President's Initiative to Prevent Sexual Misconduct:

Progress Update and Next Steps

February 13, 2020

Background Information (May, 2017 to June, 2019)

The President's Initiative to Prevent Sexual Misconduct (PIPSM) has its genesis in President Kaler's May, 2017 charge to Dean Finnegan, School of Public Health, to create an infrastructure to enhance and expand the institution's efforts to prevent sexual misconduct and sexual violence on its system campuses. Driving the effort was an agenda to improve university approaches to this most serious challenge afflicting campuses nationwide.

PIPSM responded to the charge and went to work over a two-year period from May, 2017 to June, 2019 to begin the process of addressing this critical issue.

An April 2019 report titled *President's Initiative to Prevent Sexual Misconduct Accomplishments, Impacts, and Lessons Learned* provides details of project development and accomplishments of the first two years (May, 2017-April, 2019) and can be found at (https://president.prd.umn.edu/sites/president.umn.edu/files/2019-06/pipsm_accomplishments_impacts_and_lessons_learned.pdf).

Sustainability (June 2019-present)

Sustainability of the PIPSM was considered from the beginning.

After consultation with leadership in fall 2018, President Kaler made the decision to institutionalize PIPSM and have it housed in the Office of Human Resources for operational support. PIPSM transitioned from "ad hoc" status to formal status within the University to assure its continuity, focus and impact into the future and ensured: 1) establishment of continuing University administrative and financial support; 2) provision of a stable platform for the mission and activities; and 3) establishment of a formal leadership and governance structure to assure the continuing success and effectiveness, in order for the work to bring meaningful and sustained long-term culture change.

PIPSM Governance 'Charter' for the Twin Cities Campus

A **'Charter' document (**Appendix A) was written in February, 2019 to provide a guide and model for sustainability. **The Charter was approved by President Kaler in May, 2019**.

The **PIPSM Organizational Framework** provides an implementation infrastructure for the work (Appendix B).

Implementation of the Charter required recruitment of new membership in **June-August, 2019** (committee membership rosters: https://president.umn.edu/initiatives/presidents-initiative-prevent-sexual-misconduct). Key to the expanded membership included adding **students (undergraduate and graduate)** to **all** committees, and additional roles on the Advisory Committee including a post-doctoral fellow, a representative from a labor represented group, Civil Service Consultative Committee, P&A Consultative Committee, and the Office of General Counsel on both the Advisory and Steering Committees.

A consultation meeting was held on May 8, 2019 with the **Systemwide Chancellors** regarding the new governance framework and organizational structure on the TC Campus. Input was sought for strengthening collaboration related to sexual misconduct prevention among the five campuses. This meeting built on an already well established systemwide prevention network and collaborative framework.

All PIPSM members (n= approx. 110) were invited to a member **Orientation** on September 11, 2019 to introduce members to the new Charter and facilitate interaction on Key Values, Strategic Priorities, Committee goals and priorities for the upcoming year.

PIPSM membership and involvement is inclusive of the entire University community, and importantly has included student input, engagement, and representation from the very beginning.

PIPSM 2019-2020: Strategic Priorities and Progress

Leadership/Governance/Stakeholder Engagement

The University of Minnesota is committed to learning what we can do to change ourselves and the culture of the academy to prevent and respond to sexual misconduct. **President Gabel** summarizes the UMN's values that provide a framework for our strategic priorities (Appendix C). Responsibility for long-term culture change to prevent sexual misconduct belongs to all members of our University community: senior leadership, faculty, staff, students and alumni. PIPSM is a University engaged endeavor and will continue to rely on the entire community for active involvement. The University of Minnesota community chooses to change, lead and thrive in this crucial area.

Community engagement, investment, and ownership are what drive the short and long-term actions we seek to facilitate, and the resulting outcomes we seek to achieve. Key guiding principles promote the values that drive this work. We must:

◦ eliminate sexual misconduct in order to uphold academic freedom and responsibility, that is, the freedom of all members of the campus community to learn, to inquire, and to thrive;

◦create an atmosphere of mutual respect, free from racism, sexism, and other forms of prejudice, discrimination and intolerance; and,

◦inspire, set high expectations for, and empower all of the individuals within this community to fully experience a healthy, safe, welcoming, supportive and inclusive culture.

Organizational Culture and Climate Change:

The National Academies of Sciences, Engineering, and Medicine's 2018 seminal report on sexual harassment in the academy (Ref 1) has illuminated the science and deepened the understanding that our PIPSM work must prioritize the **implementation and evaluation of evidence-based strategies to change our organizational culture and climate.** Noted in the report:

- **Organizational culture** is defined as "the collectively held beliefs, assumptions, and values held by organizational members" (Stamarski and Hing 2015, 7; see also Trice and Beyer 1993, Settles et al. 2006, and Schein 2010).

- **Organizational climate** is defined as the shared perceptions within an organization of the policies, practices, and procedures in place (i.e., why they are in place; how people experience them; how they

are implemented; what behaviors in the organization are rewarded, supported, and expected) (Schneider, Ehrhart, and Macey 2013).

The key is that climate and culture must be addressed together, because efforts to build a good climate will flounder if they conflict with the beliefs, assumptions, and values of an organization; conversely, only having the "right" culture will not result in the desired result if the processes and procedures are not organized around the collective and shared goals and beliefs (Schneider, Ehrhart, and Macey 2013).

PIPSM's Aspirational Goal

PIPSM's **aspirational goal** was developed to drive strategic action to achieve our desired organizational culture and climate change and is based on data collected in our community and on our evaluation plan metrics. The goal is:

> *To achieve a reduction in the incidence of sexual misconduct including sexual violence and harassment of any kind. In order to reach this goal, in each measurement cycle over the next five years, positive data outcomes will demonstrate increased trust that the UMN will respond appropriately to reports of sexual misconduct, there will be increased confidence that those reporting incidents will not be retaliated against after reporting, and all will experience improved transparency related to reporting processes and outcomes. This success will be realized through the comprehensive PIPSM prevention and response programs and strategies currently being implemented across our system*.

> *Our ultimate goal is to help create and sustain a UMN culture where sexual misconduct including sexual violence and harassment of any kind is not part of our collective experience.*

PIPSM Committee Progress Update (July-December 2019)

Building capacity for organizational climate and culture change

A 'Key Milestones' timeline includes overarching significant PIPSM activities during 2017-2019 (Appendix D). The PIPSM Committees are implementing activities that address the various factors at the different levels of our social ecological model (https://www.cdc.gov/violenceprevention/publichealthissue/social-ecologicalmodel.html) that include comprehensive prevention activities designed to be synergistic and mutually reinforcing. A detailed overview of committee goals, activities and accomplishments from July-December 2019 can be found in Appendix E.

Evaluation of Policies and Prevention Programs

Rigorous evaluation of prevention efforts is crucial. For example, an integrative review of sexual misconduct policies found that many policies lack transparency and that there is scarce research on promising practices to inform students about campus policies (Ref 2). Scholars agree that more research is needed on the potential relationship between awareness of sexual misconduct policies and culture change.

According to the research literature, campus climate surveys are one important aspect of a campus evaluation plan. Climate surveys can assess prevalence, attitudes, awareness, and willingness to intervene; information to help fine-tune the design of a comprehensive sexual misconduct prevention program (Refs 3, 4). Campus climate surveys also ensure that prevention efforts are tailored to a particular institutional context. Climate surveys alone, however, are not enough to provide a comprehensive evaluation. In order to be proactive, rather than reactive, outcomes of sexual misconduct prevention programs must be rigorously evaluated.

When evaluating outcomes it is important for evaluators, and campus members, to understand a **paradox. That is, as prevention efforts increase on a campus, in the short term, reporting of sexual assault, sexual harassment and other forms of sexual misconduct may also increase** (Ref 5). This does not mean there are more incidents of sexual misconduct, but rather that the prevention program has brought about more awareness regarding policies prohibiting sexual misconduct. Coupled with awareness, trust that sexual misconduct will not be tolerated also leads victim survivors to come forward. **Thus, in the short-term, increases in reporting may be one indication that prevention efforts are effective.**

Unfortunately, culture change does not happen overnight. It is imperative that a variety of outcome measures are assessed, short and long term, to continue to strengthen prevention efforts. All of the research reviewed also underscores the need for more research studies to be disseminated. **One goal of the PIPSM is to add to this collective knowledge with rigorous evaluation and research on our prevention efforts.**

Data and Evaluation Sources

The University has organized and expanded its data and evaluation sources over the past several years.   The sources can be grouped into two broad categories: mandatory reporting and "prevalence" counts; and broader surveys of the University of Minnesota community that often focus beyond prevalence and attempt to measure changes in awareness, attitudes, and ultimately culture and climate.

Mandatory Reporting Data

There are three core reporting areas that focus, at least in part, on sexual misconduct incidents. All three differ from each other in significant ways, and none can be considered a definitive "count" of sexual misconduct cases on any of our campuses.

Annual Security and Fire Safety Report ("Clery Act" reporting)

The Annual Security and Fire Safety Report is produced each year in compliance with the federal Clery Act and contains crime statistics for the most recent three-year period for reported crimes which occurred on campus, in certain off-campus buildings or property owned or controlled by the University of Minnesota, and on public property within, or immediately adjacent to and accessible from each campus.

Each campus is required to file a separate report, and reports include a range of crimes beyond sexual assault, including robbery, burglary, and auto theft, among others crimes. In addition, there are specific definitions for sexual assault, domestic violence, dating violence, and stalking. Finally, it is important to note that "Clery Act" reporting is completed within strictly defined geographic boundaries for each campus, and is completed on a calendar year, not fiscal year basis. The Annual Security Report for all five campuses can be accessed through https://clery.umn.edu/ASFSR

Clery Act reporting should be viewed through the lens of the strictly defined definitions and geographic boundaries required by the Act. However, within those definitions and boundaries, we do observe an increase over the past three years in rape, fondling, dating violence, and stalking on the Twin Cities campus, and flat or uneven number of incidents in general on the remaining campuses.

Equal Opportunity and Affirmative Action Reporting ("Title IX" reporting)

The Office of Equal Opportunity and Affirmative Action (or EOAA) or equivalent structure for Title IX reporting is present on each campus. These offices address reports of discrimination, harassment, nepotism, sexual misconduct (including sexual harassment, sexual assault, stalking and relationship violence) and related retaliation through investigation, informal problem-solving, and education.   Thus EOAA and Title IX officers

receive information and work to resolve cases beyond sexual misconduct, and may resolve cases both through formal investigations as well as informal problem solving.

EOAA opens cases from any report from or about the University community, including reports related to employment and/or to students. The EOAA Office on the Twin Cities campus will also assist other campuses when requested. EOAA also reports on a fiscal year basis, not a calendar year basis.

On the Twin Cities campus, 63% of cases opened were related to sexual misconduct in FY18. Of these, 104 cases were related to employment, with a vast majority being related to sexual harassment. 185 cases were opened involving students, half of which included a report of sexual assault. The University saw a large increase in the number of employment related sexual misconduct cases, and a more modest increase in student related cases, over FY17 – likely due to increased awareness on campus of availability of resources and requirements to report. EOAA annual reports for the Twin Cities campus can be found at https://eoaa.umn.edu/about/data

State of Minnesota Office of Higher Education reporting

Each campus is required to report statistics on sexual assault annually to the Minnesota Office of Higher Education (MOHE). The definition of sexual assault was amended by the 2017 legislature, and now includes rape, and sex offenses – fondling, incest, or statutory rape, as defined in the Code of Federal Regulations. This reporting is on a calendar year basis, and includes when the alleged victim or respondent was a member of the campus community (employee or student), or the incident occurred on the institution's campus, or the incident occurred at an institutionally sponsored event. Thus, these data differ in scope and categories from institutional Clery Act reporting.

Due to the low number of reports from smaller campuses across the state (thus requiring data suppression), and the definitional changes in 2017, it is difficult to use these data to make comparisons across campuses. State-wide totals between 2017 and 2018 in terms of incidents reported to the institution, the number investigated, and the number referred for disciplinary process remained approximately the same. Reporting can be found at: https://www.ohe.state.mn.us/sPages/SADR.cfm

Broader Survey Instruments

There are several survey instruments across both students and faculty/staff that include some questions around sexual misconduct – including broad student experience surveys (e.g., the Student Engagement at Research Universities/SERU, or National Survey of Student Engagement/NSSE), as well as campus based surveys on campus climate and/or surveys targeted at specific populations of the University community (e.g., residential life surveys). However, there have emerged three significantly broad survey instruments which contain data on sexual misconduct.

College Student Health Survey -- https://boynton.umn.edu/surveys

The College Student Health Survey is administered every three years to students on all five University of Minnesota campuses, as well as other campuses throughout the state that wish to participate. The survey, directed by Boynton Health, is intended to identify health issues affecting UMN students so University officials can be responsive to their needs and create a healthier campus environment. The survey documents the prevalence of various diseases, health conditions, and health related behaviors across several area, including sexual health and personal safety. This is a randomly selected student survey including undergraduate, graduate, and professional students, with over a 40% response rate.

The 2018 College Student Health Survey randomly selected 5,974 University of Minnesota Twin Cities undergraduate and graduate students via email; 2,412 students (40 percent) completed the survey.

Significant findings from the 2018 College Student Health Survey include:

Sexual Assault
The survey found an increase in students experiencing sexual assault. Sexual assault experienced by female students in the last 12 months increased to 11 percent in 2018 from 9 percent in 2015. Nearly two in five female students experienced sexual assault within their lifetime—39 percent in 2018 compared to 32 percent in 2015.

There was a decrease in students reporting their assault, with 54 percent saying they reported the incident in 2018, down from 58 percent in 2015.

Sexual assault significantly impacts students' education, with nearly half (48 percent) of students reporting an incident impacting their academic performance.

Sexual Harassment
The 2018 survey added questions about experience with sexual harassment to better understand the scope of the problem. Seventy-four percent of students said they experienced some type of sexual harassment, with the most common incident reported being told a sexual joke or story. More female students reported harassment than male students (82 percent to 60 percent, respectively).

Perpetrators were most often a peer at the University (56 percent), followed by someone not at the University (32 percent), and a faculty or staff member at the University (13 percent).

AAU Campus Climate Survey of Sexual Assault and Sexual Misconduct -- http://aurora.umn.edu/aau

In 2015, the University of Minnesota joined 33 other AAU schools in a common survey of campus climate on sexual assault and misconduct. The survey was modified and re-administered in 2019. At the University of Minnesota, this was administered as a census survey on the Twin Cities campus for all undergraduate, graduate, and professional students, resulting in an N of 44,100 degree seeking students, with 35% response rate.

Significant findings from the 2019 AAU survey include:

- 27.5% of students reported that sexual assault and misconduct are very or extremely problematic at the University of Minnesota.
- The UMN campus rates of sexual assault were virtually identical to the national AAU survey rates for
  - Undergraduate women (25.6%-umn to 25.9%-natl.)
  - Undergraduate Men (5.8% to 6.8%)
  - Graduate and Professional Women (8.2% to 9.7%)
  - Graduate and Professional Men (1.8% to 2.5%)
  - LGBTQIA students (22.3% to 20.30%)
- 87% or new UMN students reported they completed at least one training or session about sexual assault and other misconduct. In 2015, this rate was 40.1%

Pre and Post faculty/staff survey related to mandatory sexual misconduct prevention training --
https://president.umn.edu/sites/president.umn.edu/files/2019
07/ppt_preventing_sexual_misconduct_full.pdf

PIPSM implemented a systemwide faculty and staff sexual misconduct prevention online training March-June, 2018 resulting in a 99.2% completion rate. A pre and post survey was designed to evaluate the impact of the training and to provide a 'snapshot' of self-reported sexual harassment by staff and faculty while employed at the UMN.

Notably**, this is the first survey of its kind** to collect self-reported harassment data of UMN employees (faculty and staff). With this important data, the UMN can start to monitor how change is occurring on our campus over time.

Survey Response: Pre-test: **53.6%** (2,144/4,001)/Post-test: Rate: **46.7% (**10,652/22,799)

Data Highlights: Training Impact

●The majority of respondents reported the training course *was easy to understand, well organized, and the course examples were appropriate to their role as an employee.*

●Respondents reported that they felt the training course *helped in their ability to identify types of misconduct and take action when they observe it***.**

●Respondents reported that the *training course improve*d in many areas some of which include; *awareness of sexual harassment, resources and UMN Title IX policy, and confidence the University will handle reported cases properly and provide protection from retaliation*.

Confidence in the University's ability *to prevent retaliation and to respond properly* do not score as well as many of the other indicators. *This is an important area of improvement for the UMN community.*

Sexual Misconduct Victimization

A series of six questions in the survey ask the respondent about **sexual misconduct victimization** during the time they have been an employee at UMN Twin Cities campus.

Overall, **29.7%** of the respondents *reported that they had experienced* **one type of the six types** *of sexual misconduct asked on the survey and* **5.8%** *reported that they* **experienced the four most severe** *types of sexual misconduct behavior.*

Being a bystander:

　　　●**20.7%** of respondents *have been aware of a situation involving sexual misconduct.* Of those that have, **51%** *intervened when they became aware of a situation.*

Collecting data in our community informs future development and where we need to go to further skills building and policy development to address and prevent sexual misconduct in our community.

Broad conclusions from the data sources

Given the variations in reporting requirements and survey instruments, it is essential that several evaluation methods be employed to triangulate results and develop policy recommendations and investment efforts going forward. However, several interesting findings from our current surveys include:

University of Minnesota Student, Staff and Faculty report experiencing sexual harassment and sexual assault:

Undergraduate women at the University of Minnesota are at risk for being sexually assaulted since enrolling (Source: AAU, 2019).

Women enrolled in graduate school are at risk of sexual assault on this campus (Source: AAU, 2019).

First year women students are at risk for being sexually assaulted (Source: AAU, 2019).

Transgender, queer, and gender nonconforming students are at risk for being sexually assaulted while a student here at the University (Source: AAU, 2019).

One in three women employees have experienced sexual harassment while employed at the University of Minnesota (Everfi faculty/staff sexual misconduct prevention online training survey, 2018).

Additionally, the data we have collected informs us about key climate and culture indicators that shape continued prevention actions:

The number of **students** who experience sexual assault and report to an agency or service is too low (AAU, 2019).

The number of **students and employees** who witness or become aware of sexual misconduct who take appropriate action is too low (AAU, 2019; Everfi faculty/staff sexual misconduct prevention online training survey, 2018).

The confidence level in **students** that the University will take reports of sexual misconduct seriously is too low AAU, 2019).

The confidence level in **employees** that the University's ability to prevent retaliation and to respond properly to sexual misconduct needs improvement (Everfi faculty/staff sexual misconduct prevention online training survey, 2018).

Given our data; success for the University of Minnesota will include prevention and response efforts that target the following indicators within a social-ecological framework:

At the individual level:

Improved perception of safety among students and employees.

Increased likelihood that individuals will take appropriate action when they experience or become aware of sexual misconduct.

At the community level:

Increased belief that individuals who experience sexual misconduct will be supported by members of the University community.

Increased belief that sexual harassment will not be tolerated by other members of the University community.

At the University level:

Increased confidence in the University's ability to handle sexual misconduct.

Increased confidence in the University's ability to protect those who report from retaliation.

Lessons Learned

We understand even more fully the key components and challenges of culture change; long-term, committed, and sustained action is required—there are no magic bullets, training and skills building is necessary for social norms correction, and communicating and modeling expected behavior, and the University community needs to build accountability into systems, hold perpetrators accountable through consistently enforced action, and continue to recognize and address the spectrum of behavior that can perpetuate a toxic climate.

We have learned that our community can be **ably served by approaching sexual misconduct from a public health approach** given the complexity of the issues, dynamics, and our unique nature of academia. A public health approach affords us multiple strategies: education, interpersonal, group and media communication, technology, system change, culture change, policy to catalyze, grow, and sustain measurable culture change. Our community recognizes the value of this approach.

We know that effective prevention and response is what we do (content, theory, participants), how we do it (delivery system, institutional readiness, buy-in etc.), and the integration of "how" and "what" into a comprehensive, intentional, planned effort that is consistent and synergistic across programs and departments.

Our community recognizes that long-term culture change must focus on **learning about our own community and understanding the nature of sexual misconduct prevention on our campuses.** The **stellar response and completion rate** of our first universal sexual misconduct prevention training indicate the University's **state of readiness for continued work**. The training impact data show that members are **developing a common language, awareness and understanding** of the complexity of sexual misconduct response and prevention and their role as bystanders. And, while there is improvement in member's confidence in how prepared the University is to respond to and protect people from retaliation, we have more work to do. **This is an important area of improvement.**

Equally important from our training evaluation, we **gathered baseline data for sexual misconduct victimization in our community among faculty and staff.** This is the first data reflecting such behavior as a "baseline" for faculty and staff experience while employed at the University. It provides insight into the continuum of unacceptable behavior they have experienced and gives our community a starting point for addressing change. We have an opportunity and obligation to establish our own narrative and hold ourselves accountable.

Academic leader engagement has been an important component of PIPSM's success to date. The President's leadership continues to be central in engaging other senior University leaders, the Regents, Chancellors, faculty governance, deans, and department chairs. Leadership has recognized the need for training to address the gaps in competencies and skills both to build the better academic culture envisioned above, and also to address the misconduct challenges that currently exist in University units. This is an achievement in that sustained culture change requires committed, educated leaders at all levels. For example, it has led in part to a recognition that institutional responsibility and accountability is important to such change. Recently,

leadership addressed a flaw in the EOAA process that now requires that department chairs and deans fully inform and obtain the Provost's approval when there is disagreement with a recommendation to dismiss a faculty member for sexual misconduct in violation of the faculty honor code. The change requires that such a decision cannot be made autonomously and helps ensure just and equitable institutional decision making.

We learned that culture change is an organic process; others are engaging and taking ownership through their lens, perspective, and capacity for action. For example, the Minnesota Student Association of undergraduates formed a Sexual Assault Task Force and are in Year 3 in creating actions for change in practices and policies. The Council of Graduate Students and Professional Student Governance hosted a Town Hall on Sexual Misconduct Policy in 2019-2020 and are calling for shifts in power dynamics in their relationships with faculty and looking at change as a vehicle to address key issues. Numerous other groups and departments are initiating their own efforts towards culture change; hosting forums, bystander intervention trainings, and ways to promote these conversations.

We call on our senior leaders to continue to create a sense of urgency regarding the importance of continued action around sexual misconduct prevention. We need to keep setting the bar higher and higher as we raise it. Responsibility for this change belongs to all members of our University community: faculty, staff, students and alumni. This requires an "all-hands-on-deck" approach for understanding the challenges, learning what we can do to change ourselves and our culture, and taking the short and long-term actions to do so. The University of Minnesota community chooses to change, lead and thrive in this crucial area.

References:

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2. McNair, K. T., Collins Fantasia, H., Harris, A. L. (2018). Sexual misconduct policies at institutes of higher education: An integrative review. *Journal of Forensic Nurses, 14*(4), 238-247.

3. Clay, J. A., Pederson, A. C., Seebeck, J., & Simmons, C. A. (2019). Administrative response to campus sexual assault: Thinking through implementation tensions. *Review of Higher Education, 42*(2), 681-706.

4. DeGue, S., Valle, L. A., Holt, M. K., Massetti, G. M., Matjasko, J. L., & Tharp, A. T. (2014). A systematic review of primary prevention strategies for sexual violence perpetration. *Aggression and Violent Behavior*, *19*(4), 346–362.

5. Palmer, J. E., & Alda, E. (2016). Examining the impact of federal grants to reduce violent crimes against women on campus. *Review of Higher Education, 40*(1), 63-89.

Appendices and for further information

The PIPSM Charter **(**Appendix A), PIPSM Organizational Framework (Appendix B), Strategic Priority Document from President Gabel (Appendix C), the PIPSM Key Milestones Timeline 2017-2019 (Appendix D), and Committee Progress Updates (July-December 2019) (Appendix E) are available at the PIPSM website (https://president.umn.edu/initiatives/presidents-initiative-prevent-sexual-misconduct).