



**RECOMMENDATIONS FROM GENDER, SEXUAL HARASSMENT AND EQUITY
UNIVERSITY SENATE AD HOC COMMITTEE**

Co-chairs: Aarti Ivanic (SB) and Juliana Maxim (CAS)

Members: Jo Hunsaker, Ryan Ratcliff, Tara Salinas (SB); Amy Besnoy (Univ. Library); Kate Boersma, Atreyee Phukan, Sandra Sgoutas-Emch (CAS); Ami Carpenter, Austin Choi-Fitzpatrick (SPS); Afsaneh Nahavandi (SOLES); Ruth Bush, Eileen Fry-Bowers (SON); Susan Lord (SOE); Bridget Gramme (Law)

5-3-2019

Rationale: The University of San Diego (USD) was founded on a culture of care and we wish to uphold this culture through the actions of faculty members of our University community. USD's vision statement states, "The University of San Diego sets the standard for an engaged, contemporary Catholic university where innovative changemakers confront humanity's urgent challenges." To fulfill this vision, USD has a bold strategic plan, *Envisioning 2024*, that specifies six unique pathways to enable USD to fulfill its mission and vision. The pathway most closely aligned to the work of the Gender, Sexual Harassment, and Equity committee is that of *Access and Inclusion*¹. USD's culture of care brings our commitment to Access and Inclusion to everyday campus life. USD has made many strides to become a more diverse and inclusive university and we must continue to reflect and renew our commitment to foster an inclusive and equitable community for its faculty.

Task Force: The University Senate convened an Ad Hoc committee on Gender, Sexual Harassment, and Equity (G-SHE) in March 2018. As part of its charge (*see page 9*), the task force gathered quantitative and qualitative information to assess the current state of affairs regarding these matters at USD. A campus-wide survey of all faculty members was conducted in June 2018 in order to better understand campus climate pertaining to faculty gender equity and sexual harassment matters (results in the appendix). The survey findings were shared with the University Senate and the University Leadership in December 2018. The task force was also charged with making recommendations related to inclusion and equity with the intent to shift institutional culture and practices and to provide a more equitable environment that will make the University of San Diego fully consistent with its mission, core values, and strategic initiatives. Additionally, the taskforce was charged with examining current policies related to equal employment, discrimination and harassment, and diversity and to provide recommendations on ways to strengthen these policies.

Recommendations: The campus survey of 305 faculty members provided evidence and a data-informed view that there are perceptions of gender inequities and sexual harassment on our campus, as related to faculty members. The perceived gender-based inequities for faculty pertain to salary, sexist and non-inclusive comments, level of support from colleagues and supervisors, and general workload, among others (*see appendix for full survey results*). In light of these and other findings in the USD survey and in the context of a growing national effort to reduce gender disparities and inequalities in academia, facilitated by increased transparency², the Gender, Sexual Harassment and Equity taskforce puts forth the following seven recommendations to the University Senate. Please note that the majority of recommendations in this report pertain to gender inequities.

¹ "Our value of community reflects our dedication to "creating a welcoming, inclusive and collaborative community accentuated by a spirit of freedom and charity, and marked by protection of the rights and dignity of the individual...creating an atmosphere of trust, safety and respect."" (<http://www.sandiego.edu/envisioning-2024/pathways/access-and-inclusion.php>)

² A report by the Sloan Foundation, in collaboration with the American Council for Education described the need for institutional leaders to implement more supportive and accessible career policies, resources and practices, "best practices" as identified by the American Association of Colleges and Universities. The report also emphasized the need for transparency. <https://www.acenet.edu/news-room/Pages/Past-Initiatives-in-Faculty-Career-Flexibility.aspx>

Recommendation 1: The University Senate and the Provost jointly appoint a working group to make recommendations to advance academic excellence through effective practices that promote gender equity for faculty at USD. All recommendations will be made to both the University Senate and to the Provost. *(Details on page 4)*

Recommendation 2: The University Senate and the Provost appoint a working group to interface with relevant groups on campus (Human Resources, Institutional Research and Planning, Center for Inclusion and Diversity, etc.) to determine what data is currently available and what data should be collected/reported with regards to gender equity matters pertaining to faculty on campus. *(Details on page 5)*

Recommendation 3: The University Senate should review, refine, and approve the proposed changes to Policies: 2.2.1 Equal Opportunity, 2.2.16 Workplace Violence, 2.2.2 Policy Prohibiting Discrimination and Harassment, 2.2.9 Diversity. *(Details on page 6)*

Recommendation 4: The University Senate should continue to monitor gender equity matters, with regards to faculty, on campus.

Recommendation 5: The University Senate should foster conversations regarding these topics within the Senate, the individual units, and campus as a whole.

Recommendation 6: The University Senate (or Senate-appointed faculty representatives) should work closely with the Provost to assess the current reporting structures, for inequities, on campus. The findings from the current survey indicate a lack of trust in the institutional investigation process and whether or not an issue would be addressed. The University Senate currently has an Ad Hoc committee exploring an Ombuds office on campus. The University Senate should ensure that the results of the Gender, Sexual Harassment, and Equity Task Force are interfaced with the findings from the Ombuds committee.

Recommendation 7: The University Senate should disseminate these recommendations to the campus community and keep the campus community informed of progress on faculty gender equity work, as appropriate.

Recommendation 1: The University Senate and the Provost jointly appoint a working group to make recommendations to advance academic excellence through effective practices that promote gender equity for faculty at USD. All recommendations will be made to both the University Senate and to the Provost.

Proposed Charge of the Working Group

1. *Faculty Hiring & Retention Practices.* The working group will review policies and best practices at peer and aspirational institutions and make recommendations regarding policies and practices that could be implemented at USD to advance gender equity in faculty hiring practices and faculty retention.
2. *Faculty Education.* The working group will review best practices at peer and aspirational institutions and make recommendations for the creation and delivery of faculty education addressing (a) civility and respect in the workplace; (b) avoiding gender bias in the merit evaluation process.
3. *Faculty Workload Allocation.* The working group will review best practices at peer and aspirational institutions and make recommendations regarding policies and practices that could be implemented at USD to advance the equitable allocation of faculty workload responsibilities.

As part of the recommendations, the working group will indicate specific steps for implementation of these best practices and who should be responsible for implementation of these activities. Additionally, the working group should provide recommendations regarding how to foster accountability of adherence to suggested activities.

Timeframe: September 2019 to December 2019 (or earlier). By December 2019, the working group will submit recommendations on best practices at peer and aspirational institutions and make recommendations for what can be implemented at USD to the University Senate and the Provost. Interim reports, as appropriate, should be submitted to the University Senate Chair and to the Provost.

Proposed Members of Working Group: Jointly appointed and approved by University Senate leadership and Provost.

Recommendation 2: The University Senate and the Provost appoint a working group to interface with relevant groups on campus (Human Resources, Institutional Effectiveness, Center for Inclusion and Diversity, etc.) to determine what data is currently available and what data should be collected/reported with regards to gender equity matters pertaining to faculty on campus. (*Details on page 5*)

Proposed Charge of the Working Group

1. *Data Collection.* The working group will identify what data is currently available at USD with regards to matters of faculty gender equity. The working group will make recommendations regarding the type of de-identified data that should be collected by USD annually in order to track progress on gender equity matters.
2. *Data Reporting.* As to the data collected, the working group will make recommendations regarding the types of reports that should be shared with the University community on an annual basis in order to track progress regarding gender equity matters as related to faculty hiring, retention, and workload allocation, among others.

The working group should indicate specific steps for who should be responsible for implementation of these activities.

Timeframe: January 2020-May 2020 (or earlier). By May 2020, the working group will submit recommendations for what can be implemented at USD to the University Senate and The Provost. Interim reports, as appropriate, should be submitted to the University Senate Chair and to the Provost.

Proposed Members of Working Group: Jointly appointed and approved by University Senate leadership and Provost.

Recommendation 3: The University Senate should review, refine, and approve the proposed changes to Policies: 2.2.1 - Equal Opportunity, 2.2.16 - Workplace Violence, 2.2.2 - Policy Prohibiting Discrimination and Harassment, 2.2.9 - Diversity.

Policy 2.2.1 Equal Opportunity: Recommended Language Changes

1. Update language to distinguish between faculty, staff and students.
2. Include references to federal and state regulations.
3. Describe the Affirmative Action plan and to whom inquiries about Affirmative Action should be directed.
4. Include revision history as an incentive to regular review and updates (for example UCSD's EO policy was updated in 2012 "in compliance with California Assembly Bill 887", to add "gender and gender expression to the policy text" and to add "definitions of gender, gender expression, and gender identity."

Rationale. The most relevant part of this policy relating to faculty is the following section "All employment-related decisions, including but not limited to decisions relating to recruitment, hiring, promotion, transfers, benefits and any other terms and conditions of employment, will be made without regard to the employee's or applicant's race, color, religion, national origin, sex, sexual orientation, gender identity, gender expression, marital status, pregnancy, age, physical disability, mental disability, medical condition, covered veteran status, genetic information or other characteristic protected by federal or state law, unless a particular characteristic is a bona fide requirement of the position."

The policy groups everyone together under "employees" and does not refer to specifically to "faculty." Further, the policy is one page long. Symbolically, this can convey a negative message about its relative importance. Substantively, it also means that

1. USD omits written obligations to abide by relevant federal and state statutes by not naming them (Federal Executive Orders 11246 and 11375 as amended; Titles VI and VII of the Civil Rights Act of 1964 as amended; Title IX of the Education Act of 1972; the Rehabilitation Act of 1973, secs. 503–504; the Americans with Disabilities Act; the Vietnam Era Veterans Readjustment Assistance Act of 1974, sec. 402; Equal Pay Act of 1963 as amended; Age Discrimination Acts of 1967 and 1978; Title 5 of the California Code of Regulations).³
2. USD omits written obligations to Affirmative Action. According to Human Resources, USD does have an Affirmative Action plan, which is "prepared" annually by Human Resources, the Office of Institutional Research and the General Counsel. However there is much room for improvement over the short description on HR's website.
3. USD omits helpful subsections including Pregnancy, Gender, Gender Expression, Gender Identity, Religious Freedom and any other categories that as an institution, we think it is important to emphasize.⁴
4. This policy has not been updated since 2011.
5. Update and elongate this policy so that it reflects USD's rhetorical commitment to inclusion and diversity.

³ See SDSU's Non-discrimination and Equal Opportunity Policy.

⁴ See UCSD's Policy on Discrimination, Harassment and Affirmative Action.

Policy 2.2.16 Workplace Violence / 2.2.2 Policy Prohibiting Discrimination and Harassment: Recommended Language Changes

1. Update the policy to explicitly reference sexual and gender-based violence, and hyperlink Policy 2.2.2.
2. Training for Title IX and other entities could be covered under tabletop exercises, especially if using simulated cases that involve elements of "workplace violence" and "sexual harassment/discrimination" as defined by USD. Other kinds of training options abound.
3. The policy does not make explicit reference to the illegality of deadly weapons on campus. For example, UCSF's Workplace Violence Policy includes this language: "No person shall possess or have control of any firearm, deadly weapon, or prohibited knife, as legally defined, while on UCSF-owned properties, except as required in the lawful course of business or as authorized by the UCSF Police Department."
4. The policy does not explicitly include the language "sexual and gender-based violence" nor does it refer to the 2.2.2 Policy Prohibiting Discrimination and Harassment.

Rationale. To the concerns raised in the Policy Subcommittee about students threatening faculty, this policy explicitly "prohibits any act of violence or threat of violence committed by or against an employee, student, or visitor."

The Reporting Guidelines section is too restrictive and should be updated. The narrow options - call 911, Public Safety or Human Resources - place an unreasonable emotional burden on the victim. Both options involve escalation through public reporting. In many cases this is fine and preferable. However they fall short in cases:

- a. involving threats about a person or person/s of marginalized identities - for example threats to expose a family member's "undocumented status."
- b. where the threat involves "what I will do if you talk to the authorities."
- c. when people are frightened or traumatized.

Potential Remedies

1. The "Counseling Center, the Center for Health and Wellness Promotion, or the Student Health Center" should also be listed as primary reporting options. Doing so likely involves setting up a protocol between these 3 entities, Public Safety, Human Resources, and Title IX.
2. A tabletop exercise with several simulated cases can help each entity figure out the overlap and gaps in their roles/responsibilities.
3. Better coordination between USD entities and non-campus entities. (may also be applicable to 2.2.2) AAUP guidelines on campus sexual assaults calls for better coordination between campus and non-campus police, health-care providers, and community service providers experienced in dealing with sexual assault" because many incidents "may be reported to non-campus authorities and may in fact take place off campus.

The separation between 2.2.16 and 2.2.2 may create a lack of understanding about their interdependence.

Policy 2.2.9 Diversity: Recommendations

Develop a process of formal and verifiable assessment of campus diversity.

Rationale. Beyond simply being a general statement of commitment to diversity, this 2.2.9 "provides a way to assess the university's progress in the pursuit of diversity" by stating that "the university commits to a process of formal and verifiable assessment of campus diversity."

It is not clear what this process is, who is responsible for its implementation, and what activities have been undertaken in its service. The University Senate should interface with the Provost and the Center for Inclusion and Diversity to address these matters.

**University senate ad hoc committee on sexual harassment and gender equality Established
by Hugh Ellis, Chair of the Senate March 2018**

Co-chairs: Aarti Ivanic (SB) and Juliana Maxim (CAS)

Members: Jo Hunsaker, Ryan Ratcliff, Tara Salinas (SB); Amy Besnoy (Univ. Library); Kate Boersma, Atreyee Phukan, Sandra Sgoutas-Emch (CAS); Ami Carpenter, Austin Choi-Fitzpatrick (SPS); Afsaneh Nahavandi (SOLES); Ruth Bush, Eileen Fry-Bowers (SON); Susan Lord (SOE); Bridget Gramme (Law)

Rationale and Charge: In consideration of

- the University of San Diego's Mission, Core Values, and Strategic Initiatives
- the need to build a welcoming and inclusive community;
- the recent evidence that sexual harassment and misconduct are underreported at the University of San Diego;
- the absence of specific and definitive data regarding these issues at the University of San Diego; and
- the current national and international spotlight on the prevalence of sexual misconduct and sexual harassment,

This ad hoc Senate Committee on Sexual Harassment and Gender Equality will:

1. gather quantitative and qualitative information to assess the current state of affairs regarding these issues at USD;
2. assess current formal and informal reporting policies and protocols; and
3. make recommendations related to inclusion and equality with the intent to shift institutional culture and practices and to provide a more equitable environment that will make the University of San Diego fully consistent with its Mission, Core Values, and Strategic Initiatives.

Instructions and Deadline: Due to the size of the committee, the co-chairs are encouraged to make any reasonable quorum rule they deem necessary and prudent. The committee is to make a formal report to the University Senate early in April, 2019. It is encouraged to make informal intermediary reports orally or in writing periodically as it sees fit or is requested by the chair of the Senate.

Gender, Sexual Harassment, Equity University Senate Ad Hoc Committee

Appointed by Previous Senate Chair Hugh Ellis

December 6th, 2018

Committee Co-chairs: Aarti Ivanic (SB) and Juliana Maxim (CAS)

Committee Members: Jo Hunsaker, Ryan Ratcliff, Tara Salinas (SB); Amy Besnoy (Univ. Library); Kate Boersma, Atreyee Phukan, Sandra Sgoutas-Emch (CAS); Ami Carpenter, Austin Choi-Fitzpatrick (KSPS); Afsaneh Nahavandi (SOLES); Eileen Fry-Bowers (SON); Susan Lord (SMSE); Bridget Gramme (Law)

Ad Hoc Committee Rationale

- The University of San Diego's Mission, Core Values, and Strategic Initiatives, aim at building an inclusive, diverse and socially just community to create and foster a culture of care.
- In line with this, the University Senate created an Ad Hoc Committee on Gender, Sexual Harassment, and Equity in February 2018 to address the following.
 - the need to build a welcoming and inclusive community.
 - the recent, informal, evidence that sexual harassment and misconduct are underreported at the University of San Diego.
 - the absence of specific and definitive data regarding these issues at the University of San Diego.
 - the current national and international spotlight on the prevalence of sexual misconduct and sexual harassment.

Main Charge

- The Ad Hoc Committee on Sexual Harassment and Gender Equality will:
 - gather quantitative and qualitative information to assess the current state of affairs regarding these issues at USD [current presentation]
 - assess current formal and informal reporting policies and protocols; *[in progress]*
 - make recommendations related to inclusion and equality with the intent to shift institutional culture and practices and to provide a more equitable environment that will make the University of San Diego fully consistent with its Mission, Core Values, and Strategic Initiatives. *[next steps]*
- The committee is to make a formal report to the University Senate early in April, 2019. It is encouraged to make informal intermediary reports orally or in writing periodically as it sees fit or is requested by the chair of the Senate.

Process and timeline

- **December 2017:** Preliminary discussions in University Senate Executive Committee
- **February 2018:** Established University Senate Ad Hoc Committee
- **March 2018:** Leg-work exploring matters on campus, committee members assigned, Open-ended discussions with some faculty members.
- **April/May 2018:** Committee discussions, explore and define charge, committee broken into two sub-committees (policies and procedures around sexual harassment; gender equity)
- **May 2018:** Survey created to assess the 'campus climate' around these issues; survey discussed with HR and Title IX representatives
- **June 2018:** Survey launched. Open for 2 week period
- **December 2018:** Survey results presented to Senate
- **April 2019 (or earlier):** Formal recommendations to Senate and University Leadership Team

Survey Methodology

- Survey Design
 - Task force members actively participated in determining questions to assess campus climate.
 - Designed by faculty who have expertise in the field of survey design and research methods.
 - Shared with Karen Briggs, VP HR and Helen Kaiser, Title IX representative for feedback which was incorporated prior to distribution.
- Online survey, administered on behalf of the University Senate.
 - Distributed via email to all individuals with faculty status.
 - Anonymity ensured: the survey did not include any identifiers such as names, email, academic or administrative unit.
- The survey was sent to 1,708 faculty users through USD's mass email system.
 - Of those, 424 are tenured/tenure-track, of which 23 are administrators with faculty rank.
 - The remaining faculty are adjuncts, clinical professors, part-time instructors/lecturers.
 - We have 950 active faculty members who have contract roles.
 - The remaining do not have active contracts but anticipate returning to USD as adjuncts.

Important Notes

- Goal
 - This survey was designed to be **exploratory** to gain a better understanding of campus climate.
- Questions
 - **No** forced responses so respondents could skip any questions they did not want to answer.
 - **No** open ended questions to alleviate concerns that responses may trigger reporting requirements.
- Analysis
 - Conducted using SPSS and Stata; Multiple faculty analyzed data and cross-checked results.
 - Due to small sample size in some categories, specific category comparisons are not made.
 - **Since respondents could skip questions, sample size may vary by question.**
 - **Some detailed analyses are in the Appendix.*
- Results
 - Descriptive and are based on respondent **perceptions** of gender inequities and sexual harassment.
 - Not meant to be used to draw conclusions about the University of San Diego.
 - **Confidential** and are not to be shared outside of the University.

OVERVIEW OF RESULTS

With which gender do you identify?

	Frequency	Percent*
Male	112	41%
Female	144	52%
Prefer not to disclose	20	7%
Total Responses	276	
Missing (did not respond to this question)	29	
Overall Total	305	100

Note: Due to small sample size, faculty identifying as non-binary have been incorporated into the Prefer Not to Disclose category

**Percent divided by 276 (those who responded to this question)*

Analysis of Rank by Gender is in the Appendix

What is your faculty rank?

Faculty Rank	n	Percent*
Full professor (Tenured)	75	27%
Associate professor (Tenured)	66	24%
Assistant professor (Tenure-track)	38	14%
Full-time, Non-Tenure track professor (Clinical professor/Lecturer/Professor of Practice)	30	11%
Part-time, Non-tenure track professor (Adjunct/Part-time instructor)	43	16%
Other	3	1%
Prefer not to disclose	22	8%
Total Responses	277	
Missing (did not respond to this question)	28	
Overall Total	305	

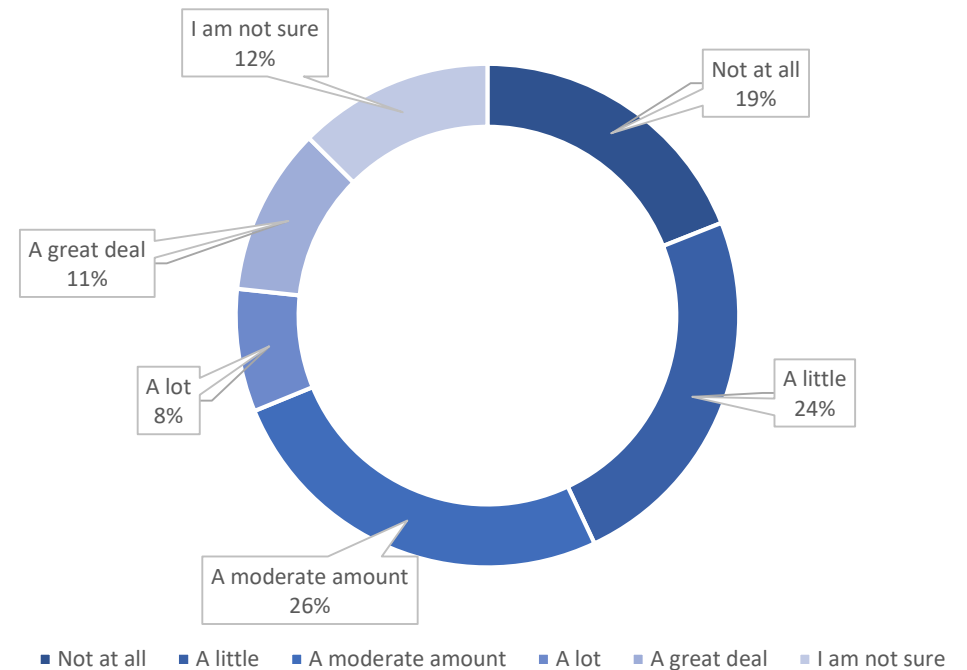
**Percent divided by 277 (those who responded to this question)*

“To what extent do you perceive gender-based discrimination and/or gender inequality to be an issue at USD?”

Response	Frequency	Percent*
Not at all	53	19%
A little	67	24%
A moderate amount	72	26%
A lot	22	8%
A great deal	30	11%
I am not sure	35	13%
Total	279	100%
Missing: did not answer this question	26	
Total	305	

**Divided by 279 (those who answered the question)*

Perception of gender-based discrimination and/or gender inequality at USD

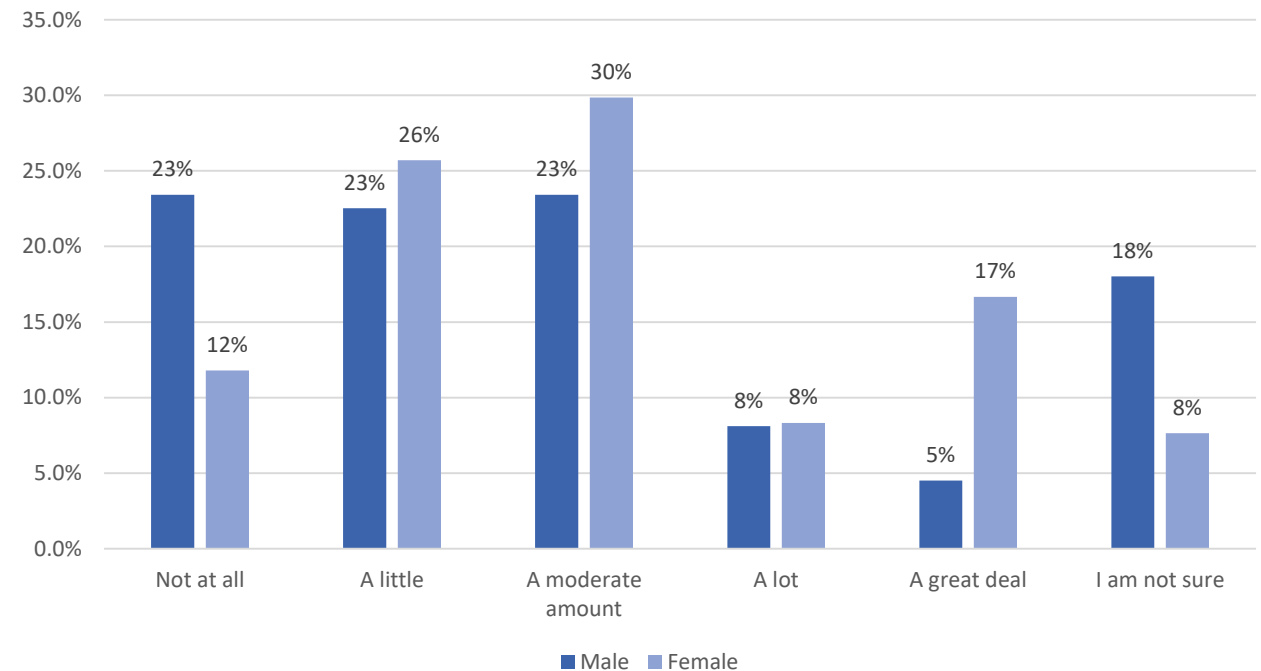


“To what extent do you perceive gender-based discrimination and/or gender inequality to be an issue at USD?” – By Gender

	Male	Female	Prefer not to disclose	Total
Not at all	26	17	8	51
A little	25	37	4	66
A moderate amount	26	43	3	72
A lot	9	12	1	22
A great deal	5	24	0	29
I am not sure	20	11	3	34
Total	111	144	19	274

Frequency

Perceptions of Gender-Based Discrimination and/or Gender Inequality at USD by Gender



Presented in the Survey:

The Title VII, Civil Rights Act of 1964

(<https://www.eeoc.gov/laws/statutes/titlevii.cfm>), states: “It shall be an unlawful employment practice for an employer ... to discriminate against any individual with respect to his (or her) compensation, terms, conditions, or privileges of employment, because of such individual’s race, color, religion, sex, or national origin.”

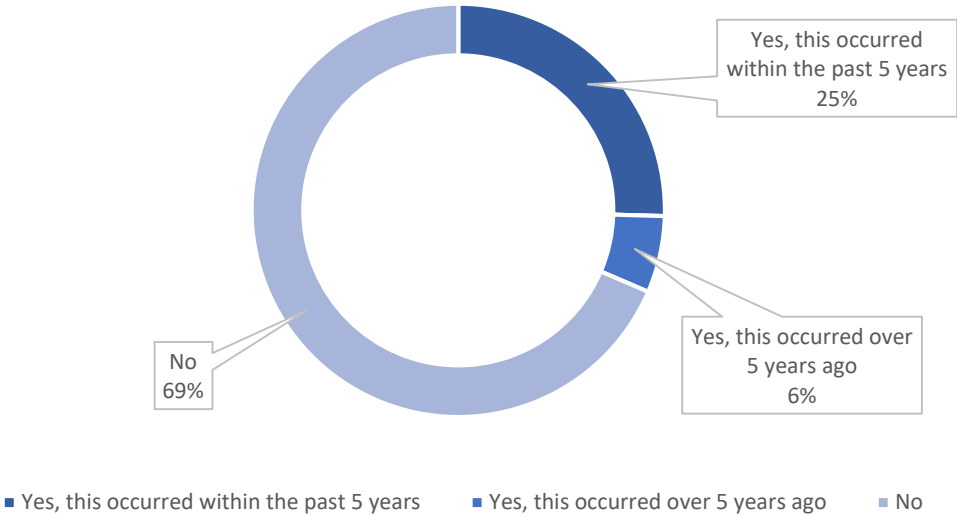
Per this, gender discrimination is defined as: Unfavorable treatment in employment opportunities such as hiring, firing, promotion, pay, benefits, privileges, job assignments, training, fringe benefits, and expectations due to attitudes based on sex, gender, or sexual identity of an employee or group of employees.

Survey Question: While employed at USD, have **you** felt that you have been treated unfairly because of your gender?

	Frequency	Percent*
Yes, this occurred within the past 5 years	68	25%
Yes, this occurred over 5 years ago	16	6%
No	190	69%
Total	274	100%
Missing (did not respond) System	31	
Overall Total	305	

**divided by 274 – number who responded to this question*
Note: 84 individuals responded that they felt they were treated unfairly due to their gender

While employed at USD, have you felt that you have been treated unfairly because of your gender?



Survey Question: While employed at USD, have you felt that you have been treated unfairly because of your gender? – By Gender Identification

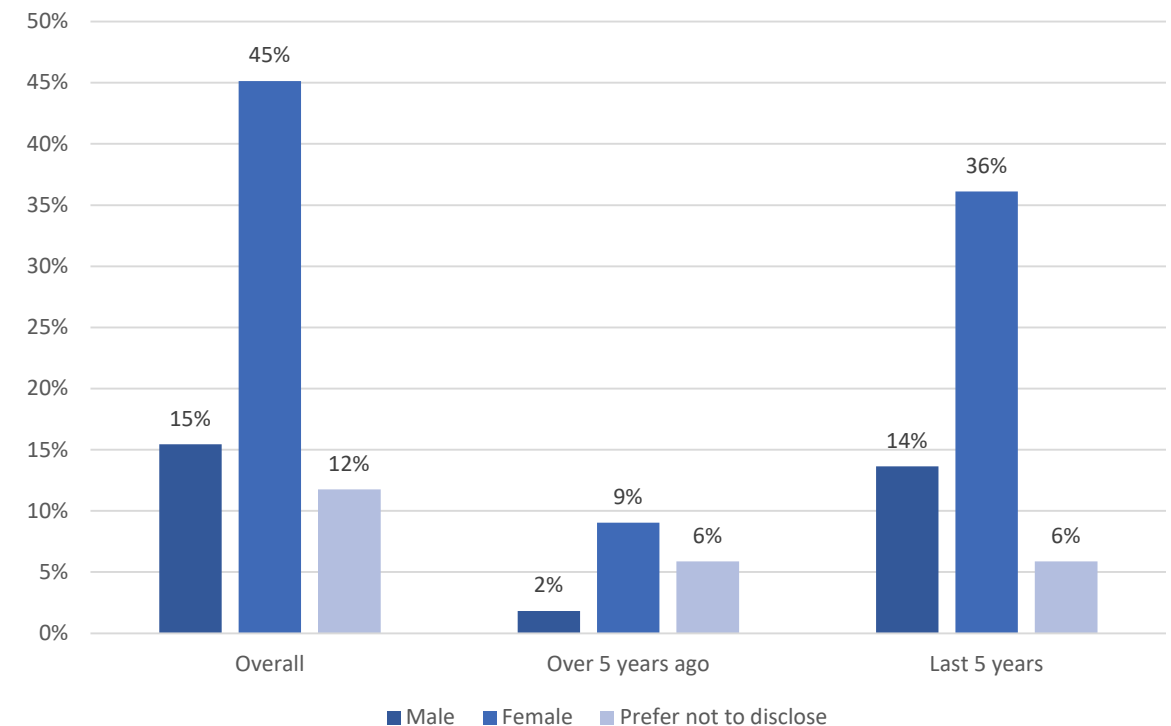
84 faculty (31% of faculty who responded) indicated that they perceived they were treated unfairly due to their gender.

Gender	Yes, this occurred within the past 5 years	Yes, this occurred over 5 years ago	No*
Male	15	2	93
Female	52	13	79
Prefer not to disclose	1	1	15
Total	68	16	187

Frequency

**Total is different because of crosstab of those who responded to their gender*

Perceived Gender-Based discrimination by Respondent Gender



**Percent is frequency divided by 84 – number who responded to this question*

With what do you perceive you were treated unfairly due to gender? (check all that apply)

Category	Frequency	Percent*
Salary	44	52%
Sexist or non-inclusive comments	41	49%
Level of support from supervisor or colleagues	35	42%
General workload	33	39%
Yearly merit evaluation	30	36%
Career advancement (e.g., promotions to leadership roles positions in department/school/university)	26	31%
Class assignment or schedule	25	30%
Committee assignment	21	25%
Professional development opportunities	15	18%
Other	15	18%
Number of class preps	14	17%
Tenure	13	15%
Promotion	13	15%
Office location assignment	8	10%
Summer support	8	10%
Course releases	8	10%
Parental leave	7	8%
Assignment of graduate assistants / teaching assistants	3	4%
Contract renewal	1	1%

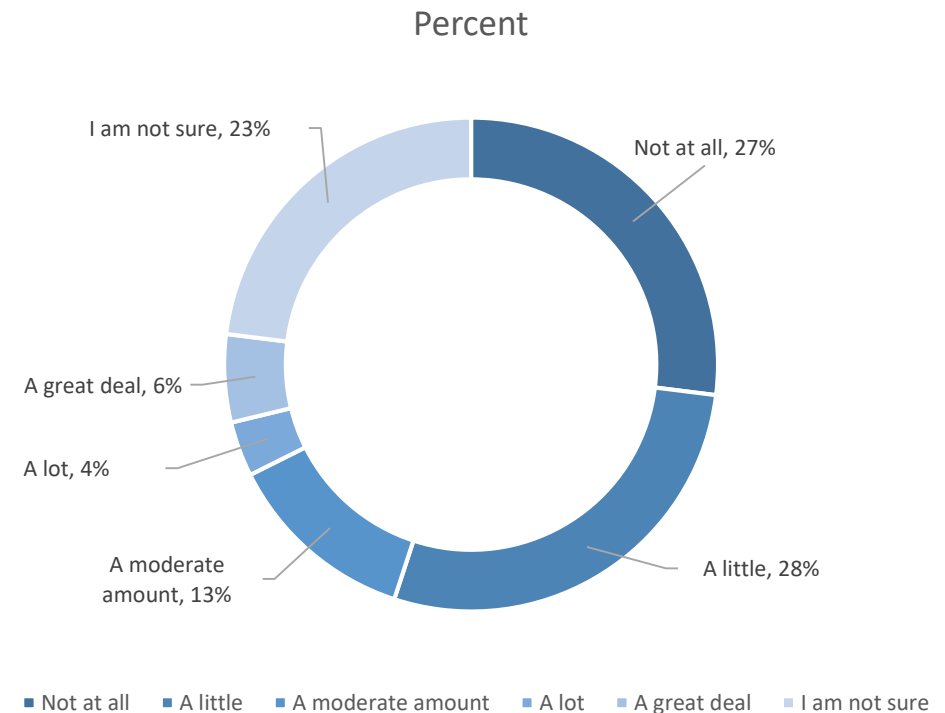
**divided by 84 – number of people who responded they were treated unfairly*

Note: Crosstab with gender is in the Appendix

“To what extent do you perceive sexual harassment and/or sexual misconduct to be an issue at USD?”

Response	Frequency	Percent*
Not at all	75	27%
A little	78	28%
A moderate amount	35	13%
A lot	10	4%
A great deal	16	6%
I am not sure	64	23%
Total	278	100%
Missing: did not answer this question	27	
Overall Total	305	

**Divided by 278 (those who answered the question)*

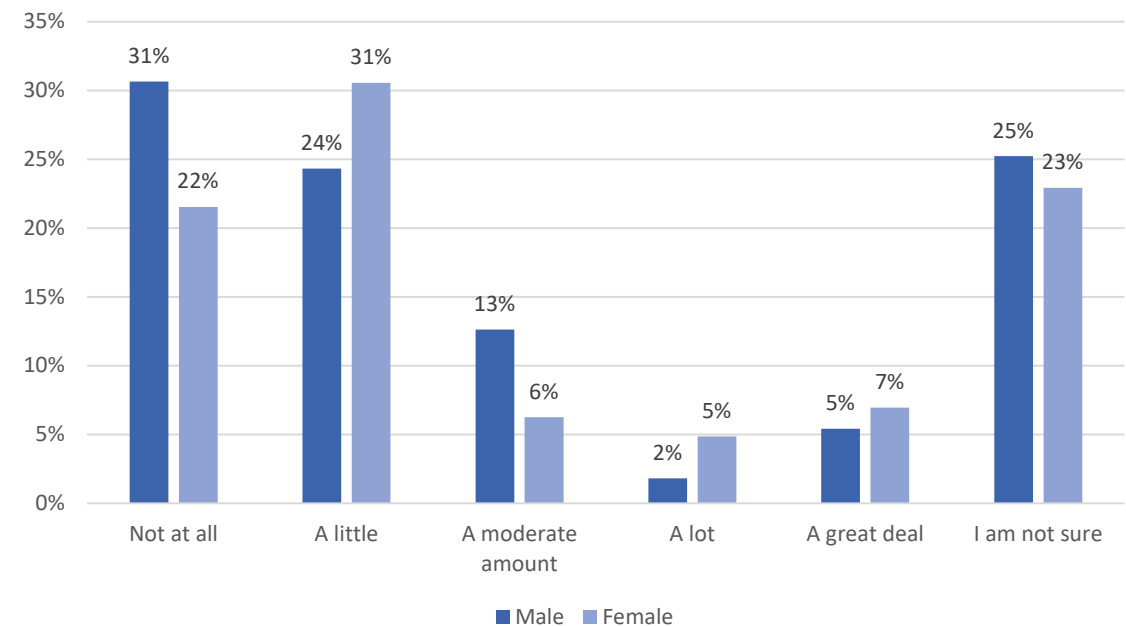


“To what extent do you perceive sexual harassment and/or sexual misconduct to be an issue at USD?” – By Gender

	Male	Female	Prefer not to disclose	Total
Not at all	34	31	9	74
A little	27	44	6	77
A moderate amount	14	9	2	35
A lot	2	7	1	10
A great deal	6	10	0	16
I am not sure	28	33	2	63
Total	111	144	17	275

Frequency

Perception of Sexual Harassment by Respondent Gender



“While employed at USD, have you ever encountered an unwelcome sexual advance?”

	Frequency	Percent
Yes, this occurred within the past 5 years	18	6%
Yes, this occurred over 5 years ago	9	3%
No	254	91%
Total	281	

“If yes, did you feel that submission to the sexual advance was a term of your employment or would be used as a basis for an employment decision?”

	Frequency	Percent
Yes	5	19%
No	21	81%
Total	26	100%

“While employed at USD, have you ever encountered an unwelcome sexual advance?” by Respondent Gender Identification

	Male	Female	Prefer not to disclose	Total
Yes, this occurred within the past 5 years	4	12	2	18
Yes, this occurred over 5 years ago	4	5	0	9
No	104	127	18	249
Total	112	144	17	276

“While employed at USD, have you ever perceived comments/jokes/innuendos that were sexual or sexist in nature that you felt **affected** your employment?”:

	Frequency	Percent
Yes, this occurred within the past 5 years	35	13%
Yes, this occurred over 5 years ago	9	3%
No	236	84%
Total	280	

“While employed at USD, have you ever perceived comments/jokes/innuendos that were sexual or sexist in nature that you felt **did not** affect your employment but made you feel uncomfortable?”

	Frequency	Percent
Yes, this occurred within the past 5 years	90	32%
Yes, this occurred over 5 years ago	25	9%
No	167	59%
Total	282	

REPORTING

“Did you report the incident(s) through any official channel (e.g., your supervisor or HR) at USD?” – Reasons for **NOT** reporting Unfair treatment due to Gender

Did you report the incident through any official channel (e.g., your supervisor or HR) at USD?

	Frequency	Percent
Yes	25	29%
No	62	71%
Total	87	100%

If you **did not** report, please indicate the reason (check all that apply).

Category	Frequency	Percent*
I did not think it would be addressed.	37	60%
I did not trust the institutional investigation process.	22	35%
I did not think it was large enough to report.	22	35%
I feared retaliation from the person who harassed me.	21	34%
I feared for my career.	21	34%
I feared that I would be blamed or not believed.	13	21%
I did not have proof that the incident occurred.	13	21%
I feared retaliation from others with whom I work.	12	19%
I did not know what to do/how to report.	10	16%
I felt embarrassed or ashamed.	6	10%
Other	6	10%
I did not want any action taken/did not want the person to get in trouble.	5	8%
I did not want anyone at the university to know what happened.	3	5%

**divided by 62 – number of people who responded they did not report*

“Did you report the incident(s) through any official channel (e.g., your supervisor or HR) at USD?” – Reasons for **NOT** reporting Sexual Harassment

14 out of 122 people reported the incident through an official channel.

Reason for not reporting	Frequency	Percent*
I did not think it was large enough to report.	66	61%
I did not think it would be addressed.	39	36%
I did not trust the institutional investigation process.	21	19%
I did not want any action taken/did not want the person to get in trouble.	17	16%
I feared retaliation from the person who harassed me.	16	15%
Other	15	14%
I feared retaliation from others with whom I work.	12	11%
I feared for my career.	11	10%
I did not have proof that the incident occurred.	10	9%
I feared that I would be blamed or not believed.	9	8%
I felt embarrassed or ashamed.	9	8%
I did not know what to do/how to report.	7	6%
Prefer not to disclose	5	5%
I did not want anyone at the university to know what happened.	3	3%

**Divided by 108 (number of people who did not report)*

Some Limitations

- A large percentage of faculty did not respond and we cannot know why.
- There could be under reporting because of fear of repercussions.
- Many may have reported no because they are unaware or misinformed about what sexual harassment entails.

Next Steps

- The results will be discussed with the University Senior Leadership Team.
 - President, Provost, General Counsel, HR
- Faculty will work with the Leadership Team to determine a concrete plan and specific action items that the Leadership Team and University Senate should take around these matters.
- Present final recommendations to University Senate in April 2019

ADDITIONAL ANALYSES

Did you report perceived unfair treatment due to gender? - By Gender

Did you report the incident through any official channel
(e.g., your supervisor or HR) at USD?

	Male	Female	Prefer not to disclose	Total
Yes	4	21	0	25
No	13	44	2	59
Total	17	65	2	84

Frequency

Why **not** Report Unfair Treatment Incident(s)? (check all that apply) – By Gender

	Male	Female	Prefer not to disclose	Total
I did not think it would be addressed.	8	26	2	36
I did not trust the institutional investigation process.	8	13	1	22
I did not think it was large enough to report.	3	19		22
I feared retaliation from the person who harassed me.	4	16	0	20
I feared for my career.	2	18		20
I did not have proof that the incident occurred.	1	11	1	13
I feared that I would be blamed or not believed.	2	10		12
I feared retaliation from others with whom I work.	2	9		11
I did not know what to do/how to report.	0	10	0	10
I felt embarrassed or ashamed.	1	5		6
I did not want any action taken/did not want the person to get in trouble.		5		5
I did not want anyone at the university to know what happened.	1	2		3

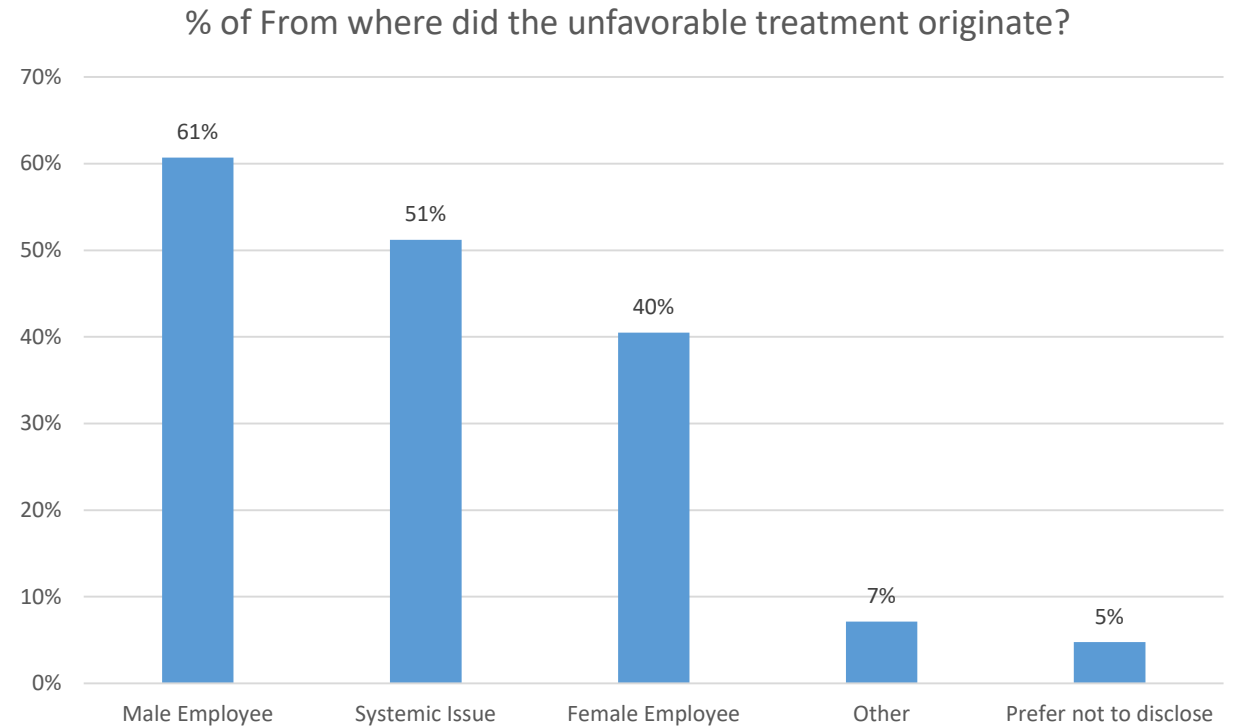
Frequency

GENDER EQUITY – SOURCE OF TREATMENT

From where did the unfavorable treatment originate? Select all that apply.

Source of unfavorable treatment	n	Percent*
Male Employee	51	61%
Systemic Issue	43	51%
Female Employee	34	40%
Other	6	7%
Prefer not to disclose	4	5%
Total	138	100%

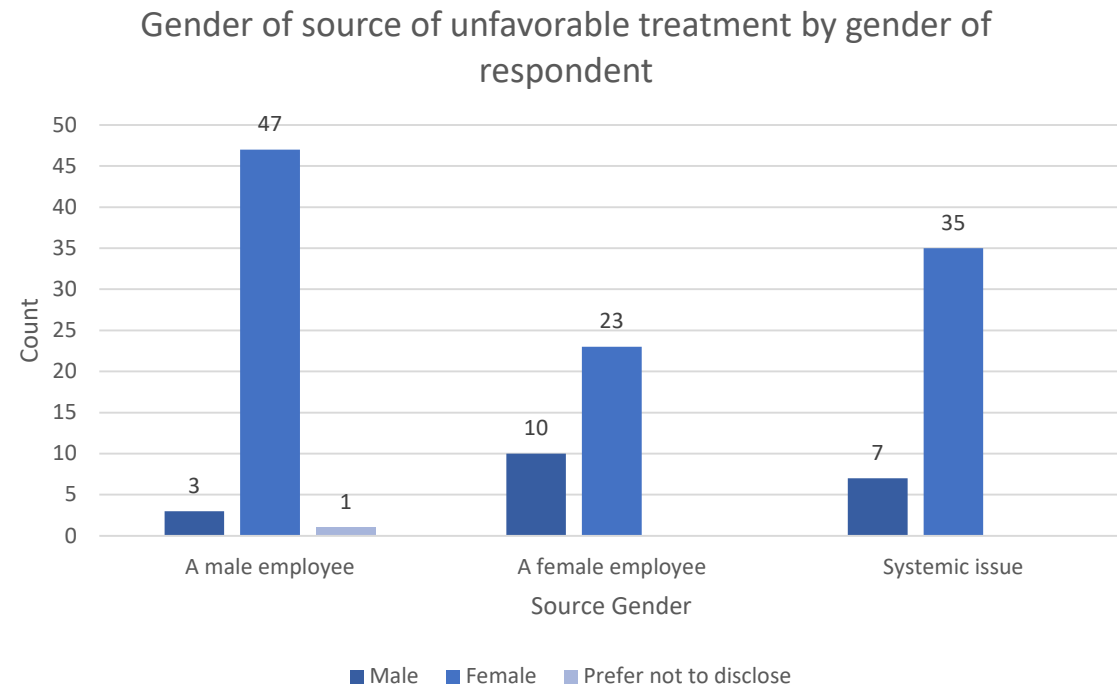
**divided by 84 – number of people who responded they perceived that they were treated unfairly*



From where did the unfavorable treatment originate? Select all that apply. – By Respondent Gender

	Gender of Source of Unfavorable Treatment		
	A male employee	A female employee	Systemic issue
Male	3	10	7
Female	47	23	35
Prefer not to disclose	1		
Total	51	33	42

Frequency



SEXUAL HARASSMENT – SOURCE OF HARASSMENT

“While employed at USD, have you ever perceived comments/jokes/innuendos that were sexual or sexist in nature that you felt **affected** your employment?”: - Source

	Frequency	Percent
Supervisor	18	41%
Colleague	36	82%
University Staff member	8	18%
Student	9	20%
Another person at USD	2	5%
Other	1	2%
Prefer not to disclose	1	2%

“While employed at USD, have you ever perceived comments/jokes/innuendos that were sexual or sexist in nature that you felt **did not** affect your employment but made you feel uncomfortable?” - Source

	Frequency	Percent*
Colleague	79	69%
Student	32	28%
Supervisor	24	21%
University staff member	18	16%
Other	7	6%
Prefer not to disclose	7	6%
Another person associated with USD (e.g., vendor)	5	4%

“If yes, did you feel that submission to the sexual advance was a term of your employment or would be used as a basis for an employment decision?” was answered, please indicate if it is from:

Source	Frequency*
Supervisor	2
Colleague	3
University staff member	1
Student	3
Prefer not to disclose	1

**5 respondents indicated that submission to the sexual advance was a term of their employment*

“What was the gender of the person involved?” (check all that apply)

Source Gender	Frequency
Female	4
Male	1
Prefer not to disclose	1

Source Gender: gender of person who conducted the sexual advance

“What was the gender of the person (who made the comments/jokes/innuendos that were sexual or sexist in nature) involved?”

Source	Frequency	Percent*
Male	91	81%
Female	14	13%
Prefer not to disclose	7	6%
Total	112	

*divided by 112 (number of people who indicated that this happened to them)

Gender of Source who made the comment				
	Prefer not to disclose			
	Male	Female		Total
Male	23	67	1	91
Female	8	5	1	14
Prefer not to disclose	4	3	0	7
Total	35	75	2	112

Frequency

The EEOC (<https://www.gpo.gov/fdsys/pkg/CFR-2016-title29-vol4/xml/CFR-2016-title29-vol4-part1604.xml>) defines sexual harassment as:

- Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
 - Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or
 - Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual, or
 - Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

“Have you **directly observed** behavior that seems to fit the EEOC’s definition of sexual harassment while being employed at USD?”

	Frequency	Percent
Yes	29	10%
No	232	83%
Not sure	18	6%
Total	279	100%

If you have answered yes, please indicate (check all that apply) who the behavior was committed against (Harassed) and who committed the behavior (Harasser)

	Harasser	Harassed
Supervisor	15	4
Colleague	17	14
University Staff Member	5	7
Student	6	10
Outside Vendor	1	1

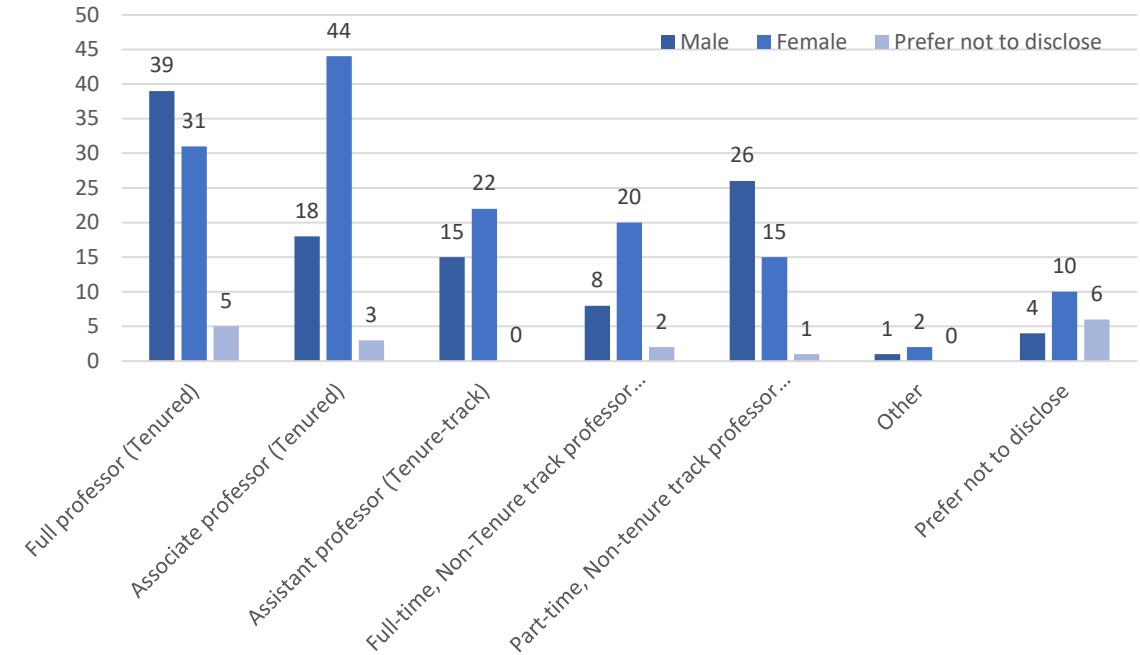
ADDITIONAL ANALYSES BY GENDER / FACULTY RANK

Faculty Rank by Gender

	Male	Female	Prefer not to disclose	Total
Full professor (Tenured)	39	31	5	75
Associate professor (Tenured)	18	44	3	66
Assistant professor (Tenure-track)	15	22	0	38
Full-time, Non-Tenure track professor (Clinical professor/lecturer/Professor of Practice)	8	20	2	30
Part-time, Non-tenure track professor (Adjunct/Part-time instructor)	26	15	1	42
Other	1	2	0	3
Prefer not to disclose	4	10	6	21
Overall Total	111	144	17	275

Frequency

Faculty Status by Gender



“To what extent do you perceive gender-based discrimination and/or gender inequality to be an issue at USD?” – By Faculty Rank

	Not at all	A little	A moderate amount	A lot	A great deal	I am not sure	Total
Full professor (Tenured)	9	19	24	7	10	6	75
Associate professor (Tenured)	8	15	18	8	12	5	66
Assistant professor (Tenure-track)	6	12	11	1	2	5	37
Full-time, Non-Tenure track professor (Clinical professor/Lecturer/Professor of Practice)	7	10	6	4	1	2	30
Part-time, Non-tenure track professor (Adjunct/Part-time instructor)	18	3	10	0	1	11	43
Other	0	1	0	0	0	2	3
Prefer not to disclose	5	6	3	1	3	3	21
Total	53	66	72	21	29	34	275

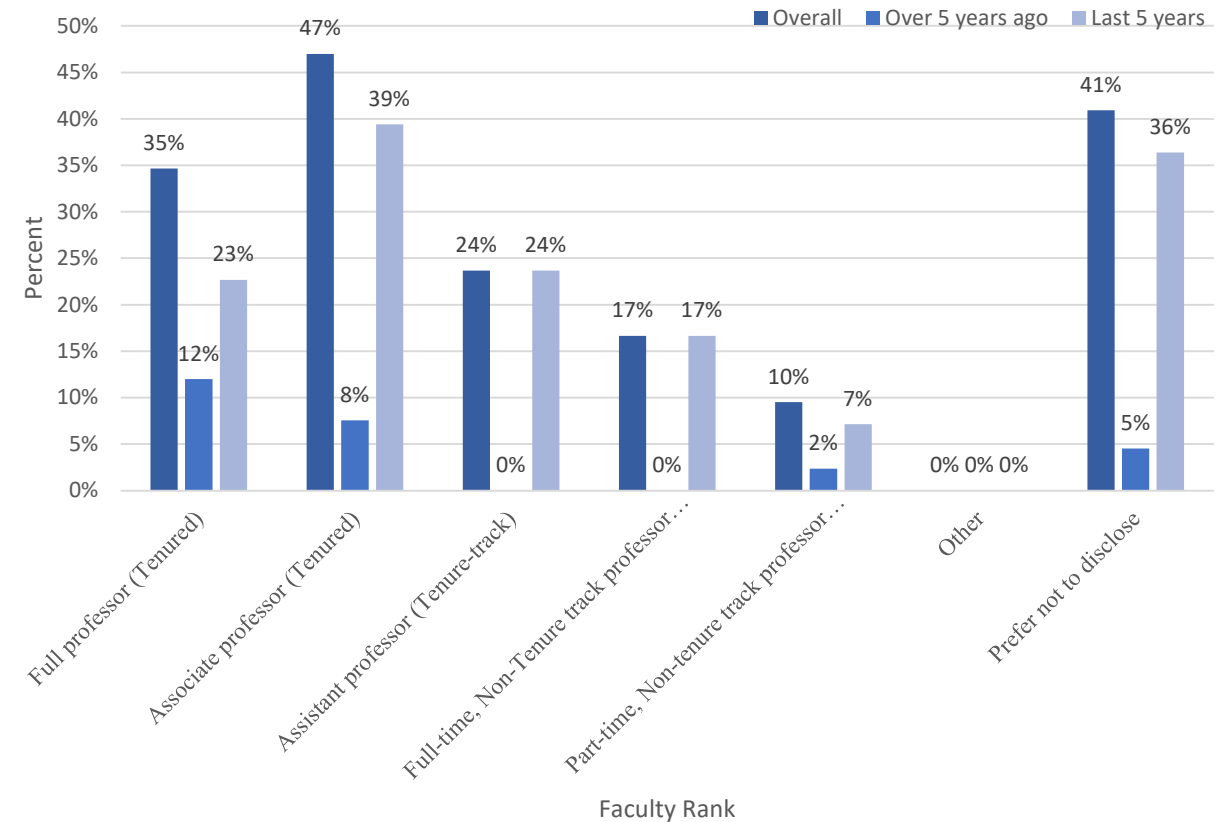
Frequency

Survey Question: While employed at USD, have you felt that you have been treated unfairly because of your gender? – broken down by faculty rank.

84 (31%) faculty indicated that they perceived they were treated unfairly due to their gender.

Faculty Rank	Yes, this occurred within the past 5 years	Yes, this occurred over 5 years ago	No
Full professor (Tenured)	17	9	49
Associate professor (Tenured)	26	5	35
Assistant professor (Tenure-track)	9	0	29
Full-time, Non-Tenure track professor (Clinical professor/Lecturer/Professor of Practice)	5	0	25
Part-time, Non-tenure track professor (Adjunct/Part-time instructor)	3	1	38
Other	0	0	3
Prefer not to disclose	8	1	13
Total	68	16	192

Frequency



With what do you perceived you were treated unfairly due to gender? (check all that apply)- by Gender

	Male	Female	Prefer not to disclose
Tenure	3	8	
Promotion	4	8	
Yearly merit evaluation	8	21	
Salary	5	38	
Class assignment or schedule	6	16	2
Number of class preps	3	8	
Committee assignment	4	16	
General workload	2	28	
Office location assignment	4	3	
Summer support	2	5	
Course releases	2	5	
Career advancement (e.g., promotions to leadership roles positions in department/school/university)	6	18	
Assignment of graduate assistants / teaching assistants	2	1	
Parental leave	1	6	
Professional development opportunities	2	11	
Level of support from supervisor or colleagues	5	28	
Sexist or non-inclusive comments	5	35	
Contract renewal		1	
Other	1	13	

Frequency

84 individuals (17 men, 66 women) perceived they were treated unfairly due to gender;

“To what extent do you perceive sexual harassment and/or sexual misconduct to be an issue at USD?” By Faculty Rank

	Not at all	A little	A moderate amount	A lot	A great deal	I am not sure	Total
Full professor (Tenured)	13	25	15	4	7	11	75
Associate professor (Tenured)	13	22	10	2	6	13	66
Assistant professor (Tenure-track)	10	11	3	0	1	12	37
Full-time, Non-Tenure track professor (Clinical professor/Lecturer/Professor of Practice)	11	6	4	2	0	7	30
Part-time, Non-tenure track professor (Adjunct/Part-time instructor)	19	8	2	1	1	12	43
Other	0	0	0	0	0	3	3
Prefer not to disclose	9	6	1	1	1	4	22
Total	75	78	35	10	16	62	276

Frequency

“While employed at USD, have you ever encountered an unwelcome sexual advance?” – By Faculty Rank

	Yes, this occurred within the past 5 years	Yes, this occurred over 5 years ago	No	Total
Full professor (Tenured)	3	6	66	75
Associate professor (Tenured)	6	2	58	66
Assistant professor (Tenure-track)	2	1	35	38
Full-time, Non-Tenure track professor (Clinical professor/Lecturer/Professor of Practice)	3	0	27	30
Part-time, Non-tenure track professor (Adjunct/Part-time instructor)	2	0	41	43
Other	0	0	3	3
Prefer not to disclose	2	0	20	22
Total	18	9	250	277

Frequency

“While employed at USD, have you ever perceived comments/jokes/innuendos that were sexual or sexist in nature that you felt **affected** your employment?” – Overall and By Gender

	Frequency	Valid Percent
Yes, this occurred within the past 5 years	35	12.5%
Yes, this occurred over 5 years ago	9	3.2%
No	236	84.3%
Total	280	

	Male	Female	Prefer not to disclose
Yes, this occurred within the past 5 years	10	24	1
Yes, this occurred over 5 years ago	1	8	0
Total	11	32	1

Frequency

“While employed at USD, have you ever perceived comments/jokes/innuendos that were sexual or sexist in nature that you felt **did not** affect your employment but made you feel uncomfortable?”
 – Overall and By Gender

	Frequency	Percent
Yes, this occurred within the past 5 years	90	32%
Yes, this occurred over 5 years ago	25	9%
No	167	59%
Total	282	

Frequency

	Male	Female	Prefer not to disclose
Yes, this occurred within the past 5 years	30	58	2
Yes, this occurred over 5 years ago	7	18	0
No	75	68	18
Total	112	144	20

Frequency

“While employed at USD, have you ever perceived
 comments/jokes/innuendos
 that were sexual or sexist in nature that you felt **affected** your
 employment?” – By Faculty Rank

	Yes, this occurred within the past 5 years	Yes, this occurred over 5 years ago	No	Total
Full professor (Tenured)	9	6	60	75
Associate professor (Tenured)	11	2	53	66
Assistant professor (Tenure-track)	4	0	34	38
Full-time, Non-Tenure track professor (Clinical professor/Lecturer/Professor of Practice)	4	0	26	30
Part-time, Non-tenure track professor (Adjunct/Part-time instructor)	3	0	39	42
Other	0	0	3	3
Prefer not to disclose	4	1	17	22
Total	35	9	232	276

Frequency

“While employed at USD, have you ever perceived comments/jokes/innuendos that were sexual or sexist in nature that **did not** affect your employment but made you feel uncomfortable?” – By Faculty Rank

	Yes, this occurred within the past 5 years	Yes, this occurred over 5 years ago	No	Total
Full professor (Tenured)	21	12	42	75
Associate professor (Tenured)	27	6	33	66
Assistant professor (Tenure-track)	11	3	24	38
Full-time, Non-Tenure track professor (Clinical professor/Lecturer/Professor of Practice)	11	0	19	30
Part-time, Non-tenure track professor (Adjunct/Part-time instructor)	9	1	33	43
Other	1	0	2	3
Prefer not to disclose	10	3	9	22
Total	90	25	162	277

Frequency

“Have you **directly observed** behavior that seems to fit the EEOC’s definition of sexual harassment while being employed at USD?” – By Gender

	Yes	No	Not sure	Total
Male	10	96	6	112
Female	17	117	10	144
Prefer not to disclose	2	17	1	20
Total	29	230	17	276

Frequency

“Have you directly observed behavior that seems to fit the EEOC’s definition of sexual harassment while being employed at USD?” – By Faculty Rank

	Yes	No	Not sure	Total
Full professor (Tenured)	14	57	4	75
Associate professor (Tenured)	7	51	8	66
Assistant professor (Tenure-track)	0	37	1	38
Full-time, Non-Tenure track professor (Clinical professor/Lecturer/Professor of Practice)	3	26	1	30
Part-time, Non-tenure track professor (Adjunct/Part-time instructor)	2	38	3	43
Other	1	2	0	3
Prefer not to disclose	2	20	0	22
Total	29	231	17	277

Frequency

Please contact any committee member with additional questions.