

Breakdown of Agreements with U.S. Department of Education
Sept. 5, 2019

Michigan State University reached agreements with the U.S. Department of Education's Clery Act Compliance Division and Office of Civil Rights. Both began investigating MSU in early 2018 in light of the crimes committed by Larry Nassar.

MSU will begin taking the new steps outlined in the agreements.

OCR

- MSU will review the actions of current and former employees connected to the Nassar and William Strampel cases and determine any appropriate discipline. (Section III)
- While MSU has an established procedure prohibiting medical experts with a conflict of interest to be used as witnesses in OIE investigations, the procedure will be expanded to include other scientific experts. (Began 2018; Section II-E)
- Personnel files managed by human resources will include notations regarding any final Title IX reports to help identify potential patterns of behavior. (Section II-J)
- MSU will post key information determined by OCR on its home page, including a link for current and former students, faculty and staff to report abuse by Nassar. (Sections II-A and II-I and Section VI-A)
- Earlier in 2019, MSU hired a campus equity navigator to help assist in identifying and obtaining accommodations as well as interim measures for those impacted by RVSM. MSU also hired a climate specialist who works to oversee climate concerns specific to a college or unit. (Section IV)
- Following a climate assessment involving the faculty, staff and students in the College of Osteopathic Medicine completed by the Office of Prevention, Outreach and Education, the climate specialist is working with the college to continue assessment and take appropriate, responsive actions. (Began 2019; Section IV-A)

Clery Act

- MSU will create a position, reporting to the associate vice president for the Office of Audit Risk and Compliance, to assist with Clery Act compliance and the implementation of changes to Clery Act-related policies, practices and procedures. (Section I)
- New notification procedures and requirements to the Department of Education will be implemented including:
 - Reporting within three business days of the discipline or termination of an employee related to the RVSM policy. (Section IV)
 - Reporting within three business days of all major criminal offenses and other incidents classified as Clery-reportable crimes involving employees, student athletes or members of a recognized student organization. (Section IX)
 - Quarterly reporting on the number and type of Clery-reportable crimes, timely warnings, emergency notifications, (non-Clery) crime alerts and anonymous reports of crimes. (Section X)
- MSU will conduct five assessments in the next three years as well as assist the Department of Education with at least three on-site compliance checks, to identify and mitigate potential Clery Act violations. (Sections XI and XIII)
- Notifications will be issued each year to faculty and staff encouraging the reporting of suspected criminal activity or misconduct with clear instructions for how to report including the misconduct hotline. MSU's efforts to protect employees from retaliation or intimidation, including the whistleblower protection policy, will also be shared, (Section III)

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- Procedures and protocols regarding campus safety, crime prevention, fire safety and substance abuse prevention will be reassessed to ensure compliance with all applicable federal regulations. (Section VIII)

MSU already has made progress in several areas identified by the Department of Education. We know there is more work to be done.

OCR

- MSU's Office of Civil Rights and Title IX Education and Compliance reports directly to president. No outside units or individuals, including the President's Office, have authority to influence the investigative process. (Began 2018; Section 1)
- Student-athletes receive targeted training about relationship violence and sexual misconduct as well as anti-harassment from the Office of Prevention, Outreach and Education. (Began 2018; Section IV-B)
- The Youth Programs Director provides training to anyone managing youth programs on campus that includes information about reporting requirements, reporting methods and recognizing signs of child abuse. In addition, camp leaders complete specialized training for their staff. (Began 2017; Section V, as well as Sections IV, VI and VII of the Clery agreement)
- Trustees and the president receive regular notification about the status of Office of Institutional Equity investigations of employees as well as copies of final reports. (Began 2018; Section II-B)
- The university has broadened and improved the required relationship violence and sexual misconduct training for members of the campus community. (Began 2017; Section IV)
- MSU established mandatory reporting as a requirement of employment in 2015. The details are outlined in the RVSM policy. (Sections II-C and II-H)

Clery Act

- The individuals and positions identified as MSU Campus Security Authorities – those individuals who may receive reports of crimes and incidents MSU is required to report – receive mandatory, annual training as well as updates on policies, procedures and requirements. (Section III)
- The MSU Behavioral Intervention Team and Behavioral Threat Assessment Team actively seek to assist community members in need and provide potentially life-saving assistance. (Section II)
- MSU buildings on the Detroit, East Lansing, Grand Rapids, Macomb and Troy campuses have been identified and classified in accordance with the geography definitions under the Clery Act by the Land Management Office and Clery Coordinator. (Section V)
- Clery Act compliance requirements at MSU are overseen by the Clery Compliance Steering Committee and the Clery Compliance Committee with representation from multiple units involved in campus safety including crime prevention and environmental health. (Section II)