

**Year 3 Public Description of Work for
Action Collaborative on Preventing Sexual Harassment in Higher Education**

Michigan State University

Changes to Disciplinary and Sanctions Process to Ensure Clarity and Consistency

Relevant Rubric Area(s):

- Improved Communication and Increased Transparency
- Improved Policies
- Diverse Stakeholder Partnerships

Description of Work:

Michigan State University (MSU) is committed to culture change to improve the work and educational environment for all employees, students, and community members. This commitment is reflected in the [MSU Strategic Plan](#) which includes the [Relationship Violence and Sexual Misconduct Strategic Plan](#) (RVSM), and the [Diversity, Equity, and Inclusion Strategic Plan](#). MSU is aligned with the National Academies of Science, Engineering, and Medicine Action Collaborative on Preventing Sexual Harassment in Higher Education on prevention, response, and remediation. Although the university is simultaneously working on systemic change in all areas, the year 3 report will focus on response.

The RVSM Strategic Plan includes Initiative 3: Strengthening RVSM Sanctions and Discipline Processes with the goal to review the discipline processes across campus for all classifications with a specific focus on the process for dismissal for cause for tenured faculty. This initiative was led by the Office of the Provost to review and revise the RVSM sanctions and discipline process for faculty and academic staff and facilitated by the Office of Faculty and Academic Staff Affairs (FASA). The University did a climate survey in 2019 which identified the sexual harassment and gender harassment experienced by faculty, academic staff and staff. According to the 2019 [Know More @MSU Survey](#), 18.7% of women faculty and 9.3% of men faculty, and 17.6% of women staff and 15.1% of men staff experienced sexual harassment connected in the context of their job during the 2018-2019 academic year. The vast majority of these incidents were perpetrated by someone at MSU, such as a colleague or supervisor. Those who experienced sexual harassment were reluctant to report due to concerns about retaliation and concerns that no action would be taken. In Fall 2019 meetings between President Stanley and RVSM survivors, survivors raised concerns about inconsistent and arbitrary sanctions and discipline across academic units.

In response, The Provost created a Discipline Process and Sanction Review Taskforce, chaired by the Associate Provost of FASA. The charge to the Taskforce was to review the discipline process and sanction structure to ensure clarity and consistency for violations of the RVSM Policy and to

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make recommendations on the criteria used to assess discipline and the processes used to implement discipline.

The Taskforce was a cross-campus collaboration with representatives from the university community who work on the response to sexual harassment and those who represent those affected by sexual harassment. Representatives included those from President and Provost Office (Relationship Violence and Sexual Misconduct Advisory Group), Academic Governance Leadership (Steering Committee, University Committee on Faculty Tenure), Academic Administration (Dean, Chairs/School Directors), Office of Civil Rights, Faculty and Academic Staff Affairs, Office of Employee Relations, Office of General Counsel, Campus Police, Student Stakeholders, Undergraduate Students, and Council of Graduate Students. The stakeholders had diverse views and perspectives on sexual harassment policies including such issues as zero tolerance, discipline sanctions, transparency, and communications. The taskforce agendas reflected these diverse perspectives and provided opportunities to educate and build consensus through constructive conflict facilitation. Topics included due process, discipline policies, university personnel files policies, state/federal laws, communication and transparency.

The Taskforce met April-October, 2021. The recommendations included:

- Transparency and Communications Guidelines for Employee Misconduct Cases
- Revised Discipline and Dismissal of Tenured Faculty for Cause Policy
- Training for academic administrators and academic governance standing hearing panel members to increase knowledge and create consistency
- Formation of a Standing Hearing Panel

The changes to the Discipline and Dismissal of Tenured Faculty for Cause policy then needed to be reviewed through academic governance bodies - University Committee on Faculty Tenure, University Committee on Faculty Affairs and Faculty Senate. All academic governance bodies voted unanimously to support the changes. The changes included increased accountability for academic leadership, revision of confidentiality provision, and a 90-day timeline for dismissal for cause cases while maintaining due process provisions. Instead of an ad hoc creation of faculty panels to hear dismissal for cause cases, there will now be a standing committee trained on:

- Trauma-informed impacts on claimants and how they experience the process
- Anti-bias training including implicit bias
- Applicable legal guideposts
- Due process
- Discipline and Dismissal of Tenured Faculty for Cause Policy process
- Transparency and Communications in employee misconduct cases
- Academic Freedom

Once the changes to the Discipline and Dismissal of Tenured Faculty for Cause policy went through Academic Governance, they were sent to the Provost and President. The changes were presented with support from both the Provost and the President to the Michigan State

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University Board of Trustees. The Board of Trustees voted unanimously to change to the Discipline and Dismissal of Tenured Faculty for Cause policy on February 11, 2022. This successful process united all stakeholders to address systemic barriers to addressing sexual harassment and all inappropriate behavior in an historic effort to improve the culture of Michigan State University. It built frayed relationships with stakeholders and united them on accountability and commitment to reflect the values of the leadership, the faculty, the staff, academic governance, the students, and the Board of Trustees. The outcomes included: building trusting partners with leadership, authentic engagement with all stakeholders, provided opportunities for leadership for faculty voices, created unity on time and commitment to the common goal, focused on relationship-building, providing avenues to share information, demonstrated sharing responsibility and power, addressed dissent, created a path to ask for support, and allowed for affirmation of common interest.

Next Steps

Faculty and Academic Staff Affairs directors and leadership are in the process of implementation of Discipline Process and Sanction Review Task Force Discipline and Dismissal of Tenured Faculty for Cause policy. This includes creating the standing hearing panel members and developing training. This training will be used for academic administrators and faculty panel members and will also be incorporated in the leadership development series designed for academic administrators. The [Creating and Sustaining a Respectful Work Environment Series](#) is a cross-campus collaboration targeted to training academic administrators around behavioral issues with a focus on preventative, remediation, and response. This work was the subject of our Year 2 Annual Report which aligned with Leadership and Skill development rubric: Changing the Culture and Climate in Higher Education.

Website for further information (if applicable): https://hr.msu.edu/policies-procedures/faculty-academic-staff/faculty-handbook/tenure_discipline_dismissal.html

Point of Contact Name: Melissa Sortman

Email Address for Point of Contact: sortmanm@msu.edu