

GAO Highlights

Highlights of [GAO-20-414R](#), a report to the Committee on Science, Space, and Technology, House of Representatives

Why GAO Did This Study

Increasingly, studies and news reports are highlighting the pervasiveness of sexual misconduct in the scientific community, particularly in academic and research settings. Title VII prohibits employment discrimination on the basis of sex—including sexual harassment. The Smithsonian, while not a federal grant-making agency, was established by Congress and supports a wide variety of scientific research and programs across a multitude of museums, research institutes, and research offices. GAO was asked to review how the institution responds to allegations of sexual harassment and the agency's sexual harassment prevention efforts through hiring and training policies.

This report examines: (1) the extent to which the Smithsonian has processes in place to respond to allegations of sexual harassment by employees and affiliated persons, and (2) the extent to which the Smithsonian has hiring, appointment, and training policies in place to prevent sexual harassment for employees and affiliated persons—particularly academic appointees. GAO reviewed agencies' relevant regulations and documentation and interviewed Smithsonian officials.

What GAO Recommends

GAO is making three recommendations to the Smithsonian, including updating guidance for supervisors on how to address sexual harassment complaints and establishing a tracking mechanism for sexual harassment complaints filed with supervisors. The Smithsonian agreed with all three recommendations and created and staffed a position to coordinate its future actions to implement them.

View [GAO-20-414R](#). For more information, contact John Neumann at (202) 512-6888 or neumannj@gao.gov.

April 2020

SEXUAL HARASSMENT POLICIES

Smithsonian Has Procedures for Prevention, but Could Improve Guidance and Monitoring

What GAO Found

The Smithsonian Institution is the world's largest museum, education, and research complex. It has several thousand employees and supports or funds thousands of affiliated persons—a term Smithsonian officials use to cover all personnel working with the Smithsonian who are not employees, including contractors and volunteers. The Smithsonian provides two non-mutually exclusive processes for addressing allegations of sexual harassment for both affiliated persons and employees, according to officials (see table). The first process, developed by the Equal Employment Opportunity Commission and implemented by the Smithsonian's Office of Equal Employment and Minority Affairs, addresses formal complaints made to this office. The second, known as the management process, addresses complaints made to unit supervisors. Use of one or both processes for resolving a complaint is up to the preference of the employee or affiliated person filing the complaint. While the federal Equal Employment Opportunity Commission establishes guidance on the first process, the Smithsonian does not provide specific written guidance to supervisors on how to address complaints of sexual harassment under the second process, which is inconsistent with federal internal control standards. Supervisors might be better prepared for addressing and responding to sexual harassment complaints with specific written guidance. Nor are there procedures or processes for tracking complaints raised through that process, inconsistent with the institution's strategic plan. The Smithsonian's 2022 Strategic Plan calls for greater collaboration and coordination between central administration and other parts of the institution, and tracking could help central administration monitor trends and ensure that complaints are addressed.

Smithsonian Processes for Addressing Allegations of Sexual Harassment

| Equal Employment Opportunity process | Management process |
|---|---|
| <ul style="list-style-type: none"> Implemented by the Smithsonian Office of Equal Employment and Minority Affairs Follows the process outlined by the Equal Employment Opportunity Commission per federal law Can address formal complaints made under Title VII | <ul style="list-style-type: none"> Implemented by Smithsonian supervisors within the units—such as museums and research institutes Focuses on matching discipline to the level of offense Complaints are not considered formal, nor are they tracked |

Source: GAO analysis of Smithsonian Institution documentation and interviews. | GAO-20-414R

The Smithsonian has hiring, appointment, and training policies for employees and affiliated persons—specifically, academic appointees such as interns, fellows, and research associates—to help prevent sexual harassment. According to officials, all Smithsonian units are required to follow policies for hiring employees that encourage managers to check references at a candidate's prior workplace. Policies for appointees typically also require reference checks. In addition, academic appointees and employees receive information regarding the Smithsonian's prevention policies primarily through mandatory workplace harassment training, new personnel paperwork, and agency-wide directives.