help community members understand potential next steps once a report has been made.

- Mention and explain available resources in all programming addressing sexual misconduct, including the 101 training so that participants are able to identify instances of sexual misconduct and understand available resources. Repetition is key to understanding and the quick reference guide in and on the back of the Our Community Matters brochure (Appendix H) may be helpful in this regard.

This recommendation is aligned with the National Academies’ report, stating that “academic institutions should be as transparent as possible about how they are handling reports of sexual harassment” (Sexual Harassment of Women, 2018). Additional strategies in support of this recommendation, and in balancing confidentiality with transparency, can be found on page 6 of the National Academies’ report under the recommendation to “Improve transparency and accountability.”

**Recommendation 6: Develop and readily share clear policies around corrective action for individuals who violate U-M standards of behavior and sexual misconduct policy.**

The suggested strategies cited within the National Academies’ report serve as particularly useful guidelines:

> Academic institutions need to develop—and readily share—clear, accessible, and consistent policies on sexual harassment and standards of behavior. They should include a range of clearly stated, appropriate, and escalating disciplinary consequences for perpetrators found to have violated sexual harassment policy and/or law. The disciplinary actions taken should correspond to the severity and frequency of the harassment. The disciplinary actions should not be something that is often considered a benefit for faculty, such as a reduction in teaching load or time away from campus service responsibilities. Decisions regarding disciplinary actions, if indicated or required, should be made in a fair and timely way following an investigative process that is fair to all sides (Sexual Harassment of Women, 2018).
VII. EDUCATION AND TRAINING RECOMMENDATIONS

The following recommendations are in support of the multi-layered approach to training as suggested in Phase 1 and continue to build upon the 3 stages of the Lifelong Learning model. As the focus of Phase 1 was primarily on the first stage of Awareness, Phase 2 recommendations reflect the Skill Building and Behavior Change components of sexual misconduct education and training.

Further, these recommendations recognize that the specific training content will be determined by the EAG as indicated in the Implementation Plan, and as such, do not detail the particular competencies, behaviors, and learning objectives but rather, indicate that partnership with this group is necessary for level/role specific and targeted training.

**Recommendation 7:** Conduct inventory of existing training and resources, both internal and external, to support skill building and behavior change.

Early inventory efforts reveal the following resources:

- **Existing education and training:**
  - Responsibilities at Michigan training: EAG and other stakeholders to assess training, address feedback, and improve program as appropriate (as a continuation of Recommendation 5A and 5C detailed in Phase 1 and the Implementation Plan, and Recommendation 5 of this report).
  - CRLT:
    - Monologues/role-play on Reporting, Responding, and Creating a Positive Climate for Department Chairs and Deans.
    - Training currently being developed for the Provost’s Campus Leadership Program to deliver in Fall 2018:
      - Reporting and reporting process
      - Responding when someone comes to you with a complaint
      - Creating a positive culture
  - Review and assess new offerings through EverFi based on learning outcomes, with any U-M specific customization if possible (Appendix I).
    - Sexual Assault Training Courses: Clery Act Basics Training, Sexual Assault Prevention Training
    - Ongoing Training Courses: Sexual Assault Prevention - Continuing Employees, Sexual Assault Prevention for Athletic Staff
    - Harassment and Discrimination Courses: Harassment Prevention Training, Managing Bias
    - People and Culture Courses: Workplace Violence Prevention, Duty to Prevent Violence
    - Ethics and Conduct Courses: Tools for an Ethical Workplace, Code of Conduct: Workplace Conduct
  - Bystander/Ally Training (Change It Up!).

- **Internal resources - this is not an exhaustive list, and additional work should be conducted to capture all U-M resources available, including through offices such as OHEI, OIE, and SAPAC:**
  - U-M’s Expect Respect Campaign: [https://expectrespect.umich.edu/](https://expectrespect.umich.edu/)
  - Initiatives from Michigan Women’s Surgical Collaborative within the Department of Surgery
Internally trained Executive Coaches

- The university currently has 61 trained executive coaches for whom education and training can be developed to specifically handle topics around sexual misconduct. Assess and identify whether there exists a need to support educational and training efforts with focused mentoring and coaching. Mentoring and coaching resources can address topics including, but not limited to supporting managers in having difficult conversations and holding people accountable.

External resources - this is not an exhaustive list, and additional work should be conducted to capture additional resources:

- EEOC - report in 2016 about Sexual Harassment includes practical recommendations for employees and supervisors (Appendix J).
- The National Science Foundation-funded ADVANCEGeo’s collection of online resources for the community on relevant research and tested strategies to respond to sexual harassment, bullying and discrimination in academia. These public resources can be used to: define and understand harassment, bullying, and discrimination; design codes of conduct, including for field research projects and courses; and identify best strategies for creating inclusive and equitable workplace climates. The online resource center is hosted by the Science Education and Research Center at Carleton College ([https://serc.carleton.edu/advancegeo/resources/index.html](https://serc.carleton.edu/advancegeo/resources/index.html)).
  - ADVANCEGeo project goals include (1) developing and testing bystander intervention training workshops with disciplinary-specific scenarios, which incorporate intersectionality; (2) developing teaching modules that define harassment as scientific misconduct; (3) disseminating training materials via professional societies; and (4) developing a sustainable model that can be transferred to other STEM disciplines.

**Recommendation 8: Develop education and training focused on skill building and behavior change that includes the identification of learning outcomes and metrics for evaluation.**

Utilize the EAG to clearly identify learning outcomes desired of the multi-layered training, map to education and training offerings, and use outcomes to develop metrics for evaluations. Learning competencies should be level specific. The need for the development of measures and metrics is referenced in Recommendation 7D of Phase 1 and the Implementation Plan and should extend to all education and training in Phase 2. The development of education and training should keep in mind level and role-specific behaviors based upon identified values and institutional expectations both to augment existing, and to create new education and training offerings.

Suggested learning outcomes include, but are not limited to:

- All learners understand institutional commitment to a harassment-free, safe and healthy learning environment.
- All learners understand the most common forms of sexual harassment.
- All learners understand U-M policies and procedures related to Sexual Misconduct.
● All learners understand what behaviors are required to create an inclusive environment free of harassment.

● Leaders understand the five factors that create the conditions under which sexual harassment is likely to occur in academia (reference: National Academies report, “Sexual Harassment of Women Climate, Culture, and Consequences in Academic Sciences, Engineering, and Medicine, pages 3-4, Appendix B)

Curriculum focused on skill building and behavior change should be in support of recommendations both in Phase 1 and Phase 2 as appropriate.

Suggested education and training on which to focus includes:

● How to hire faculty and staff who support a culture and climate of inclusivity at the University of Michigan, as referenced in Recommendation 2 of the Phase 1 Implementation Plan.

● Level and role specific approaches on organizational change: how to handle and manage culture and climate change, how to communicate effectively, and how to manage resistance.

● Building skills of academic and non-academic administrators and supervisors to handle difficult situations so that they may identify situations that lead to sexual misconduct and address them immediately, before they escalate. Such skill building may also otherwise contribute to a welcoming, respectful and inclusive environment as supervisors can use these skills to respond more effectively to other workplace concerns. Some suggested strategies include:
  ○ Create a tip sheet or thought-starter (with examples) for Supervisors, Directors, Deans, and Administrators.
  ○ Leverage CRLT monologues/role-play on Reporting, Responding, and Creating a Positive Climate for Department Chairs and Deans.
  ○ Write (and clearly communicate) the institution’s expectation that academic administrators and supervisors identify and respond to concerns in the work environment, including potential sexual misconduct.
  ○ Offer programming intended to raise awareness of, and ability to identify sexual misconduct. Existing programs such as Haven and Responsibilities at Michigan can be used for this purpose, as can other programs developed going forward. Such programming should be offered as part of the institution’s strategic, multi-layered educational approach to this issue, with a particular emphasis on ensuring academic administrators and supervisors receive this programing as they step into their supervisory roles.
  ○ Utilize programming already available to serve initial needs, and add additional programming to address continued, more nuanced skill building.
    ▪ Several one-to-two-hour programs based on Crucial Conversations and Crucial Accountability currently exist. They have been created for Medical School Administration (MSA) by Suzanne Knight & Alena Stocking. Crucial Conversations and Crucial Accountability are usually one and two day courses, meaning they may not be as widely used as these shorter versions; however, these longer versions should continue to be offered and promoted.
Strongly encourage the campus community to participate in bystander intervention training. Some programming already exists (Change It Up!). New online programming may become available as online offerings purchased from EverFi increase.

- It may not be possible to offer programming to all academic and other administrators/supervisors simultaneously or even within the same year. To that extent, it is suggested that the following priorities are considered:
  - Academic and other administrators (Directors, Deans, Associate/Assistant Deans, Department Chairs, with a priority on Department Chairs)
  - Supervisors at Michigan Medicine
  - Chief Administrators & Frontline Supervisors campus-wide

- Establish a unit-based positive culture team or healthy culture champion network to socialize and support the rollout (in partnership with MHealthy representative, DEI Implementation Lead, Faculty Development Advisory Lead, and other Unit Leads). In building these teams, it will be critical to ensure the team understands expectations and boundaries surrounding their work, and are clear about expectations and their roles – this team is not a substitute for OIE, SAPAC and others.
  - A fully leveraged team/network enables the alignment of people, strategy and culture and ensures that all members of the university community feel included and can thrive in an environment free of harassment and incivility. Appendix K includes suggested objectives, activities this team/network could support, and examples of roles and members.

**Recommendation 9: Identify a long-term strategy for sustainable and impactful delivery of education and training programs across the institution in order to efficiently cascade learning utilizing unit resources in addition to the Department of Organizational Learning.**

Per Recommendation 6 of the Implementation Plan, all education and training will be housed by the Department of Organizational Learning, in partnership with ADVANCE, Center for the Education of Women (CEW), the Center for Research on Learning and Training (CRLT), the Sexual Assault and Prevention Center (SAPAC), and the Office for Institutional Equity (OIE). SAPAC and OIE will continue to develop and offer training consistent with their offices’ prevention and compliance missions and goals. An evaluation of the resources needed to support Organizational Learning in the delivery of these trainings should be conducted to ensure the successful administration of these programs.

With the support of the EAG, strategies such as a “train the trainer” approach, should be developed to maximize efficient delivery of programs and to ensure large scale and ongoing dissemination of education and training.

A long-term strategy should also include ways in which to incentivize faculty and staff to participate in knowledge and skill building programming, both mandatory and elective. Faculty and staff should be held accountable for taking the mandatory training in their annual performance evaluation. Incentives to pursue continued related programming should be considered.

Some suggested strategies for positive incentives include:
• Identify appropriate incentives for staff and faculty and allow people to 'pick' from various incentives as they complete mandatory and recommended trainings.
  ○ **Potential Staff Incentives:** Eligibility to attend a special event, a fireside chat with leaders, participate in a day of community service, leave work early on a Friday, enter a drawing for a prize, coupons to purchase U-M gear at a discounted rate, opportunities to attend sports events, etc. It may be helpful to leverage Voices of the Staff to identify the most meaningful/desirable opportunities or allow units to determine incentives at a local level.
  ○ **Potential Faculty Incentives:** Seek more information from the Provosts and Deans on what incentives would add value to faculty. Encourage each school/college to identify incentives in their area for training.
    ▪ Initial ideas: Tie incentives to compensation/merit. Have supervisors include sexual misconduct training in evaluation metrics and if training is completed, it is viewed favorably in the merit review. If training is not completed after a period of time, it is viewed unfavorably in the merit process. This particular strategy can be implemented for staff as well. Additional ideas could include: funding to support curricular or co-curricular innovation in the sexual misconduct space, opportunities to attend events with University leaders, and other unit-specific incentives.
**VIII. KEY CONSIDERATIONS**

The Key Considerations as outlined in the Phase 1 report remain relevant when applied to the recommendations within Phase 2: the need for investment of additional resources, to leverage the resources already available on campus, and utilizing change management approaches to ensure buy-in from the community.

The terms sexual misconduct and sexual harassment have both been used throughout this report and in doing this work, a conversation was had to define the differences between these terms. The Working Group and thus this report, has been charged to address sexual misconduct in an effort to be as broad as possible. It is worthy to note that while sexual misconduct and sexual harassment are both addressing the same behaviors, sexual misconduct can also include consensual relationships in the workplace.

As referenced throughout this report, it is important to coordinate with current DEI work when implementing these culture and climate change recommendations. Given what is needed to execute institution-wide changes to address sexual misconduct as it relates to resources, infrastructure, and an accelerated timeline, along with the recognition that work focused on improving culture and climate is already being done with DEI Implementation, it becomes relevant to work in tandem with these efforts. One specific area that falls outside of DEI work that warrants further thought are the requirements for sexual misconduct around compliance; partnerships with departments like OIE and SAPAC can ensure these areas are supported appropriately. It is suggested that this work is tied to Year 3 of DEI Implementation, focused on unit planning on how to be responsive to creating the desired culture. These unit plans will be due at the end of Year 3, in April/May of 2019 for execution in Year 4.

While research shows that a male-dominated organizational context is a key predictor of sexual harassment experienced by both men and women, suggesting the advancement of women as a strategy to reduce sexual harassment, this report intentionally works to be gender neutral in addressing this research. This is in support of and alignment with DEI work that is already underway around diversity, which in its efforts to achieve greater diversity at all levels, is inclusive of all intersectional identities, including gender. Further, the research that shows diverse organizations are more successful and have more positive cultures and climates, has clear correlations with this research on sexual harassment, reinforcing the need to coordinate sexual misconduct work with DEI.

Because recommendations in Phase 2 involve significant culture and climate change work, the institution should be prepared to deal with resistance to this change.

To diffuse power structures with the seriousness that this type of culture and climate change requires, could entail a reworking of how departments (and academia in general) have previously been structured. This can be a sizeable undertaking from a policy perspective, but also in ensuring buy in, acceptance, and mitigating resistance from community members. As such, implementation should include partnerships with change management experts to guide the institution through this process, and to supplement the efforts recommended within this report that speak to offering education and training to support University faculty and staff through change and managing resistance.

Additionally, Phase 2 discusses transparency and consequences for behavior that violates sexual misconduct policy, which in turn comes with significant legal considerations and responsibilities. Though research suggests that institutions should not take a compliance/legality approach when addressing harassment overall, and the foundation of this work is intended to focus on creating a positive culture and climate free from sexual misconduct, the implications of balancing transparency with risk and privacy should be considered. Chapter 5 of the National Academies' report deals specifically
with the Legal and Policy Mechanisms for Addressing Sexual Harassment, and can be utilized as a resource, as well as engaging with the experts in this area within our own campus.

In a conversation with Drs. Lilia Cortina and Anna Kirkland that took place on June 25, 2018 to discuss the National Academies of Sciences, Engineering, and Medicine’s 2018 report, the following topics were offered as potential “landmines” when executing this work and are worthy of further thought:

- **Using the term Civility**: There has been pushback regarding the use of the term “civility” in certain areas of academia as some equate it to censorship. While Michigan Medicine has embraced this term, putting it front and center, this could be a cause of contention for some.

- **Sexual panic atmosphere**: For example, concerns that the university may be policing consensual relationships. To help mitigate this, it is suggested that the focus remains on work around respect and behaviors.

- **Managing cultures with practices that can be gendered**: Certain departments where the culture, and demonstration of rigor and excellence can be yelling and interrupting.

- **Concern from men around mentoring**: Men not wanting to mentor or expressing concerns around mentoring programs where men are advising women. Cutting off women trainees from educational opportunities in this way amounts to sex discrimination as a solution or attempt to prevent sexual harassment (and essentially amounts to victim blaming).

For supplemental research, data and specific recommendations, the National Academies of Sciences, Engineering, and Medicine’s 2018 report, *Sexual Harassment of Women: Climate, Culture, and Consequences in Academic Science, Engineering and Medicine*, is resource rich, and should be referenced as a guideline and supportive document when implementing recommendations.
IX. NEXT STEPS

As indicated in Phase 1, more work, research, internal/external partnerships, and resources (including funding) are needed to proceed with Phase 2 recommendations. It is likely that work will need to continue beyond a Phase 2, as culture, climate, and behavior change is an ongoing effort, and should be supported by a dedicated group of individuals to see through the planning, implementation, and execution of these recommendations both short and long-term.

Further, given that the submission of this report on June 29th completes the initial charge as outlined, the Working Group looks to the President and Executive Vice Presidents on how they wish to move forward with this group and Phase 2 recommendations.
X. CITATIONS


XI. APPENDICES

A. Working Group on Faculty and Staff Sexual Misconduct Phase 1 Report
B. Implementation Plan for Phase 1 Recommendations
C. Subgroup D Behavior Change Report with Influencer Model
D. Cummings and Worley Framework for Culture Change
E. SPG 201.96 Professional Standards for Faculty
F. Subgroup 1 Culture Change Report
G. 5 Factors that Create the Conditions Under Which Sexual Harassment is Likely to Occur
H. Our Community Matters brochure
I. EverFi brochure of new courses
J. Recommendations from EEOC report
K. Healthy Culture Champion Network: Draft Aims and Members
L. Subgroup 2 Report: Seeking Help/Assistance, Reporting and Accountability
M. Subgroup 3 Report: Power Structures
N. Subgroup 4 Report: Education + Training
O. Subgroup 4: Sexual Misconduct 101 Outline