1. Climate and Culture Recommendation Proposals

<u>Sexual Harassment Taskforce Recommendation Proposal</u>   Date Proposed: 11/27/2019

Proposal Sponsored By:

Climate and Culture Subcommittee: James Kohl (Co-Chair), Meg Bond, Lauren Turner, Michael Beers, Michael Centola, Cindy Chen, Rachel DeMaster, Mignon Duffy, Elizabeth Herbin-Triant, Leslie Wong

Recommended Action (Exact wording of the proposed recommendation):

Recommendation 1: The university leadership should establish a values statement that prioritizes integrity, equity, fairness, safety, inclusivity, consistency, and transparency in all interactions among community members

Summary of Principle Ideas and any Background that might help the Taskforce to better understand the Proposal:

- We recommend a two-pronged approach of (1) immediately putting forward a values statement that affirms the university's commitment to integrity, equity, fairness, safety, inclusivity, consistency, and transparency, and (2) engaging the university community in a longer process of refining and embracing these values. (The second part of this approach will be discussed in Recommendation 7).
- Communicate this commitment to core values clearly and through multiple vehicles (i.e., website, leadership behavior, reporting and investigation processes, response to breaches of values) to both internal and external audiences.
- Ensure that the university's commitment to these values is sincere, extending beyond compliance with Titles VII and IX.
- While most of the core values we propose are self-explanatory, "transparency" and "consistency" are more complex. We use the term "transparency" to describe (1) a clear and readily-accessible process for reporting, investigating, and responding to complaints, and (2) a commitment on the part of the administration to providing as much information as possible in response to the questions of community members. The term "consistency" reminds us that expectations apply consistently to all.

Justification/Goals (What the proposal is trying to accomplish):

According to the National Academies of Science, Engineering, and Medicine's 2018 report *Sexual Harassment of Women: Climate, Culture, and Consequences in Academic Sciences, Engineering, and Medicine*, "an increased focus on *symbolic compliance* with Title IX and Title VII has resulted in policies and procedures that protect the liability of the institution but are not effective in preventing sexual harassment" (our italics). Our goal is to look beyond just protecting the university from lawsuits, focusing rather on creating work, learning and living climates that allows all employees and students to flourish. (It is worth noting, too, that in creating such a work climate, we will help to protect the university from lawsuits by making harassment less prevalent). We believe that a clear values statement will help community members understand what behaviors are appropriate, and that having the university leadership publicly and sincerely embrace these values will help to build trust (as community members will know what values should be guiding the administration's actions).

Pros and Cons (Three possible benefits of the proposal and 3 possible drawbacks):

Pros

- A public statement of core values will help guide and shape behavior, clarifying which behaviors are acceptable and which are not.
- A public statement of core values coming from the university leadership will demonstrate to community members what values the university prioritizes.
- A public statement of core values will attract community members who share these values and drive away those who do not.

Cons

- This step cannot be done in isolation. It is essential to allow members of the community to engage in discussion about these core values as well as to think deeply about what these values mean and how they should be enacted at UMass Lowell. (See recommendation 7)

Alternatives to proposal:

Starting this work by engaging the community in a longer process in which community members choose what values to articulate and embrace through discussions (held in department meetings, town halls, etc.).

*Please attach any additional materials to this proposal if the space provided is not sufficient.

2. <u>Sexual Harassment Taskforce Recommendation Proposal</u>   Date Proposed: | 11.27.2019

Proposal Sponsored By:

> Climate and Culture Subcommittee: James Kohl, Michael Beers, Meg Bond, Michael Centola, Cindy Chen, Rachel DeMaster, Mignon Duffy, Elizabeth Herbin-Triant, Lauren Turner, Leslie Wong

Recommended Action:

> Recommendation 2: The University should establish multiple mechanisms for faculty, staff and students to safely discuss and address behavior not aligned with the shared core values that support a harassment free environment: integrity, equity, safety, fairness, inclusivity, consistency, and transparency.

Summary of Principle Ideas and any Background that might help the Taskforce to better understand the Proposal:

> 1. Establish and make visible all the additional mechanisms that fall outside of HR/EOO that are available for people to discuss problematic experiences and understand when and if formal report should be pursued.
>   a. Establish an Ambassador Network – a new role that is made up of selected members across the UML community who are provided with extensive training and are available resources to employees who are not comfortable going directly to HR/EOO.
>   i. Employees who serve in these roles should be compensated.
>   ii. Recommend exploring the pros and cons of a subset of these individuals being non-mandated reporters.
>   iii. Coordinate the establishment of this network with other existing and parallel efforts on campus, e.g., the WAVES Equity Leaders program, the Allies programs, and others.
>   b. Establish an Ombuds Office which should include some non-mandated reporters. Consult with experts including, the International Ombudsman Association about approaches (www.ombudsassociation.org).
>   c. Implement "Complaint Boxes," online and hard copy, and other mechanisms to increase opportunities for anonymous reporting.
>   d. Explore partnerships with local organizations who are not mandated reporters, like Center for Hope and Healing, to provide additional resources and support on campus.

Justification/Goals:

> In an effort to reinforce the accepted core values of equity, fairness, and safety, the university needs to facilitate ease of and access to both informal and formal reporting. By removing the onus from the victim to determine the appropriate ("correct") reporting avenue, we will enable targets of sexual harassment to speak and ask questions about, and find support for, their own personal situation in the manner that is most comfortable and effective for them.
>
> The *National Academies Report on Sexual Harassment of Women* notes that "Academic Institutions should convey that reporting sexual harassment is an honorable and courageous action. Regardless of a target filing a formal report, academic institutions should provide means of accessing support services (social services, health care, legal, career/professional). They should provide alternate

and less formal means of recording information about the experience and reporting the experience if the target is not comfortable filing a formal report. Academic institutions should develop approaches to prevent the target from experiencing or fearing retaliation in academic settings."

Further, targets may not always naturally define what they are experiencing as sexual harassment, and thus would be less likely to formally report. They would benefit from an informal support network that could help them frame and better understand their experiences to help determine whether or not a report should be filed. The National Academies also reports that targets are much more likely to confide in a trusted colleague or friend before employing a formal reporting network.

According to the *June 2016 EEOC Select Task Force on the Study of Harassment in the Workplace* report, "the least common response of either men or women to harassment is to take some formal action – either to report the harassment internally or file a formal legal complaint." There are many reasons for this. Targets of harassment are afraid of potential reactions to their claims. They are afraid they won't be believed. They think their claim will not be acted upon, or they will be blamed for the behavior. They fear social or professional retaliation.

The National Academies Report also finds that students are often also reluctant to start a formal grievance process for the same reasons, including "fear of reprisal, expectation of a bad outcome, not knowing how to proceed, and because confidentiality cannot be guaranteed."

There is an International Ombudsman Association that can be a tremendous resource for the establishment of an Ombuds Office:

https://www.ombudsassociation.org/index.php?option=com_content&view=article&id=192:ombuds-faq&catid=20:site-content&Itemid=177:

Alternatives to proposal:

Pros: This recommendation reinforces the university's commitment to equity, safety and fairness. It allows targets of harassment the opportunity to seek support and guidance in the manner that is most comfortable for them – and which gives the university the opportunity to address the behavior in multiple ways (including outside the formal reporting channels). Establishing multiple mechanisms will mean that support and information is more accessible and more visible, further reinforcing the commitment to care and accountability. Informal networks also give targets the opportunity to address behaviors that are problematic but might fall below the threshold for legal action and to better understand what harassment truly is. The more we can all recognize behaviors that fall outside our accepted norms, the better able we will be to put a stop to them.

None identified.

3. **Sexual Harassment Taskforce Recommendation Proposal**   Date Proposed: 11/27/19

Proposal Sponsored By:

Subcommittee on Climate/Culture: James Kohl (Co-Chair), Meg Bond, Lauren Turner, Michael Beers, Cindy Chen, Michael Centola, Rachel DeMaster, Mignon Duffy, Elizabeth Herbin-Triant, Leslie Wong.

Recommended Action (Exact wording of the proposed recommendation):

Recommendation 3: Put into place short-term and long-term systems to assess organizational climate at the University – as a whole and in different units and subgroups – and take action to ensure that climate aligns with core values of being harassment-free.

Summary of Principle Ideas and any Background that might help the Taskforce to better understand the Proposal:

(1) Conduct biennial organizational climate surveys and share the results with the university community for faculty, staff, and students.
  o The survey should be conducted by a group that has the appropriate expertise and knowledge to conduct such an assessment that will draw on climate assessment expertise (internal and/or external)
  o The process should be carefully designed to represent all voices in the community
  o The subcommittee could not come to consensus about the role of HR, Student Conduct, CWW or any other internal entity, and recommends further exploration of the appropriate role of internal entities, and the pros and cons of internal versus external creation and administration of the assessment.
(2) Have a systematic review/analysis of diverse representation across the university, identify areas/units for improvement, and devote resources to those units/departments to support improvement.
(3) Evaluate roles, jobs, positions, and settings across the university to identify those that are particularly at risk for harassment (e.g., events with alcohol, solo assignments, significant power/seniority differences) and restructure or add support as needed.

Justification/Goals (What the proposal is trying to accomplish):

Provide campus community with regular opportunity to provide feedback on campus climate, and provide the university with valuable data to support assessment, on-going benchmarking, and improvement strategies.

Pros and Cons (Three possible benefits of the proposal and 3 possible drawbacks):

Pros: (1) Serves as highly visible actions on part of campus leadership that messages to the community that the university cares, is committed to values of being harassment free, and is committed to regular assessment and improvement. (2) Demonstrates commitment to increasing diversity across the university, bringing focus and resources when shortfalls are identified in representation. (3) Demonstrates transparency.

Cons: Will require time and resources, including time and commitment on the part of every member of the UMass Lowell community, including faculty, staff and students.

Alternatives to proposal:

*Please attach any additional materials to this proposal if the space provided is not sufficient.

4.   Sexual Harassment Taskforce Recommendation Proposal   Date Proposed: 11/27/19

Recommendation #4

Proposal Sponsored By:

Climate and Culture Subcommittee: Mike Beers, Meg Bond, Mike Centola, Cindy Chen, Rachel DeMaster, Mignon Duffy, Elizabeth Herbin-Triant, James Kohl, Lauren Turner, Leslie Wong

Recommended Action (Exact wording of the proposed recommendation):

Recommendation 4: Review ongoing processes and procedures at the university-wide and at the unit/department level on a regular basis to ensure that everything we do aligns with values for equity, diversity, and a harassment-free environment and adjust as needed.

- Identify practices that may embody values that go counter to core values or unwittingly embody biases (e.g., "customer is always right", exceptions for "high value" income generators/athletes, etc.)
- Share best-practice protocols for conducting the routine business of the university in ways that align with core values (e.g., onboarding new members, running inclusive meetings, reducing bias in personnel decisions, providing mentoring, etc.)
- Review the ways in which the university rewards members of the university community to ensure that those receiving recognition have a record of behaving in ways consistent with university values (both within unit/department/college and university-wide)
- Review actions to be included in the next university-wide strategic plans to ensure they are consistent with our stated values for a harassment-free work environment (the post 2020 strategic plan).
- Encourage departments to incorporate the values in their goal setting and planning discussions.
-

Summary of Principle Ideas and any Background that might help the Taskforce to better understand the Proposal:

A healthy organization will not only have formal policies that are informed by and consistent with its core values, it will also look at everything they do – even if more informal - to ensure practices, routines, and rituals embody the values. Values are translated into action as policies become procedures (prescribed steps to accomplish a task or objective) and processes (formal, repeatable organizational routines). This alignment of values, policy, procedures, and processes is essential for members to have trust in senior leadership. When these are misaligned, the result is a mixed message to the community where a values statement communicates one set of values, and daily practices communicate contradictory values. Misalignment can also result in increased job dissatisfaction, turnover, and an unproductive work climate.

School and work are experienced on an hour-to-hour, day-to-day basis across a wide variety of settings, many of which are ad hoc, informal or both. We cannot presume that the actual work conditions that people experience will be aligned with the core values of the university. By examining work processes and procedures directly and evaluating them against core values, changes can be adopted before a work unit suffers from a poor climate, turnover, etc.

Pros and Cons (Three possible benefits of the proposal and 3 possible drawbacks):

Pros – 1) clear reinforcement of the university values statement on a daily basis resulting in people taking the values statement more seriously, 2) early warnings of potential problems prior to a complaint being lodged; 3) higher performing, more satisfied workers

Cons – 1) depending on how it's implemented, could be perceived as an encroachment on the autonomy of frontline manager and worker autonomy; 3) could "fix" unbroken processes and procedures leading to operational performance declines

Alternatives to proposal:

Rely on the periodic climate survey and only address issues on an exception basis.

*Please attach any additional materials to this proposal if the space provided is not sufficient.

5. <u>Sexual Harassment Taskforce Recommendation Proposal</u>   Date Proposed: 11/20/19

Recommendation #5

Proposal Sponsored By:

Climate and Culture Subcommittee: Mike Beers, Meg Bond, Mike Centola, Cindy Chen, Rachel DeMaster, Mignon Duffy, Elizabeth Herbin-Triant, James Kohl, Lauren Turner, Leslie Wong

Recommended Action:

Recommendation 5: Put into place supports/systems to ensure accountability for equitable treatment of all members of the community regardless of role, power, or seniority – which includes additional support for marginalized groups.
- Ensure that sanctions incorporate attention to power differences and job security such that those with less power can come forward
- Establish protocols and/or automatically-invoked organizational responses to people who do not adhere to the university priorities as articulated in the formal values statement (e.g., supervisor training, diversity hiring plans, etc.)
- Ensure policies are clear, understandable and well-communicated (e.g., share a clear map of how complaint procedures work) and consistently applied
- Expand, clarify and communicate what sanctions can be imposed on those who have tenure
- Develop ongoing and informal supports/mentoring/retention plans for marginalized groups

Summary of Principle Ideas:

Distributive justice refers to the perception of organizational members of the justice or injustice of how rewards and sanctions are distributed throughout the organization. When rewards and sanctions are distributed unevenly, people perceive injustice, trust is eroded, job satisfaction and motivation are reduced, resulting in a poor organizational climate.

It is also important to support marginalized groups. The goal is to retain members of marginalized groups by providing guidance, training, support and a welcoming environment in order to remove barriers to success.

Justification/Goals

Policy needs to be applied evenly, regardless of one's status or power. This is especially true when it comes to sexual harassment and bullying. The privilege to abuse a colleague cannot be a perk of any job.

Pros

1. A positive organizational climate
2. A widespread belief that power and status is neither a threat to a potential victim nor a protection for those who abuse their positions of authority

Cons

1. Administrative costs

Alternatives to proposal

6.   Sexual Harassment Taskforce Recommendation Proposal   Date Proposed: 11/20/19

Proposal Sponsored By:

Climate and Culture Subcommittee: James Kohl (Co-Chair), Meg Bond (Advisory), Lauren Turner (Advisory), Michael Beers, Michael Centola, Cindy Chen, Rachel DeMaster, Mignon Duffy, Elizabeth Herbin-Triant, Leslie Wong

Recommended Action (Exact wording of the proposed recommendation):

Recommendation 6: Adopt training and development opportunities to support members and encourage the community to adhere to values.

Summary of Principle Ideas and any Background that might help the Taskforce to better understand the Proposal:

Additional work is necessary to embed values and instill collective responsibility towards significantly reducing sexist attitudes, sexual harassment and gender bias.

- Expand bystander/microaggression and anti-bias training to all university employees and students
- Provide specialized anti-bias training for all hiring managers, search committees, and personnel committees to focus on selection biases
- Provide leadership training for all chairs and supervisors that includes detailed information on leadership responsibility and strategies for promoting inclusion, respect, and civility
- Ensure all students and employees, regardless of background and previous experience, understand harassment-related norms/ US laws
- Provide training for those involved with reporting to better understand how to work from a trauma-informed perspective
- Continue to sponsor community-wide workshops to raise awareness among the entire university community about bias and cultural competence

Justification/Goals (What the proposal is trying to accomplish):

The campus community benefits when all members are working & behaving in a way where institutional values are upheld & protected. UML members should be able to exemplify and model values through behaviors, actions, and intentions. These values as part of the lived experience are by their nature preventative of sexual harassment and other sexual misconduct.

Training and development are critical to this endeavor and must be continuous, multifaceted, and customized to incorporate nuance.

Pros and Cons (Three possible benefits of the proposal and 3 possible drawbacks):

Pros:
1. conveys & expands the University's commitment, purpose and shared endeavor, while prioritizing significance to the University
2. ensures all members are held equally as stewards to a values-centric culture with collective responsibility in delivering a promise to the Commonwealth (allows for values to be a lived experience rather than existing as written statements)
3. helps to continuously inform/guide behaviors & how to use values to govern decisions & actions

Cons:
1. training programs alone do not facilitate organizational change
2. increase in both cost & re-tasking personnel to lead/conduct trainings & development
3. "values done badly are worse than no values at all"

Alternatives to proposal:

*Please attach any additional materials to this proposal if the space provided is not sufficient.

7. Culture and Climate Recommendation Proposals

Sexual Harassment Taskforce Recommendation Proposal   Date Proposed: 11/27/2019

Proposal Sponsored By: (sponsoring subcommittee and list membership)

Climate and Culture Subcommittee: James Kohl (Co-Chair), Meg Bond (Advisory), Lauren Turner (Advisory), Michael Beers, Michael Centola, Cindy Chen, Rachel DeMaster, Mignon Duffy, Elizabeth Herbin-Triant, Leslie Wong

Recommended Action (Exact wording of the proposed recommendation):

Recommendation 7: The University community engage in a process to articulate a statement of core values, and establish a code of ethics about how all members are expected to treat one another based on those values.

Summary of Principle Ideas and any Background that might help the Taskforce to better understand the Proposal:

- Engage in a facilitated participatory process with the university community to articulate core values
- Establish participatory mechanisms for the periodic review of the values statement
- Develop communication, socialization, and training strategies to convey core values
- Create ways to honor valuable contributions, archetypal performances, etc. that uphold core values (e.g., ceremonies, awards)
- Engage community members in a sustained, long-term dialog about values and their implications for the university as a whole and for each unit/department within the university

Justification/Goals (What the proposal is trying to accomplish):

According to the National Academies of Science, Engineering, and Medicine's 2018 report *Sexual Harassment of Women: Climate, Culture, and Consequences in Academic Sciences, Engineering, and Medicine*, "an increased focus on *symbolic compliance* with Title IX and Title VII has resulted in policies and procedures that protect the liability of the institution but are not effective in preventing sexual harassment" (our italics). Our goal is to look beyond just protecting the university from lawsuits, focusing rather on creating a work climate that allows all employees to flourish. (It is worth noting, too, that in creating such a work climate, we will help to protect the university from lawsuits by making harassment less prevalent). We believe that a set of core values will help community members understand what behaviors are appropriate for the workplace, and that having the administration publicly and sincerely embrace these values will help to build trust (as community members will know what values should be guiding the administration's actions).

Pros and Cons (Three possible benefits of the proposal and 3 possible drawbacks):

Pros

- Collective commitment to core values will help shape behavior, clarifying which behaviors are acceptable and which are not.
- Collective commitment to core values established through an inclusive process and supported from the top will demonstrate to community members not only what values the university leadership prioritizes but also what people throughout our community value and expect (i.e., renders our commitment to core values as both bottom up and top down).
- Collective commitment to core values will help enable community members to both self-monitor their behavior and support their colleagues in upholding those values.
- Collective commitment to core values will attract community members who share these values and isolate those who do not.

Cons

- Establishing a truly inclusive process is logistically difficult on a campus of over 20,000 faculty, staff and students.

Alternatives to proposal:

Engaging a trusted taskforce to assess current and aspirational values and ethics of UML informed by data collection from the community.

*Please attach any additional materials to this proposal if the space provided is not sufficient.

8. **Sexual Harassment Taskforce Recommendation Proposal**   Date Proposed: 12/11/2019

Proposal Sponsored By: Student reps to the Sexual Harassment Task Force

Recommended Action (Exact wording of the proposed recommendation):

Recommendation: Establish specific strategies to meet the needs of the graduate student population noting that those with this designation often serve multiple roles; including primarily as students and mentees of advisors who have tremendous power to influence their future careers as well as being supervisors of undergraduate students in research/academic settings and instructors of students in the classroom.

- Explore ways to provide graduate students assistance outside of and in addition to traditional student/employee resources.
- Identify and enact other mechanisms to diffuse concentrated power and dependencies in relationships between graduate students and their faculty/advisors (i.e., so that students and junior researchers are not dependent on one senior researcher for advancement and access to grants). For example, approaches suggested by NASEM are using mentoring networks and committee-based advising, and providing independent funding.

Summary of Principle Ideas and any Background that might help the Taskforce to better understand the Proposal:

Establish University resources specific to the graduate students, helping to guide understanding of:

- Who can we clearly report to about graduate student concerns/harassment?
- What are graduate student rights in these instances?
- Where is a safe space to talk about experiences?

Justification/Goals (What the proposal is trying to accomplish):

Goal: Ensure that the needs of the graduate student populations are appropriately addressed in terms of services that they can access without being transferred back and forth between student and employee resources.

Justification: The National Academies for Sciences, Engineering, Medicine (NASEM; 2018) notes many points to consider in terms of graduate students and the complex power differentials in their positions including:

- hierarchies that concentrate power in advisors make graduate students particularly vulnerable to their will and can make lodging complaints that may displease advisors particularly risky for fear of retaliation
- graduate students and junior faculty are highly dependent on faculty advisors/mentors for funding, research direction, mentorship, and career advancement
- symbolic legal compliance policies and procedures that are ineffective at preventing harassment, particularly in situations of such big power differentials

For more information please refer to the article:
https://www.nap.edu/resource/24994/Sexual%20Harassment%20of%20Women%20ReportHighlights.pdf

Pros and Cons (Three possible benefits of the proposal and 3 possible drawbacks):

- Pros
    - o Offers specific outlets for graduate students to pursue without having to tread through both student and employee specific resources
    - o Allows for more alignment/coordination in terms of contracts demands from the Graduate Employee Organization (GEO)
        - ▪ As of December 2019 the GEO is seeking contract adjustments and more training around issues of harassment
    - o Contributes to the feeling of belongingness and support for graduate students as a population at the University level
- Cons
    - o Need for more resources/funding to enact such services

Alternatives to proposal:

Clearly designate/outline which resources are available to graduate students in terms of current student resources and current employee resources considering a multitude of potential experiences (e.g. experiencing harassment from a student in their classroom or otherwise supervising; from other staff at the University; or from faculty members they are supervised by).