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## ST. JOHN'S COLLEGE: CAMPUS CULTURE COMMITTEE REPORT SUMMARY

November 3, 2017

Members of the College Community,

The ad-hoc committee on campus culture has completed our assessment and provided a report to the Board of Visitors and Governors. What follows is a summary of our report to the board.

As you recall, the college presidents asked our committee, consistent with the board's fiduciary and oversight duties, to review St. John's policies and practices on sexual harassment, sexual misconduct and consensual relationships in order to ensure that the college supports an equitable education and work environment, and prioritizes student safety and well-being.

While our observations and recommendations are laid out in this report summary, we want to highlight three key issues.

- First, we believe that the college needs to make it 100% clear that romantic/sexual relations between faculty and staff, and undergraduate students is prohibited.
- Second, while the college's sexual harassment and sexual misconduct policies are broadly solid, there need to be changes in the way in which those policies are administered, and we make specific recommendations in that regard.
- Third, the faculty needs to review the environment in the classroom to ensure that all students — especially women — feel full partners in a St. John's education.

We hope this report summary will provide the college community with an understanding of our findings, without compromising the sensitive and confidential nature of the information used to come to these conclusions. Whether our recommendations go too far or not far enough, only time will tell.

We have established an online form for comments about the report from the community (link below). Comments may be provided anonymously, or you may leave your name and contact information.

The committee owes a great debt to the many individuals who shared their insights with us, and collaborated with us to produce the report. We were disheartened to learn of their experiences, and are deeply committed to changing policies, practices and attitudes college-wide. To those who have been the victims of sexual harassment and assault, we thank you for your candor with us and salute you for your courage in coming forward. This effort brought out the best of the St. John's community.

### Campus Culture Committee

Leslie Jump-Walker, Chair

Joan Haratani

Robert Mass

Tia Pausic

Campus Culture Committee Response Form: <https://www.surveymonkey.com/r/CCCreponses>

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## COMMITTEE CHARGE

The impetus for the committee's work was information provided by alumni to the administration and the board in May 2017. In those accounts, alumni described sexual harassment or faculty-student romantic relationships during their college years which they believed had not been treated appropriately by the college, and which, in some cases, interfered with their ability to reap fully the benefits of a St. John's education. It was hard to read those accounts without feeling great sympathy for the obvious pain those women suffered, sadness for the way in which their experiences damaged their relationship with the college that they love (or want to love more fully), concern that today's students might have similar problems, and desire to make sure that we as a board do everything we can do to make sure that today's students have the best possible college experience.

After discussing these accounts with the college presidents, they asked the BVG to form a committee, consistent with the board's fiduciary and oversight duties, to review St. John's policies and practices on sexual misconduct and consensual relationships in order to ensure that the college supports an equitable education and work environment, and prioritizes student safety and well-being. We were further asked to complete our assessment expeditiously and provide a substantive report at the October 2017 BVG meeting.

Thus, our committee was not created in response to any particular case or incident nor intended to examine the past, except for the lessons that study might provide us about changes we should consider going forward. We had no preconceived notions of what we would find and what we would suggest. We all view St. John's as one of the gems of US higher education with a course of study, student body, faculty and staff second to none. Nonetheless, as is true of everything in this world, it is imperfect and can improve.

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## PROJECT HISTORY AND METHODOLOGY

The committee began our work last May by familiarizing ourselves with current St. John's College policies, as well as those of other institutions. We engaged outside counsel, Saul Ewing, to conduct a review and propose revisions to the policies.

We consulted with the Presidents, Deans, Assistant Deans, and the Instruction Committees as well as other members of the staff and faculty in Annapolis and Santa Fe. Including students, alumni and members of the BVG, we spoke with over 60 individuals, most in hour-long interviews. We also received over 150 pages of comments from the broader St. John's community via an online form.

### **Advice by Counsel**

We were advised by several experts in Title IX laws and regulations. Steve Metzger of Gallagher, Evelius & Jones, LLP, represents the college in these matters and briefed us on current policies and practices. In addition to the college's counsel, we engaged Saul Ewing, Arnstein & Lehr to provide additional analysis and commentary. James Keller of Saul Ewing, specializes in this area of law, and represents a number of colleges and universities in these matters. He reviewed our current policies and provided recommended changes. We also received pro bono consultations from various partners at Morgan, Lewis & Bockius.

### **Consultation with College Leadership**

In addition to numerous discussions with the Presidents and the Deans, the committee consulted with various members of college leadership including the Assistant Deans (Undergraduate and Graduate Institute), Title IX Coordinators, Directors of Student/Residential Life, Directors of Public Safety, Directors of Personnel and the Athletic Director. We interviewed prior Deans and Assistant Deans. Additionally, we spoke to members of the Staff Council, as well as the Instruction Committees and a dozen other tutors on both campuses. Finally, we spoke with a dozen students, including Resident Assistants and Archons of various student organizations.

### **Listening to the Community**

We listened long and hard to the concerns of the community. Each member of the committee responded to numerous emails and telephone calls. In addition, we sent an online survey out to all members of the community in early June and again in early September. The survey generated responses from over 125 individuals. The committee also responded to concerns on a private Facebook group for St. John's alumni. In total, we spoke with or heard from over 180 members of the college community.

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## COMMITTEE OBSERVATIONS

### **Sexual Misconduct & Sexual Harassment**

The college has worked over many years to refine its policies and improve its practices. However, this is an area that is particularly sensitive, and even well-defined policies and well-meaning practices may not be effective and can still leave people upset. As a result, despite all this progress, the process has clearly not worked for all members of the community.

The committee did not hear reports, like on other campuses, where accused students claimed that they were treated unfairly. That said, further refinements are needed to clarify and standardize policies.

There is tension between the desire to professionalize this work (expert management) and the view of the faculty that they have unique insights into how best to manage this in the SJC community. The committee heard numerous requests to ‘professionalize’ the Assistant Dean’s role, particularly as it relates to management of sexual misconduct and sexual harassment cases.

Sexual misconduct/bystander training is more effective when conducted by outside experts, but we need to adapt training & prevention programs to the SJC culture, so that it will resonate with our students and faculty. And we need to ensure that all members of the community are fully covered by current training and prevention programs.

### **Consensual Relationships**

In the past, consensual relationships between faculty and students may have considered acceptable by some, and through our work, we have learned both of long-term loving relationships that resulted, and of unbidden faculty romantic advances which hurt students and, in some cases, negatively colored their view of the college to this day. Today, mores have changed and our understanding of the factors impinging on genuine consent has become more nuanced.

There is a great deal of uncertainty around the current policy on consensual relationships and its enforcement. We received numerous requests to standardize and clarify the policy, and to ban faculty-student relationships.

Through the course of our work we were pleased to learn that the Deans have already revised the consensual relationships policies along the lines of our recommendations, and are in the process of promulgating the new policies across both campuses.

### **Alcohol & Substance Abuse**

Alcohol and substance abuse plays a large role in sexual misconduct and has a negative effect on student performance and campus life.

### **Campus Culture: Gender & Race**

We heard from a number of individuals that the environment on campus is not sufficiently welcoming for women, and to a lesser extent non cis-gender men, and people of color. Although the Program is cited as a factor (e.g., there are few minority authors on the Program), classroom conversation management appears to be the greater concern.

### **Campus Well-Being**

A recurring theme was the integrated nature of the life of the community, both in and outside the classroom. Being a community of learning is predicated on being a community, e.g., how do we take better care of each other, and show greater respect for each other?

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## COMMENTS FROM COUNSEL

Understanding the need to comply with applicable laws and regulations, we retained Saul Ewing, a nationally recognized firm that specializes in working with academic institutions across many issues, to assess our sexual harassment and misconduct policies. Saul Ewing has experience with small private liberal arts colleges, and they are expert at managing issues that arise in the context of an intimate college community.

Saul Ewing analyzed St. John's policies and procedures. They noted that although the sexual harassment and misconduct policies and procedures are broadly speaking solid, they are spread throughout two faculty and two student handbooks, and are silent on many issues as they pertain to non-tutor employees. Through their careful analysis, they flagged several issues that were in need of revision. In the interest of prioritizing such revisions, they highlighted and discussed the top fifteen issues that should be considered immediately.

The committee adopted Saul Ewing's recommendations which include consolidating the sexual harassment and misconduct policies and procedures into a single college-wide policy, more clearly defining terms such as "reporting party," more clearly defining roles and responsibilities, aligning certain procedures with the latest guidance from the Department of Education, and creating a "quick reference guide" to resources and reporting. The full scope of revisions will be available in the revised policy.

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## COMMITTEE RECOMMENDATIONS

### **Sexual Misconduct & Sexual Harassment**

#### **Policies**

We recommend that the college revise its policies according to the advice of Saul Ewing, and consolidate into a single college-wide policy with variations in procedures for students, faculty and staff.

#### **Management Practices**

The committee identified the need to further professionalize the role of the Title IX Coordinator, and ensure its freedom from conflicts of interest. We recommend an alternative structure, where both the Directors of Personnel and the Directors of Student Life/Residential Life will be named Title IX Coordinators. This enables anyone in the community to report Title IX issues to either Coordinator.

The demands on the Assistant Deans have evolved in the years since the Polity was written. The committee recommends a review of the non-academic roles and responsibilities of the Assistant Deans, particularly as it relates to Title IX, student life and campus culture. This review should focus on enhancing the effectiveness of the Assistant Dean role, and should consider the possibility of professionalizing the role, improving the training and extending the term of tutor-Assistant Deans.

The committee also recommends that the college consider establishing the role of Student Services Coordinator on both campuses, with responsibility for innovation of prevention and wellness programs. And it should consider engagement of local alumni professionals to receive initial complaint reports (counselors, attorneys, etc.).

#### **Training & Prevention**

The college should provide annual sexual misconduct and bystander training, led by outside experts, with mandatory, recorded, attendance for everyone. It should also provide additional, special training for RA's and Senior Residents.

#### **Communications**

The college should establish a schedule for uniform and regular communication and re-communication of policies, college-wide, in places where students will absorb these policy communications. We recommend that the administration designate a group composed of faculty, staff, and students, charged with the responsibility of policy implementation and roll-out.

#### **Annual Evaluation**

The administration should develop an evaluation plan to monitor the effectiveness of new policies and procedures and student, faculty and staff satisfaction with services. This plan will include an annual report to the BVG.

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## **Consensual Relationships**

### **Policies**

As part of its revisions, the college must articulate a clear policy regarding consensual relationships for faculty, staff, and students (both undergraduates and graduate students). The policy needs to ban consensual relationships between faculty or staff and undergraduate students, and will have severe sanctions for those faculty and staff who violate the policy. For tenured faculty, the policy will clearly indicate that the college deems such behavior a violation of the moral turpitude clause of the tenure contract, which is grounds for termination.

The policy must also ban consensual relationships between faculty in a current teaching role with graduate students. It must articulate a strategy for managing conflicts in the case of romantic relationships between members of the faculty or staff, in particular concerning tenured faculty relations with untenured faculty.

### **Management Practices**

The college should standardize practices across campuses and groups (students, faculty, staff).

### **Training & Prevention**

The college should include this information in the annual, mandatory training program.

## **Alcohol & Substance Abuse**

The college should expand strategies around alcohol management (e.g., use of wrist bands, Senior Resident assignments at college parties, etc.). This includes consideration of a ban of hard liquor at college-hosted events and expanding options for social events and activities that do not have alcohol as a primary focus.

## **Campus Culture: Gender & Race**

While we fully understand and embrace the fact that classroom management is principally, if not exclusively, an issue for the faculty, and not the board, we recommend that the faculty lead a thoughtful conversation around issues of gender and race in the classroom, structured in a way that is compatible with our community of learning (e.g., how we handle religion in Sophomore Seminar, faculty study groups, etc.).

## **Cross-Campus Culture & Morale**

The board and the administration will consider ways we can recognize the devotion and hard work of everyone at the college, and provide non-financial perks that help boost morale while we continue on our financial recovery.

## **Campus Well-Being**

The administration will consider launching a cross-campus student committee on ways we can improve life outside the classroom and general well-being.

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## NEXT STEPS

The committee and the board recognize the urgency of these issues. The college needs to take action promptly, and we will carefully monitor its progress. The board therefore has adopted the following next steps:

- President Roosevelt to direct the development of college-wide sexual misconduct, sexual harassment and consensual relationships policies (as proposed by Saul Ewing and endorsed by the committee) and to work with the administration on both campuses to implement the new policies immediately.
- The Presidents and Deans to make recommended procedural and staffing changes in conjunction with the implementation of the new policies, including the establishment of two Title IX Coordinators on each campus (the Directors of Personnel and the Directors of Student and Residential Life).
- The Presidents and Deans to provide a report on implementation of the new Title IX policies and practices, as well as the consideration of other issues (such as alcohol management) at the February 2018 meeting of the BVG.
- The BVG Chair has tasked the Visiting Committee with a review of the non-academic roles and responsibilities of the Assistant Deans, with the goal of presenting a report at the February 2018 BVG meeting.
- The Deans to lead the faculty in a review of the role of gender and race in the classroom, with the goal of presenting a preliminary report at the February 2018 BVG meeting, and a full report in June 2018.