

## VIEWPOINT

# National Academies of Sciences, Engineering, and Medicine Report on Sexual Harassment Making the Case for Fundamental Institutional Change

**Amy L. Fairchild, PhD, MPH**

School of Public Health, Texas A&M University Health Sciences Center, Bryan, Texas.

**Lavern J. Holyfield, DDS**

College of Dentistry, Texas A&M University Health Sciences Center, Dallas, Texas.

**Carrie L. Byington, MD**

College of Medicine, Texas A&M University Health Sciences Center, Bryan, Texas.

**Sexual harassment**, both implicit and overt, restricts the productivity, recognition, funding, advancement, earnings, retention, and continuation of women in their fields.<sup>1-3</sup> Sexual harassment contributes to declines in productivity and is associated with higher stress. The consequences for women who experience sexual harassment are not only professional. These women are also at risk for adverse health outcomes with health effects compounded for minorities, including sexual minorities.<sup>4</sup>

Recently, the National Academies of Sciences, Engineering, and Medicine (NASEM) published an important account of the evidence regarding the extent and persistence of sexual harassment of women in sciences, engineering, and medicine, its negative effects on careers and health, and solutions that work to empower women and bystanders to identify and report harassment and halt or deter inappropriate or illegal behavior.<sup>4</sup> The report makes 15 evidence-based recommendations to university administrators, faculty, students, federal officials, funders, professional organizations, and legislators (**Box**).

The NASEM report calls on institutions to “attend to sexual harassment with at least the same level of attention and resources as devoted to research misconduct.”

The aim of this Viewpoint is not to summarize but to synthesize these recommendations by examining the scope of concern and core principle of the NASEM report. Both shape its overarching recommendation; fundamental structural change that involves attention to commitment, transparency, resources, and accountability is required to prevent sexual harassment.

## Scope and Perspective

The NASEM report identifies 3 categories of sexually harassing behavior that students, faculty, and administrators must recognize and address. The first category involves sexual harassment including unwanted sexual attention, such as physical or verbal advances and even assault. The second category includes harassment entailing sexual coercion in exchange for grades, professional advancement, or for favorable or even equal treatment. These 2 forms are familiar and often are addressed by policy or law.

The third category, gender harassment, is perhaps the most troubling. This type of harassment does not need to be either sexually explicit or target individuals; behav-

iors often are beyond the reach of law and often go unrecognized. Examples include “verbal and nonverbal behaviors that convey hostility, objectification, exclusion, or second-class status about members of one gender.”<sup>4(p18)</sup>

The NASEM report, by encompassing gender harassment, the most pervasive, least acknowledged, and most difficult to address form of sexual harassment, provides new perspective for recommendations. Targeting only the most egregious harassment behaviors might be sufficient to protect institutions, but unless gender harassment is addressed, academic institutions, professional societies, and other organizations fail to protect women as a class.

## Overarching Recommendation: Fundamental Organizational Change

According to the NASEM report, the “greatest predictor of the occurrence of sexual harassment is the organizational climate.”<sup>4(p15)</sup> Changing climate involves institutional change centered around articulating a commitment to prioritizing the recognition and elimination of harassment, achieving transparency, providing meaningful resources, and ensuring accountability.

### Commitment

The NASEM report calls on institutions to “attend to sexual harassment with at least the same level of attention and resources as devoted to research misconduct.”<sup>4(p186)</sup> This must begin with recruiting, retaining, and ensuring meaningful inclusion of a diverse body of faculty and senior administrators with clear, consistent, public stances on the importance of protecting women and racial, ethnic, and sexual minorities. Recommendations underscore an affirmative duty to set and prioritize goals for eliminating harassment. The NASEM report also urges a commitment to investigate reports and penalize offenders. Honoring this commitment requires, first and foremost, that institutions document and disseminate information about “escalating disciplinary consequences for perpetrators.”<sup>4(p178)</sup> The recommendations stress that disciplinary actions must never be construed as rewards, such as relief from teaching, advising, or service obligations. Discipline must cease to be merely symbolic.

### Transparency

Without arguing that confidentiality must always yield to transparency, the report prioritizes disclosure in cases of

### Corresponding

**Author:** Carrie L. Byington, MD, College of Medicine, Texas A&M University Health Sciences Center, 8441 Riverside Pkwy, Bryan, TX 77807 (byington@tamhsc.edu).

**Box. Recommendations of the National Academies of Sciences, Engineering, and Medicine on Addressing Sexual Harassment and Gender Discrimination<sup>4</sup>**

1. Create diverse, inclusive, and respectful environments.
2. Address the most common form of sexual harassment: gender harassment.
3. Move beyond legal compliance to address culture and climate.
4. Improve transparency and accountability.
5. Defuse the hierarchical and dependent relationship between trainees and faculty.
6. Provide support for the targeted individual.
7. Strive for strong and diverse leadership.
8. Measure progress.
9. Incentivize change.
10. Encourage involvement of professional societies and other organizations.
11. Initiate legislative action.
12. Address the failures to meaningfully enforce Title VII's prohibition on sex discrimination.
13. Increase federal agency action and collaboration.
14. Conduct necessary research.
15. Make the entire academic community responsible for reducing and preventing sexual harassment.

verified harassment. "Sometimes it takes many reports across multiple institutions," the NASEM report notes, "for a perpetrator's actions to even be acknowledged."<sup>4(p53)</sup> To make it more difficult for harassment to either begin or remain undetected, the report proposes prohibitions on both confidentiality agreements and mandatory arbitration clauses.

More broadly, the report urges public disclosure of institutional climate surveys. Transparency can also be achieved by changing advising structures, particularly for graduate students and medical postdoctoral trainees. Rather than a single, all-powerful committee chair, mentorship should be the work of teams. Integrating students and trainees into a broader network will help to diffuse power, reduce isolation, and make it more difficult for inappropriate or abusive professional relationships to develop.

**Resources**

The NASEM report recommends skills-based diversity, leadership, and sexual harassment mitigation and intervention training for all students, faculty, and staff. Training creates awareness and management strategies for both explicit and implicit biases. Training is a vehicle for clearly conveying behavioral limits; expectations for civil,

respectful interactions; and the institutional commitment to act when laws, policies, or norms are breached. Training also cultivates the skill on the part of would-be targets and bystanders to challenge harassing behavior. The evidence makes it clear: "A person more likely to engage in harassing behaviors is significantly less likely to do so in an environment that does not support harassing behaviors and/or has strong, clear, transparent consequences for these behaviors."<sup>4(p171)</sup>

**Accountability**

Initiatives to change the organizational climate will only be established in institutions that hold all members to account and also ensure that the institution is held to account. Perhaps the most critical of the recommendations is that institutions are obliged not only to implement programs but also to assess and improve those programs using validated instruments and state-of-the-art evaluation methods. Federal agencies, funders, and accrediting bodies can foster accountability by requiring ongoing evaluation coupled with mandates not just to report but to improve. Indeed, the report called on NASEM to conduct its own assessment in 3 to 5 years to determine the effect of the recommendations on academic institutions and professional societies. Evaluation is also vital because it is not clear that approaches proven to protect white women will also shield sexual, ethnic, and racial minorities.<sup>4(p124)</sup>

**A Call to Action**

If the NASEM report is to result in meaningful and sustained change, leaders and influential individuals in academic institutions must understand the report as an important clarion call to action. Although broader social and cultural determinants enable harassment,<sup>5</sup> the NASEM report sets its sights "on changing behavior, not on changing beliefs."<sup>4(p181)</sup> The problem of gender harassment is one that some institutions—including leadership, faculty, and staff—enable through tolerance and perpetuate through the example set for students and trainees.

The NASEM report charts a course forward. Do medicine and the health sciences have the will to act swiftly and decisively by implementing essential structural change? Or will institutions, either by commission or omission, condone the practice that allows women physicians and scientists, collectively, to work hard, receive less recognition and lower salaries, and pay a mental and physical toll just to do their jobs? These positions shape the health of patients and populations. In a context of deepening economic inequities and widening health disparities,<sup>6</sup> protecting the nation's health makes protecting women physicians and scientists a national priority.

**ARTICLE INFORMATION**

**Published Online:** August 20, 2018.  
doi:10.1001/jama.2018.10840

**Conflict of Interest Disclosures:** All authors have completed and submitted the ICMJE Form for Disclosure of Potential Conflicts of Interest. Dr Byington reports other support from BioFire outside the submitted work. No other disclosures were reported.

**REFERENCES**

1. Byington CL, Lee V. Addressing disparities in academic medicine: moving forward. *JAMA*. 2015; 314(11):1139-1141. doi:10.1001/jama.2015.10664
2. National Academies of Sciences, Engineering, and Medicine. *Beyond Bias and Barriers: Fulfilling the Potential of Women in Academic Science and Engineering*. Washington, DC: The National Academies Press; 2007.
3. National Institutes of Health. Research project grants, competing applications, and awards by gender. <https://report.nih.gov/nihdatabook/index.aspx>. Published 2014. Accessed June 21, 2018.
4. National Academies of Sciences, Engineering, and Medicine. Sexual harassment of women: climate, culture, and consequences in academic sciences, engineering, and medicine. <https://www.nap.edu/catalog/24994/sexual-harassment-of-women-climate-culture-and-consequences-in-academic>. Accessed August 9, 2018.
5. World Health Organization. *Closing the Gap in a Generation: Health Equity Through Action on the Social Determinants of Health: Final Report of the Commission on Social Determinants of Health*. Geneva: World Health Organization; 2008.
6. Bayer R, Fairchild AL, Hopper K, Nathanson CA. Public health: confronting the sorry state of U.S. health. *Science*. 2013;341(6149):962-963. doi:10.1126/science.1241249