

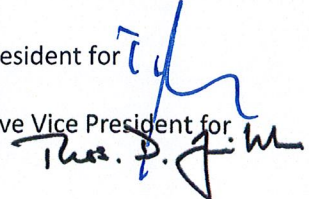
# MICHIGAN STATE UNIVERSITY

## MEMORANDUM

May 8, 2024

To: The Steering Committee

From: Thomas Glasmacher, Ph.D., Interim Executive Vice President for Administration  
Thomas Jeitschko, Ph.D., Interim Provost and Executive Vice President for Academic Affairs



Subject: Protection from Retaliation Policy

The university values the courage it takes for employees and students to report behavior they believe violates legal and/or policy standards and participate in reviews or investigations of such reported behavior. Employees and students must be able to report concerns without fear of retaliation. MSU is committed to protecting its employees and students from retaliation by university community members. Protection from retaliation is essential to the university's mission to create a safe and respectful learning and working environment. Currently, MSU lacks a formal, overarching policy explicitly outlining its commitment to safeguarding employees and students from retaliation. In response to this need, the Office of the Provost and Office of the Executive Vice President for Administration have collaboratively developed a draft *Protection from Retaliation Policy*.



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### Background

MSU has policies that address retaliation in specific contexts, such as the university's *Anti-Discrimination Policy*, the *Relationship Violence and Sexual Misconduct and Title IX Policy*, the *Mandatory Reporting for Relationship Violence, Sexual Misconduct, and Stalking Policy*, and the *Procedures Concerning Allegations of Misconduct in Research and Creative Activities*. However, there is a recognized gap in MSU's policy framework regarding the protection of employees and students who report concerns in other contexts. This gap leaves employees and students potentially vulnerable and can inadvertently discourage them from reporting misconduct for fear of potential reprisals.

Recognizing the importance of fostering a culture of trust, transparency, and accountability, the university plans to implement a dedicated policy on non-retaliation to fill the existing gap. By implementing a *Protection from Retaliation Policy*, we aim to create a safer and more supportive work environment where all employees and students feel empowered to voice their concerns without facing retaliation. Additionally, it will convey that retaliation will not be tolerated, and there will be clear consequences for individuals found to engage in such behavior.

### Timeline & Governance Review

A draft *Protection from Retaliation Policy* is attached to this memorandum. This is a first draft and will be shared with a variety of stakeholders and offices for review. We aim to

expedite the review and implementation of this policy. In the typical governance review process, a draft policy is brought to the Steering Committee to direct to the applicable governance committees for review and feedback through the various committee meetings. Acknowledging that governance processes adjourn during the summer months, practically, this means that the governance review would not occur until the academic year resumes in Fall, 2024. However, we also acknowledge the importance of promptly implementing a *Protection from Retaliation Policy* and prefer not to postpone it until Fall 2024.

The university deeply respects the academic governance bodies codified in the *Bylaws for Academic Governance* which provide perspectives on a variety of matters. The feedback from faculty and students on policy matters, through established governance channels, is invaluable and essential for ensuring the quality, legitimacy, and effectiveness of institutional policies. It leverages the expertise and insights of faculty members and students to develop policies that are well-informed, transparent, and responsive to the needs of the academic community.

### **Proposed Plan**

In thinking through how to achieve swift review and implementation, while respecting the governance processes, we propose the following:

1. We gather feedback now on the draft policy from a variety of stakeholder groups and offices. We prioritize the review of the feedback and make necessary changes to the policy. Barring no major issues, we seek to implement the *Protection from Retaliation Policy* on an **interim basis**<sup>1</sup> in the next 1-2 months. This will allow the university to have a policy statement on retaliation in place without delay.
2. Before implementing on an interim basis, we are requesting feedback, questions, and suggestions from you and your committee members (if applicable) through May 15, 2024. Feedback can be provided in the following ways:
  - a) **Forward this memo and the attached draft policy to your committee members and ask them to send feedback to Kara Yermak, Office for Faculty and Academic Staff Affairs, at [burtkara@msu.edu](mailto:burtkara@msu.edu).**
  - b) **Attend an office hours session on Monday, May 13 from 2-3 p.m. to ask questions or engage in dialogue on this policy with representatives of the Office of the General Counsel and the Office of the Provost. Zoom information below:**

<https://msu.zoom.us/j/91560093455>

Passcode: 131941

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<sup>1</sup> Subject to interim policy procedures outlined in the Policy Development, Management, and Review Policy, Policy #: UW-03-01.

3. We want to emphasize our sincere desire to engage in an open dialogue regarding the *Protection from Retaliation Policy*. We will bring the policy to the Steering Committee for a full governance review and discussion in the fall once regular meetings resume. This will provide an opportunity for thorough examination and potential revisions as deemed necessary.

In conclusion, we believe that moving expeditiously to implement a *Protection from Retaliation Policy* is a crucial step towards addressing immediate concerns, fostering a culture of accountability, and safeguarding the well-being of all members of our community. We are committed to transparency and collaboration throughout this process.

Should you have any questions or concerns, please do not hesitate to reach out. Your input and participation are invaluable as we navigate this process together.

Thank you for your attention to this matter.