

MIT Faculty Newsletter

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Introducing MIT's New Sexual Misconduct Prevention and Response Training and Consensual Relationships Policy

David A. Singer

In a heartfelt email to the MIT community in November, President Reif noted how sexual harassment "violates our fundamental expectations of respect and equality," and acknowledged that MIT is "not an oasis of safety." The email arrived in the wake of a series of revelations of misconduct by elected leaders, media personalities, and celebrities, and sought to reassure the community that MIT is taking steps to address the problem within our own ranks. Importantly, he noted that some of these efforts have been years in the making.

Starting this year, all faculty and staff will join all incoming students and new hires in participating in foundational online sexual misconduct prevention and response training. MIT is also implementing a new consensual relationships policy, which prohibits certain relationships in which academic and/or supervisory authority are present.

As the inaugural chair of the Committee on Sexual Misconduct Prevention and Response (CSMPR), I would like to provide the faculty with some context for these new policies.

The CSMPR was created in the fall of 2015 in response to the final report of the Sexual Assault Education and Prevention Task Force, an ad hoc committee charged by the Chancellor in 2014 to review current policies and education efforts toward all forms of sexual misconduct. The Task Force recommended that MIT create an advisory board to review policies, services, and programs on campus and to make sure that momentum was not lost with a variety of efforts already underway. In the fall of 2015, President Reif gave the CSMPR its charge: to provide policy guidance to the Provost, Chancellor, Vice President for Human Resources, and Institute Community and Equity Officer, and to oversee an Institute-wide approach to prevent and respond to sexual misconduct and other forms of gender-based discrimination.

The Committee is large by MIT standards: our roster of 32 members includes faculty, staff, and students from across the Institute's Schools, offices, and divisions. (See text box for a link to the CSMPR's Website.) Our first challenge was to find a room on campus large enough to accommodate our monthly meetings.

The Committee conducted a triage assessment and agreed that two main issues warranted special attention: the absence of required sexual misconduct prevention and response training for faculty and staff beyond new employees; and the absence of a policy on consensual relationships in MIT's *Policies and Procedures*.

Sexual Misconduct Prevention and Response Training

Spurred by the final report of the Sexual Assault Education and Prevention Task Force, the CSMPR studied the issue of faculty and staff training. We heard anecdotes from around

MIT that students were often better informed about Title IX and applicable laws than faculty and staff, despite the fact that all faculty and some staff are considered “responsible employees” who are required to take steps after being informed of an instance of sexual misconduct. Some faculty expressed a lack of confidence in their ability to help a victim of sexual misconduct and a lack of knowledge about private and confidential campus resources. We also explored the policies of MIT’s peer institutions and learned that many schools require online sexual misconduct prevention and response training for all employees, not just new hires. Moreover, Massachusetts lawmakers have been considering new legislation that would require all state employees, and possibly all private college and university employees, to undergo appropriate training. It quickly became clear to the CSMPR that MIT should stay ahead of these trends and not lag behind its peers. But more importantly, we agreed that required training is necessary to promote a common and consistent set of standards and expectations with regard to Title IX, and to ensure that faculty and staff have the know-how to respond to and prevent sexual misconduct at MIT. In the spring of 2016, the Committee – guided by our experts from the Title IX Office and Violence Prevention & Response – identified the three leading online training products used by colleges and universities. Committee members evaluated each program on their own time, and representatives from each company joined us to walk us through the programs and answer our questions. We continued this vetting process throughout the spring and came to a consensus that EverFi Haven for Faculty and Staff was our top choice for MIT.

One benefit of adopting Haven is that EverFi is already the vendor for our undergraduate and graduate student training programs, which means that everyone at MIT – faculty, staff, and students – will ultimately “speak the same language” about sexual misconduct. As to the program itself, members of the CSMPR liked its logical flow, high-quality videos, sensitivity to diversity, and simple interface.

In addition to recommending Haven as the training product, the Committee further recommended that training should be required for all faculty and staff (students and new hires already receive required training), and that MIT should consider brief refresher courses in the future for employees who have already received training. These recommendations appeared in the CSMPR’s first annual report.

With encouragement from the Provost and Chancellor, I met with each of the five School deans during the summer and fall of 2016 to share these recommendations, and I was invited to return to three School council meetings. I also represented the CSMPR at a November 2016 meeting of the Faculty Policy Committee and a February 2017 Deans’ Group meeting. Feedback from these meetings was generally positive, but some faculty expressed reservations about various aspects of the online program and uncertainty about faculty compliance with required training. Provost Marty Schmidt, Chancellor Cindy Barnhart, and Vice President and General Counsel Mark DiVincenzo visited the five School councils late last year to continue these discussions.

The program is not perfect. Some faculty might find that clicking through a series of scenarios, videos, and quizzes is less satisfying than in-person training, an option that we are continuing to explore for the full community (it will be offered as an option to individuals by request).

In response to faculty feedback, we have customized the front end of the training program and added a wealth of MIT-specific details, including contact information for relevant offices. The Title IX office led by Sarah Rankin, in conjunction with the Provost, Chancellor, HR, and the CSMPR, will continue to work with the vendor to improve the program as we receive feedback in the coming months.

As anyone who takes the training will see, the program covers all aspects of Title IX and

related laws and includes modules on supporting survivors of sexual assault, encouraging bystander intervention, and recognizing the potential for violence on campus and in the workplace. The program offers specific guidance on requirements of supervisors in responding to student and employee revelations of sexual misconduct, addressing inappropriate behavior from a supervisor, and responding to intimate partner violence that affects the workplace. The program takes approximately 45 minutes to complete.

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New Policy on Consensual or Romantic Relationships

After making a recommendation about sexual misconduct prevention training, the CSMPR turned its attention to MIT's policies on consensual relationships. As of 2017, MIT was an outlier among major research universities in that we had no official policy, just a brief mention of sexual relationships in our conflict of interest policy (Section 4.4 of *Policies and Procedures*). In contrast, all the other universities examined by MIT's Office of the General Counsel (OGC) had detailed policies on relationships between faculty and undergraduate students and other combinations in which academic and organizational hierarchies create inherent conflicts of interest and potential for abuse of authority.

Beginning in 2016, the CSMPR worked closely with Marianna Pierce, policy and compliance specialist in HR, who is an attorney with substantial experience in drafting policies for universities and nonprofit organizations; she sketched out the contours of a policy that fit MIT's often complicated academic and employment environments. We engaged in an iterative process, joined by Vice President and General Counsel Mark DiVincenzo, senior employment attorney Allison Romantz from OGC, and Vice President for Human Resources Lorraine Goffe, to tweak the policy to address relationships involving student teaching assistants (TAs), graduate resident tutors and advisors (GRTs/GRAs), and instructors of online courses.

With a revised draft in hand in early 2017, we sought feedback from the faculty officers, Heads of House, GRT Council, Deans' Group, Graduate Student Council, a group of EECS graduate and undergraduate TAs, Faculty Policy Committee, and ultimately Academic Council. Many aspects of the policy were not controversial, including rules for relationships with undergraduates. However, the applicability of the policy to MOOC instructors required more discussion, including a separate meeting with the directors of MIT's professional and executive education programs. We could not please everyone, but the resulting policy is, in my opinion, both thoughtfully designed and appropriately suited to MIT's multifaceted workplace.

Here are the basics of the consensual relationships policy:

- No one in the MIT community other than another student (undergraduate or graduate) can have a sexual or romantic relationship with any undergraduate student. (Special rules apply for TAs and GRTs.)
- No one can have a sexual or romantic relationship with a graduate student if that person is (or might reasonably be expected to be) in a position of authority over that graduate student.
- Principal Investigators (PIs) are prohibited from having a sexual or romantic relationship with a graduate student or postdoc over whom the PI has direct or indirect authority.
- All supervisors (including faculty supervisors) are prohibited from having a sexual or romantic relationship with anyone they supervise or anyone over whom they otherwise have direct or indirect influence or authority.
- Relationships between MOOC instructors and students are prohibited only when academic authority is involved, such as when the instructor is involved in grading and the student is seeking academic credit or a credential.

The full policy provides more detail and definitions, and also offers guidance to faculty on notification, recusal, and managing potential conflicts of interest. An FAQ is also available; please see the text box for links to the relevant Websites.

Preventing and Addressing Sexual Misconduct at MIT

For reporting options, policies, and resources

Title IX and Bias Response Office

617-324-7526

<https://titleix.mit.edu>

For 24-hour support and information

Violence Prevention and Response (VPR)

617-253-2300

<https://studentlife.mit.edu/vpr>

To report a crime or for police assistance

617.253.1212

<http://police.mit.edu>

For details on the consensual relationships policy

<https://policies-procedures.mit.edu/consensual-sexual-or-romantic-relationships-workplace-or-academic-environment>

For details on the Committee on Sexual Misconduct Prevention and Response (CSMPR)

<http://facultygovernance.mit.edu/committee/committee-sexual-misconduct-prevention-and-response>

Concluding Thoughts

Required training and the new consensual relationships policy have been in development for more than two years, and reflect a collegial and iterative process involving faculty, staff, and students. I think it is important to note that these policies affect every single member of this community. As President Reif wrote in his November email, the important work of preventing sexual misconduct is up to all of us. Training will ensure that all of us understand the seriousness of sexual misconduct and how to respond to it, while the consensual relationships policy is an important step toward addressing the abuse of authority and conflicts of interest that can arise when one person has academic or supervisory authority over another.

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