

Overview and Misconduct Flag Sharing System (FSS) Concept . . .

*A Potential Multi-Sector Tool to
Advance Inclusive, Equitable Climate
and Culture and Stop Unwittingly
Passing the Harasser*

**Jamie Lewis Keith, Partner
EducationCounsel**

Health Research Alliance

March 15, 2022



An initiative to advance professional and ethical conduct, climate & culture

© American Association for the Advancement of Science for the Benefit of and Sponsored by the Societies Consortium on Sexual Harassment in STEMM
(www.SocietiesConsortium.com); original created by EducationCounsel LLC.

“

Consortium Mission

...to support academic and professional disciplinary **societies** in fulfilling their mission-driven roles as **standard bearers** and **standard setters** for **excellence and inclusion** in science, technology, engineering, mathematics, and medical (STEMM) fields, **addressing sexual harassment** in all of its forms and intersectionalities.

”

Societies Consortium Membership (2021)

*All STEMM Fields Represented

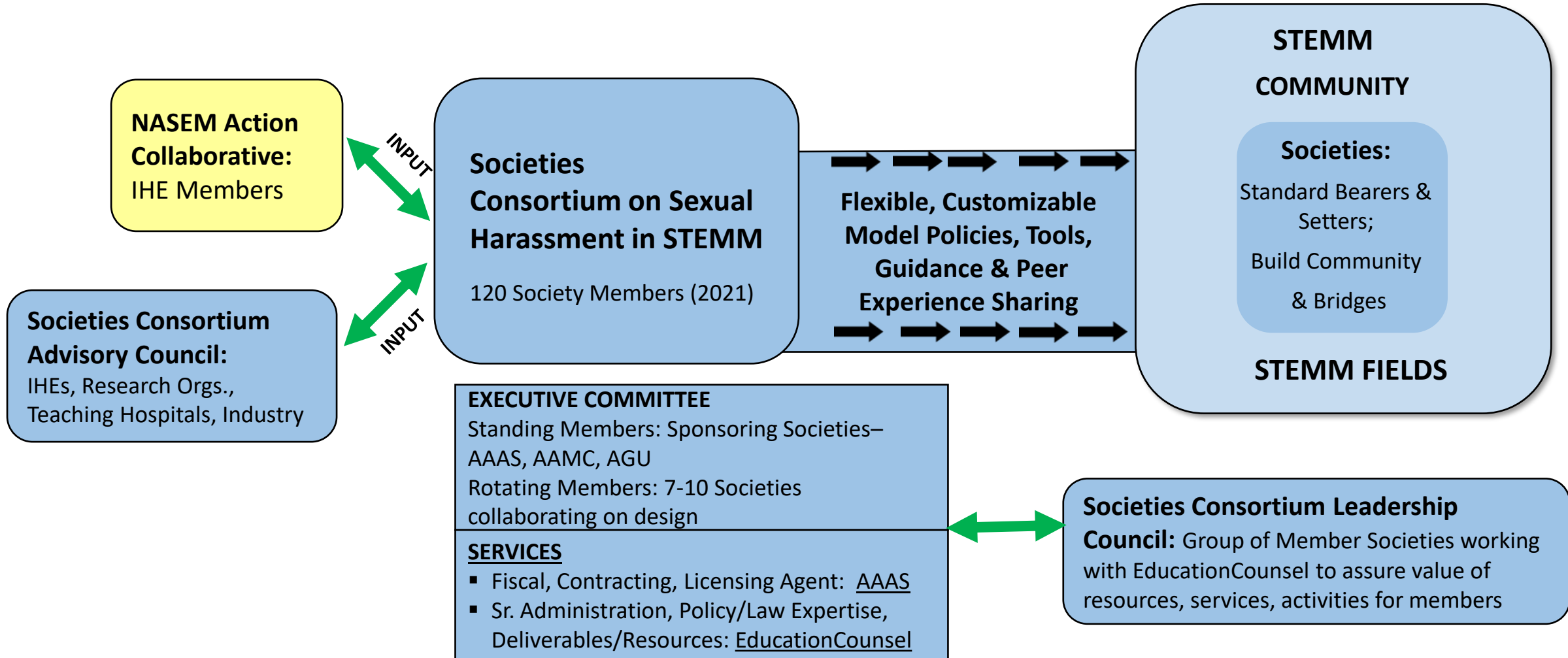
- Engineering
- Inclusive Interest Groups in STEMM
- Mathematics
- Medical
- Natural, Physical Sciences
- Social, Behavioral Sciences
- Technology

*Only STEMM Societies are Members

*Membership Remains Open



Societies Consortium Plan of Action: Focus on *Collective Leadership, *Effective Action, *Efficient Operationalization of Commitment, *Systemic Change



The Societies Consortium Executive Committee:

Focus on Governance, Strategic Direction, Quality, Impact

American Association for the Advancement of Science*

(Shirley Malcom & Andrew Black, Co-Vice Chair)

American Psychological Association

(Clinton Anderson)

American Educational Research Association

(Felice Levine, Co-Chair)

Association of American Medical Colleges*

(David Acosta, Co-Community Outreach & Inclusion Officer;
Ross McKinney, Sponsoring Society representatives)

American Physical Society

(Monica Plisch, Co-Advisory Council Liaison)

Federation of American Societies for Experimental Biology

(Yvette Seger, Leadership Council Liaison)

Entomological Society of America

(Chris Stelzig)

Institute of Electrical and Electronics Engineers

(Marc Beebe, Co-Vice Chair)

American Chemical Society

(Jodi Wesemann, Co-Advisory Counsel Liaison)

American Geophysical Union*

(Billy Williams, Co-Chair)

EducationCounsel, LLC (Advisor)

*Sponsoring Society, originated the Consortium with EdCounsel

Societies Consortium Leadership Council: Focus on Quality & Value of Resources

<p>American Institute of Physics</p> <p>Rachel Ivie</p>	<p>Mathematical Association of America</p> <p>Michael Pearson</p>
<p>American Society for Microbiology</p> <p>Kim Shankle & Amy Kullas</p>	<p>Out in Science, Technology, Engineering, & Mathematics</p> <p>Lilian Martinez</p>
<p>Association of Academic Physiatrists</p> <p>Tiffany Knowlton</p>	<p>Optica</p> <p>Marcia Lesky</p>
<p>Entomological Society of America</p> <p>Stacie East</p>	<p>Women in Engineering ProActive Network</p> <p>Heather Metcalf</p>
<p>Federation of American Societies for Experimental Biology</p> <p>Yvette Seger</p>	<p>EducationCounsel LLC (Advisor)</p>
<p>Geological Society of America</p> <p>Nan Stout</p>	

Societies Consortium Advisory Council:

Focus on Resources' Value to IHEs— Bridge- & Community- Building Across STEM

<p>American Council on Education Vice President and General Counsel Peter McDonough</p>	<p>Boston University University Provost and Chief Academic Officer Jean Morrison</p>
<p>Association of American Universities (Successor being named for Assistant Vice President for Policy Research Kimberlee Eberle-Sudre)</p>	<p>Johns Hopkins University Professor and Associate Vice Provost for Postdoctoral Affairs Valeria Culotta</p>
<p>Association of Public & Land-Grant Universities Senior Vice President for Academic Affairs and Chief Academic Officer Bernard Mair</p>	<p>Southern Methodist University Provost and Vice President for Academic Affairs Elizabeth Loba</p>
<p>Council of Graduate Schools President Suzanne Ortega</p>	<p>University of Colorado Mona Abaza, Professor, Otolaryngology and Vice Chair of Faculty Affairs and Diversity</p>
<p>*Additional Society & IHE Members Comprise Initiative Working Groups</p>	<p>EducationCounsel, LLC (Advisor)</p>

2019-2021 Work Plan: Year 3 Progress Report

Community Building—It's a Journey:

✓ **Priority Field-Facing Work In Progress:**

**Case Study Library: Prevent/address incidents sensitively to students, post-docs, early career professionals in high-risk settings

**Sexual/Gender/Racial Misconduct Flag Sharing: a tool for flagging findings of generic kinds of incidents (Societies/IHEs) to help prevent “pass the harasser”

✓ **Peer Engagement Ongoing Programs:**

** Members Convenings on climate, culture change, gender/race intersectionality;

** Topical Hot Topics Webinars; Brown Bags; Problems of Practice Support (POPS) Teams

Customizable Model Policies with Options & Guidance—Foundations:

- ✓ Vision, Outcomes & Action Research Base Flyer
- ✓ Roadmap: 3 Stages To Inclusion & 5 Step Slide Guide (for all stages, with focus on 1st steps and resources)
- ✓ Model Honors & Awards Policy & Guide
- ✓ Model Meetings & Virtual Meetings Conduct Policies & Guides & Do's/Don'ts
- ✓ Model Ethics/Conduct Policy & Guide & Do's/Don'ts
- ✓ Model Investigations/Resolution Policy, Tools & Workshop with Annotated Slides
- ✓ Model Reporting (out) Template on Misconduct & Consequences—Demonstrating Serious Action
- ✓ Title IX Regulations Changes Analysis

Advisory Council: Sexual, Gender & Racial Misconduct Flag Sharing System (FSS) – Expanded Work Group

Standing Advisory Council & Working Group Members

American Council on Education

Vice President and General Counsel
Peter McDonough

American Physical Society

Director of Education and Diversity
Monica Plisch (also Consortium Exec. Comm. Liaison)

Association of American Universities

Assistant Vice President for Policy Research
Kimberlee Eberle-Sudre (successor being named)

Association of Public & Land-Grant Universities

Senior Vice President for Academic Affairs and Chief Academic Officer
Bernard Mair

Boston University

University Provost and Chief Academic Officer
Jean Morrison

***American Chemical Society**

Jodi Wesemann, Assist. Dir., Educational Research
(Societies Consortium Executive Committee Liaison)

Ad Hoc Working Group Members

American Association for the Advancement of Science

Director of Inclusive STEM Ecosystems for Equity & Diversity (ISEED)
Travis York

American Educational Research Association

Executive Director
Felice Levine

Boston University

Associate Provost for Strategic Initiatives and Chief of Staff
Laura Jenks

University of Minnesota

Executive Vice President and Provost
Rachel Croson

Rutgers University

Vice President for Academic Affairs
Karen Stubaus

Vanderbilt University

Vice Chancellor, General Counsel and University Secretary
Ruby Shellaway

Aims of Potential Flag Sharing System: Societies, IHEs & Research Entities

Sharing the Basic Fact of a Finding of Generic Types of Misconduct

Large Universe
of Societies



Large Universe
of IHEs and
Research
Entities



- ✓ **Leadership act:** To advance inclusive climate—protect people from abuse—reduce unwittingly passing and honoring the harasser
- ✓ **Facilitate sharing some sexual, gender, racial “misconduct flags” — limited to the basic fact of a finding of some TBD generic types of misconduct** above a severity or frequency threshold
- ✓ **Multi-sector system—a tool, not a uniform policy**—Enables each participating entity—applying its own independent policy—to review the broader context of professional settings in which a person acts—not only to decide hiring, promotion, leadership, honors...but also mentoring roles

Flag Sharing System: Considerations for Societies, IHEs, Research Entities

Exploratory Design Baselines

Stakeholders & Interests

Practical:
Leverage Strengths of Societies, IHEs, Research Entities

Ethics & Law:
Consequences of Facts = Each Entity's Independent Decision/Action--
Not Collective

Excellence = High-Quality Work & Conduct

Ethics:
Sharing Only Fact of Finding of Some Generic Kinds of Misconduct *

Ethics & Law:
Non-coerced Consent as Condition to Privileges

Ethics & Law:
Individual Consent to Fact-sharing & Ability to Respond

*Consider where info-sharing fits in misconduct consequences continuum

Leadership & Governance

Faculty Researchers Practitioners

Integrity & Excellence: Field, Entity, Individual

Students

Inclusive Action, Not Just Legal Compliance

Funders & Public

Contact Us—Learn More...

- SocietiesConsortium.com
- SocietiesConsortium@educationcounsel.com
- Jamie.Keith@educationcounsel.com

EducationCounsel LLC, www.educationcounsel.com, is a mission-based education consulting firm that combines significant experience in law, policy, and strategy to drive improvements in U.S. education systems. We partner with nonprofit organizations and institutions to develop and advance equity-driven, evidence-based ideas to strengthen educational systems and promote expanded opportunities and improved outcomes for all students from early childhood through all levels of postsecondary education. Our higher education practice centers on issues of students and faculty diversity, equity, inclusion, sexual harassment prevention, free speech and academic freedom, and institutional quality, accountability, and academic excellence. EducationCounsel is an affiliate of Nelson Mullins Riley and Scarborough LLP, which has over 725 professionals, and where Jamie Lewis Keith and Art Coleman also are partners and can access additional resources. Former U.S. Secretary of Education and South Carolina Governor Richard W. Riley is an EducationCounsel Senior Partner.

Thank you !



An initiative to advance professional and ethical conduct, climate & culture

This presentation provides general guidance. It is not legal advice.