

V. Subcommittee Reports and Recommendations

The recommendations are summarized as follows. The full reports from each subcommittee are included as Appendices B – G.

1. Consensual Relationships

- Develop a new policy that prohibits all relationships between employees or University affiliates and undergraduates; prohibits relationships between employees or affiliates who supervise, evaluate, teach, manage, or advise graduate students; prohibits relationships between intercollegiate athletics coaches or club coaches, affiliates, and their staff and student athletes; and prohibits relationships between employees or affiliates who teach, manage, supervise, advise, or evaluate another employee.
- Develop a reporting structure for alleged violations of the policy.
- Develop a mitigation process in the event that the conflict can be mitigated (for example, assigning the student to a different advisor).
- Release a statement from leadership (President, chancellors) re: how the policy addresses the prevention of harassment.

2. Faculty and Staff Rewards

These recommendations address whether and to what extent we may use determinations that an employee has violated our policy against harassment (or those of other institutions), or other Rutgers policies, in making decisions such as hiring, merit pay, promotion, tenure, and reappointment.

- Require candidates for faculty (and staff) positions at the time they apply to disclose whether they have been or currently are the subject of an investigation or a finding concerning harassment, discrimination, or other misconduct.
- Require any finalist to waive confidentiality and to provide or release any reports from prior employers where there is a finding that the finalist violated the institution's policies prohibiting harassment or discrimination. Include in reference checking questions regarding whether the potential hire would contribute positively or negatively to the culture and climate of the department/school.
- Incorporate language from the University's *Statement on Professional Ethics* (University Policy 60.5.1) into the criteria statements for scholarship, teaching and service in Appendix D of the Academic Reappointment/Promotion Instructions.
- Ensure that reports documenting violations of University policy be placed in the employee's official personnel file and made available to individuals and committees involved in reappointment, promotion and tenure recommendations (already permitted under University policy).
- Ensure that the required annual meeting between every faculty member and their department chair or dean include discussion of any allegations or determinations of unprofessional or inappropriate behavior by the faculty member.
- Ensure that the merit pay process takes documented findings of unprofessional conduct into account.
- Create awards and incentives for faculty and staff that recognize contributions to a positive and inclusive university culture.

- Facilitate and recognize the creation of community by faculty, administrators, students, and staff who are actively working to effect significant culture change.

3. Transparency

- Issue annual aggregate reports on harassment and sexual misconduct cases involving both the employee and student context.
- Include number of harassment complaints made to OEE, how many involved findings of a violation, and category of sanctions issued.
- Break the data down, if possible, by category of complainant and alleged perpetrator, nature of the allegation, and outcome.
- Issue a similar report for Title IX complaints of student-student harassment and assault.
- Develop a communications strategy for these reports (see examples from Michigan, Berkeley, Northwestern and Columbia).
- Conduct climate surveys among faculty, staff and graduate students and share results with the campus community.
- Place letters of determination re OEE findings, with appropriate redactions to protect the privacy of the complainant and witnesses, in official personnel file of alleged perpetrator.
- Inform OEE of the sanctions imposed.
- Communicate to the complainant the outcome of the investigation and what sanctions were imposed.
- Work with Government Affairs staff to explore with legislators the creation of legislation similar to New Jersey's "Pass the Trash" law¹⁴ that would protect colleges and

¹⁴ New Jersey Senate Bill S414 (Law A 3381), effective June 1, 2018.

universities in the state from legal liability for sharing investigation outcomes with other institutions.

- Explore a partnership with Callisto (an online, trauma-informed website for students to document and report sexual assault).
- Provide coaching to chairs, institute directors, and others on informal approaches to dealing with alleged unprofessional behavior by faculty or staff.
- Offer training to students, especially graduate students, on how the university will respond to their concerns about harassment or unprofessional conduct, and encourage them to use our processes.

4. Training, Information, and Communication

- Create an “R is for Respect” campaign with University Communications and Marketing, including a webpage. Reiterate that the University has a “No Tolerance” stance with regard to harassment. Use this as the central repository of information about training, OEE reports, etc.
- Create training programs for deans, chairs, faculty, staff, and students on the prevention of and how to deal with harassment in any form.
- Create assessment mechanisms to ensure that the training is effective and responsive to University needs.

5. Leadership

- Develop a No Tolerance statement that senior leaders communicate to the University community on a regular basis.

- Develop practical roadmaps for deans and chairs to help them know how to respond to complaints of harassment or other misconduct.
- Establish an ombuds for faculty and staff in every chancellor unit who reports directly to the chancellor.
- Require orientation for new chairs and deans, and retraining for all chairs and deans when policies change, to make them aware of how to respond to informal complaints or observation of harassment or other unprofessional behavior.
- Hold leaders accountable for how they manage their units with respect to the maintenance of a respectful work environment.
- Conduct ongoing assessments of climate.

6. Assessment

- Each chancellor-led unit should perform an environmental survey to establish baseline experiences of undergraduate students, graduate students, postdoctoral fellows, faculty, and staff regarding mistreatment or harassment of any kind.
- Conduct follow-up surveys every 3-4 years.
- Adopt “real time” electronic reporting mechanism for reporting inappropriate behavior.
- Give students in clinical and field settings a way to report harassment from third parties.
- Provide sufficient resources to maintain and coordinate ongoing assessment efforts.

VI. Sexual Harassment Committee Report Development and Dissemination Process

A draft report was developed and shared with Committee members in early April, inviting their comments. The report was also shared in draft with University Human Resources,