COGR Membership Meeting

October 2022

Institutional Discussion of Efforts to Promote a Research Workplace Free of Sexual Harassment and Bullying

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Presenters

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Johns Hopkins University

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Harvard Medical School

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Moderator: Kris West, Director Research Ethics & Compliance, COGR

Presentation Overview

- **Overview of Reporting Obligations**

- **Recent Institutional Efforts**
  - Harvard Medical School
  - Duke University

- **Discussion of Case Studies from Three Perspectives:**
  - Research Integrity Professional
  - Faculty Member
  - Institutional Legal Counsel

Reporting
Requirements

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Requirement	NIH		NSF	NASA
Applies to	**PI & Other Senior Key Personnel**		PI or Co-PI	PI or Co-PI
Trigger	Removed from position or Otherwise disciplined for harassment, bullying, retaliation	Change in Senior/Key Personnel due to concerns about workplace safety/work environment	Interim admin. action, investigation or finding of alleged violation/violation relating to sexual or other harassment or sexual assault	Admin. leave or admin. action related to determination or investigation of violation/alleged violation re. sexual or other harassment or sexual assault
Report & Timing	● Within 30 days after action ● Webform describing concern and action taken	● Request pre-approval for change ● Specify if action taken because of work environment	● Within 10 days of action/finding ● Report form provided ● Effective date of action & if person will be "disengaged"	● Within 10 days of determination/action ● Outline provided of what must be included in report

But wait, there's more . . .

- [Plans to Promote Safe Environments at Conferences Supported by NIH Grants and Cooperative Agreements (NIH NOT-OD-22-074)](#)
  - Required at JIT for R13 and U13 applications
  - Required elements:
    - Statement of commitment to provide safe environment
    - Expectation of behavior including behaviors that are considered harassing
    - Information about how to confidentially report allegations, get more information, and file a complaint with conference organizer, NIH, and/or HHS OCR
    - Information about how allegations will be assessed and consequences for violations
- [NSF "Plan for Safe and Inclusive Field/Vessel/Aircraft Research (PSI-FVAR)," for proposals to NSF that include fieldwork. (PAPPG, Chapt. II.C.2.i.(xi), effective Jan. 2023).](#)
  - Required elements include:
    - Behavior expectations
    - Challenges and how those challenges will be addressed
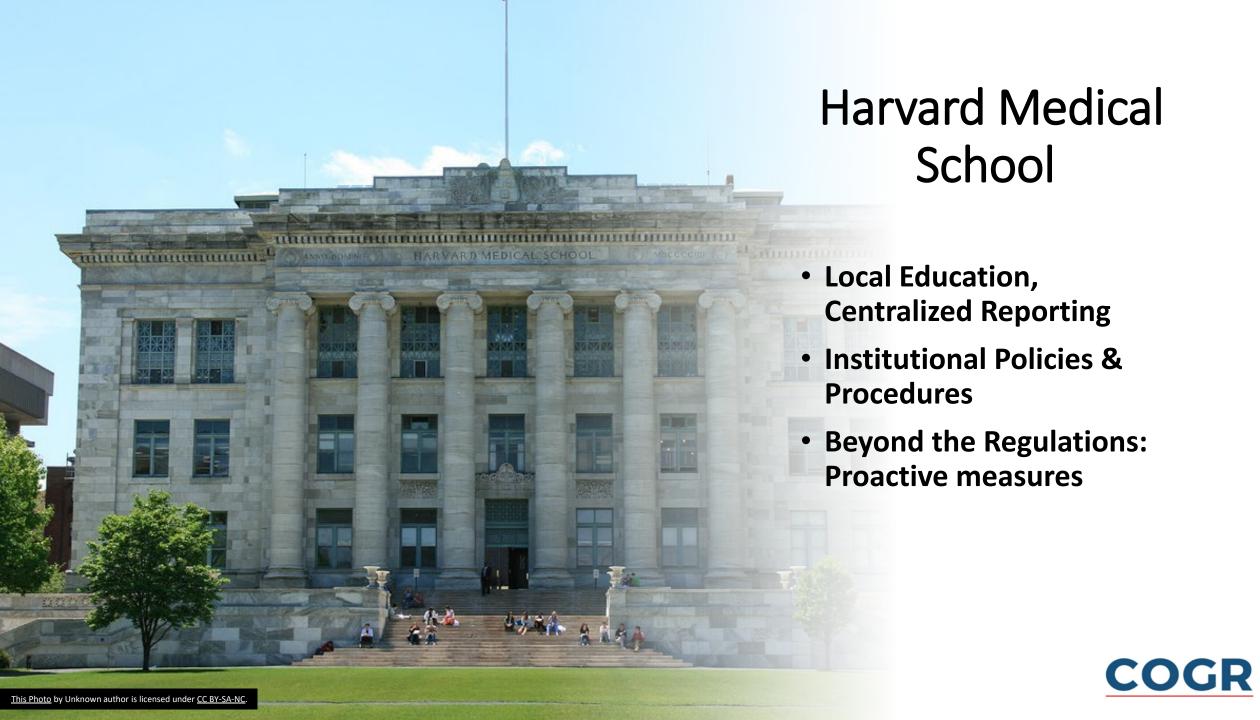   - Incident reporting
    - Training

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What is your confidence level in your institution's system/process for satisfying agency requirements to report harassment/bullying?

How high can I go! We're a well-oiled machine.

We've got most of the kinks worked out and things are going pretty darn well.

This poll is anonymous – right ?

Recent
Institutional
Efforts

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Harvard Medical School

- **Local Education, Centralized Reporting**

- **Institutional Policies & Procedures**

- **Beyond the Regulations: Proactive measures**

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Education and Reporting

Education

- Large-scale forum: Research Management Meeting
- Targeted local education
  - Title IX Resource Coordinators
  - Human Resources
  - Departmental Administrators/Directors
  - Risk & Compliance
  - Senior Sponsored Project personnel
  - Chairs

Reporting

- School level Official
  - Office for Academic & Research Integrity
- When a qualifying event occurs, the name of the covered individual is shared with OSP
  - OSP reviews whether a reporting obligation is triggered
  - If yes, School Level Official provides details of qualifying event for central reporting by OSP

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Current State ➔ Future State

Conduct Inquiries: *Aligning institutional values with actions*

- Phase I Conduct Inquiries – piloting in two largest schools (HMS & FAS)
- Values-driven: integrity, responsible mentorship, equity, and excellence

Notice in position postings → External Applicant attestation, acknowledgement, authorization → External Finalist Conduct Questionnaire, Institutional Conduct Inquiry

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Duke University

- **Coordinated effort across responsible offices**
  - Office of Institutional Equity
  - Human Resources
  - General Counsel
  - Compliance/Risk Management
  - Research Integrity
  - Research Administration

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Duke University

- **Education & Communication of Sponsor Expectations & Reporting Requirements**
  - Deans and Chairs/Directors
  - Chief Administrative Officers (Business Managers)
  - Vice Chairs for Research, Lead Research Administrators
  - Directors for Graduate Studies
- **Prevention**
  - Core values
  - Leadership
  - Accountability

Values & Culture

Our institutional culture is built upon our history and values. Our shared values—**respect, trust, inclusion, discovery and excellence**—are more than aspirations. They are the beliefs and behaviors that we expect of ourselves and our colleagues. These are the ideals that we must uphold in order to earn and maintain our reputation for quality and integrity, and to inspire confidence with each other, and the world which we both serve and rely on for our future viability. Our values dictate our conduct and drive our culture.

Speak Up

It takes courage to come forward.

READ MORE ⊘

To share a suggestion or concern, please complete this form:

SPEAK UP ONLINE FORM »

Additional resources available from Duke's Office of the Ombuds

DUKE OMBUDS OFFICE »

Values (duke.edu)

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Discussion of Case Studies

Case Study 1: Dating with Data

- Greta Grad is a graduate student working on Prof. Charming's NIH funded project at Coastal U., a private university.

- Greta and Charming have a romantic relationship that is prohibited under Coastal's Consensual Relationships policy. Charming's Chair knows about the relationship, but thinks it is "no big deal."

- Greta and Charming break up. Greta asks the Chair to move her to a different lab at Coastal because "her scientific focus has changed."

- Greta uses data from the Charming lab in a publication on which her new PI is first author. The new PI does not know about Greta's past relationship with Charming. The new PI's publication acknowledges NIH as a funder of PI's work.

- Charming see new PI's publication and accuses Greta of stealing "his" data and plagiarism.

- Greta says that Charming gave her permission to take and use that data, and that he is falsely accusing her of theft/plagiarism. Greta files a report with NIH and says Charming is retaliating against because she ended their relationship.

- NIH contacts the sponsored research office at Coastal for more information.

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During the past two years, has your institution received a letter from a federal agency requesting the institution to investigate an allegation of an unsafe working environment (e.g., bullying, harassment, or similar behavior)?

Yes, indeedy! We got mail, and lots of it!

Yes, we've had a few inquiries.

No. At least, none of which I am aware.

Case Study 2: The Disappearing PI

• Sam Science, is a grad student at Big U., a state university. His PI is Dr. Grantgetter who has both NIH and NSF funding.

• Sam has not been able to contact Dr. Grantgetter for months. At the suggestion of his dissertation committee, he meets with the dept. chair to advise him of the situation. Sam also states that his dissertation "might not be very good" because Grantgetter is a poor mentor who had been bullying him via email (including physical threats!) before she "ghosted" him.

• The Chair emails Grantgetter. Grantgetter replies that she will not sign off on Sam's dissertation because his data is poor. She denies bullying Sam.

• Grantgetter also admits to the Chair that she has been only coming to the lab late at night because another faculty member in her department has been trying to "steal her ideas." She refuses to meet with Sam or the Chair in person and will only communicate by email.

• No one in the lab has seen Grantgetter for months. They say she only communicates by email, and then only rarely.

• Post-docs and grad students are doing all the work in Grantgetter's lab. They call the Office of Sponsored Programs and ask how to fill out Grantgetter's NIH progress report and whether they can sign for her.

Does your institution have a policy that defines "bullying"?

Yes -- we expressly define the term "bullying." **A**

No -- we don't expressly define the term "bullying," but we list behaviors that would fall within the scope of bullying. **B**

No – a definition is not necessary. Anyone who went to middle school knows EXACTLY what bullying is. **C**

Other. **D**

Case 3: Just "Teasing"

- Prof. Newbie, a new faculty member, at State Research Univ. received an NIH conference grant.

- Newbie hosts the conference at a local hotel, and students from State Univ. and Crosstown Univ., a local private institution attend.

- Newbie's department chair agrees to be a presenter at the conference. Newbie knows all the NIH requirements and sets up a "hotline" so conference attendees can report any harassment or bullying. Newbie will monitor the hotline and address any complaints that are received.

- After the Chair makes his presentation, he speaks to several Crosstown U. student conference attendees at a cocktail reception held at the end of Day 1.

- After several drinks, the Chair questions two of the Crosstown U. students whose name tags indicate that they use alternative pronouns to refer to themselves. He asks them "Why can't you just be normal?"

- One of the Crosstown students' calls Newbie's conference hotline and reports the Chair's behavior and makes the same report to NIH too. Newbie gets the hotline report and speaks to the Chair about it. The Chair advises Newbie he was "just teasing" and tells Newbie to "drop it."

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During the past two years, has your institution developed new policies or adjusted existing policies to address sponsors' expectations regarding promotion of a healthy and safe work environment?

No, we believe our existing policies and Code(s) of Conduct are sufficient.

Yes, but only minimally to fill some small gaps.

We're still in the assessment phase. (Listening to this case study is making my blood pressure going up.)