MIT WORKING GROUP ON CAMPUS VISITORS AND SAFETY

FINAL REPORT

December 2, 2022

SUMMARY

In late 2019 and early 2020, the MIT community learned that Jeffrey Epstein, a convicted Level 3 sex offender who was accused of serial crimes against minors, had visited the MIT campus on nine documented occasions between 2013 and 2017. This fact raised objections from the MIT community, including the Executive Committee of the MIT Corporation, who, after receiving a report from an outside law firm that reviewed Epstein's interactions with MIT, observed that Epstein's visits were "completely unacceptable." In the course of intense reflection and searing discussion at MIT that fall and winter, members of the MIT community expressed the view that invitations to some visitors could pose safety risks to MIT community members, convey the appearance of rewarding the visitors, or damage MIT's reputation. Community members also raised concerns about the openness of MIT's Cambridge campus, as well as their ability to pose objections to invited visitors through existing channels of reporting.

The Working Group on Campus Visitors and Safety faced the challenge of balancing competing MIT values. Fundamental to MIT's mission is the health and safety of the members of the MIT community. As the recently released MIT Values Statement says, "We strive to make our community a humane and welcoming place where people from a diverse range of backgrounds can grow and thrive—and where we all feel that we belong." At the same time, MIT regularly welcomes visitors from around the world and prides itself on its open campus. The interactions and collaborations enabled by this openness are critical to MIT's mission of advancing knowledge and educating students. Our physical campus—historically more open than those of other urban peer universities—is a concrete manifestation of the respect we owe to our neighbors in Cambridge and beyond.

After extensive consultation, and as described in more detail below, the Working Group proposes that, moving forward, MIT prohibit one narrow category of visitors from being individually invited to the MIT campus, along with three new initiatives and guidelines. Together we believe these steps balance MIT values of openness with strengthened safeguards for community members.

1) First, the Working Group recommends a prohibition on invitations to the MIT campus of individuals registered in any jurisdiction as Level 3 (or equivalent) sex offenders, given the determination that they "[h]ave a high risk of re-offending" and "[p]ose a high degree of danger to the public."[1]

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[1] See https://www.mass.gov/service-details/levels-of-sex-offenders.

We believe a prohibition on invitations to currently listed Level 3 (or equivalent) sex offenders can make the MIT campus safer without departing broadly from our tradition of an open campus, unduly restraining engagement with visitors, or inadvertently excluding visitors we should welcome.

2) Second, the Working Group recommends that the Provost, the Chancellor, and the Executive Vice President and Treasurer jointly create and publicize guidelines to enable thoughtful reflection on the issuance of invitations to visitors to the MIT campus, and jointly take steps to ensure that Department, Laboratory, and Center (DLC) leaders, faculty, and student groups are sufficiently aware of these guidelines.

An initiative highlighting the responsibility of hosts both to ensure that invited visitors advance MIT's mission and to make clear that community members can feel empowered to raise concerns about a potential visitor can help maintain openness and further protect the MIT community. As part of our advocacy of greater thoughtfulness and dialogue on the part of hosts, we provide below broad guidance for MIT community members who invite visitors to campus.

3) Third, the Working Group recommends that the Provost, the Chancellor, and the Executive Vice President and Treasurer jointly take steps to further clarify to the MIT community avenues for reporting concerns about invited visitors, the different characteristics of each avenue, and the protections of MIT's non-retaliation policy.

We believe that existing avenues for reporting concerns about campus visitors are diverse and robust but not sufficiently known, or fully understood, by the campus community.

4) Finally, the Working Group recommends clarifying the responsibilities of members of the MIT senior leadership team to make any final decision about visitor invitations. The Working Group recommends a clarification of responsibility when an MIT community member raises a concern based on a direct threat of harm about a campus visitor that cannot be resolved informally and conveys that concern through a non-confidential channel. Depending on whether the host is a faculty member, staff member, or student, the objection should be conveyed to the Provost, the Vice President for Human Resources, or the Chancellor for review and a written determination on whether to allow the visitor.

CHARGE

On January 10, 2020, the Goodwin Procter law firm released its "Report Concerning Jeffrey Epstein's Interactions with the Massachusetts Institute of Technology." Among other things, the Report found that Jeffrey Epstein, a convicted Level 3 sex offender who was accused of serial crimes against minors, visited the MIT campus on nine occasions between 2013 and 2017. Level 3 is the highest sex offender designation, indicating a high risk of repeat offense. The Report further found that certain MIT officials understood the risk of bringing Epstein to campus; that some members of the MIT community expressed discomfort about him being on campus; and efforts were taken to conceal at least one of his visits.

In response to the Goodwin Procter Report, President L. Rafael Reif wrote to the MIT community.[2] President Reif stated that:

> "We need guidelines to keep our community safe from visitors who pose a direct threat. On our open campus, members of our community are free to invite guests. However, as the Epstein experience illustrates, this freedom comes with risks."

President Reif gave this Working Group the following charge:

- Review the various sex offender classifications to better understand the classifications and any legal requirements imposed on individuals who are designated as sex offenders
- Identify whether there are other high risk classifications (e.g., those convicted of certain violent crimes) that should be similarly considered as part of MIT's efforts to ensure that visitors to campus do not pose a safety threat
- Conduct benchmarking of peer institutions to determine what, if any, restrictions are imposed on high risk categories of individuals who visit campuses, or whether institutions have in place other measures to protect against risks involving such individuals
- Review any existing policies or guidelines at MIT concerning visitors to campus

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[2] The report, together with statements to the MIT community, can be accessed at http://factfindingjan2020.mit.edu/. President Reif charged additional inquiries, including an Ad Hoc Faculty Committee on Guidelines for Outside Engagements (https://facultygovernance.mit.edu/committee/ad-hoc-faculty-committee-guidelines-outside-engagements), an Ad Hoc Committee to Review MIT Gift Processes (https://facultygovernance.mit.edu/committee/ad-hoc-committee-review-mit-gift-processes), and a group that proposed simplifying the Institute's hotline reporting system and updating MIT's non-retaliation policy (including specifically using the word "whistleblower") (https://president.mit.edu/speeches-writing/commitments-our-community).

- Consult with appropriate stakeholders and experts to evaluate effective strategies for mitigating the risks associated with sex offenders or other identified high risk groups, while balancing the practical realities of operating an open campus
- Make recommendations for changes to MIT policies, procedures, and practices designed to mitigate the risks that certain categories of visitors pose to the MIT community

Membership of the Working Group is noted in Appendix A.

PROCESS

The Working Group met periodically between April 2020 and July 2022. Members of the Working Group reviewed the January 2020 Goodwin Procter Report, MIT's Policies and Procedures, federal and state legal provisions, and publicly available documents at MIT and peer institutions. The Working Group sought feedback from key individuals and organizations on campus, including, among others:

Campus Services and Stewardship
Division of Student Life
Institute Discrimination and Harassment Response
Office of the Associate Provost
Ombuds Office
Risk Management and Compliance Services
Violence Prevention and Response
MIT Undergraduate Association
MIT Graduate Student Council

DEFINITIONS

For the purposes of this Working Group, we define **visitors** as those who are individually invited to come in person to the MIT campus and who are *not* currently enrolled as MIT students or hold current MIT appointments (whether staff, faculty, or visiting professors, researchers, scholars, or others). Invited visitors thus include a wide range of people, including but not limited to: alumni and retired faculty; donors and visiting committees; guests or collaborators of students, faculty, and staff; K-12 student groups; students from other colleges; speakers, performers, and artists; conference or event attendees; athletic facility members; and contractors, consultants, and vendors.[3]

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[3] The Working Group excluded from its consideration uninvited visitors, including trespassers or intruders, as well as those who are not specifically identified but are implicitly invited to Institute events such as Commencement.

President Reif charged the Working Group to assess how best "to keep our community safe from visitors who pose a direct threat," and the charge asked it to evaluate specifically those categorized as sex offenders and other "high risk classifications." For the purposes of this group, we define **safety** as protecting members of the MIT community as much as possible from an imminent threat of direct physical harm from a campus visitor.[4]

Accordingly, while we understand the charge to be focused on keeping the community safe from an imminent threat of physical harm, we recognize that concerns remain about psychological or emotional harms to MIT community members that individuals known for their past violent, exploitative, or harmful actions might provoke.

Finally, we define **campus** to comprise the physical enterprise of the Institute, including Lincoln Laboratory (which has extensive additional policies regarding access).[5] We observe as well that many "visit" the Institute virtually, whether through participation in online events, discussion forums, or through the use of Kerberos IDs or similar MIT credentials.[6]

UNDERSTANDING CLASSIFICATIONS AND LEGAL REQUIREMENTS

The Working Group reviewed the various sex offender classifications to better understand the classifications and any legal requirements imposed on individuals who are designated as sex offenders, as well as to identify whether there are other high-risk classifications that should be similarly considered as part of MIT's efforts to ensure that visitors to campus do not pose a safety threat.

Sex Offender Registries

Every state, plus the District of Columbia and several U.S. territories, has adopted legislation requiring individuals who have been convicted of certain sex offenses to register as sex offenders with a state registry. These registries are generally available to be searched by the public and

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[4] The Working Group excluded from its consideration visits by controversial speakers, performers, or protestors, or other forms of academic engagement, even those to which community members object or that might make them uncomfortable, except in instances where an academic visitor poses an imminent threat of direct harm.

[5] The Working Group was charged to consider the safety of the physical campus of MIT, but we observe that MIT community members regularly host events at off-campus locations. We advocate the same thoughtfulness and responsibility for hosts organizing off-campus events, and offer for use the principles and approaches suggested here.

[6] While the Working Group was primarily concerned with the safety of the physical campus in Cambridge, we also learned that "virtual visitors"—those with limited or expired MIT affiliations but working online credentials—may also pose threats to the safety of MIT community members, and that the issuance of credentials is currently subject to only limited oversight.

provide certain information about the sex offenders—including a photo of offenders, their demographic and address information, and the nature of their offense—to allow individuals to better inform themselves about individuals who may live, work, or study in their vicinity.[7] In addition to individual state registries, the Dru Sjodin National Sex Offender Public Website (NSOPW) links state, territorial, and tribal sex offender registries in one national search site.

In Massachusetts, anyone who resides, has a secondary address, works, or attends an institution of higher learning in the Commonwealth and who has been convicted of a sex offense must register with the Massachusetts sex offender registry board.[8] The Massachusetts legislation lists the specific sex offenses that require registration, including "a like violation of the laws of another state, the United States or a military, territorial or Indian tribal authority." As a result, a person convicted of a sex offense in another state must register in Massachusetts if they live, work, or go to school here.

Once registered, the board has a process to designate the sex offender as a Level 1, Level 2, or Level 3 offender, corresponding to a low, moderate, or high risk of a repeat offense. In Massachusetts, information about Level 2 or 3 offenders is available to the general public, but access to information about Level 1 offenders is more restricted. Massachusetts law provides that information contained in the sex offender registry shall not be used to commit a crime against a sex offender or to engage in illegal discrimination or harassment of an offender.

Although required to comply with the registration requirements (including regularly updating the board) and to satisfy any probation or parole conditions, for the most part sex offenders in Massachusetts are not, solely by reason of their classification, subject to additional legal restrictions on otherwise lawful activities, including studying, being employed at, or living or being present on a college campus.[9]

In 2008, Jeffrey Epstein pled guilty to two felonies: procuring a person under the age of 18 for prostitution and solicitation of prostitution. After his release from jail, Epstein was required to register as a Level 3 sex offender in New York and Florida. Because it does not appear that he resided, worked, or attended school in Massachusetts, it is likely that he was not required to

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[7] The MIT Police website currently provides a link to search the Massachusetts Sex Offender Registry: https://police.mit.edu/sexual-offender-registry-0.

[8] The Massachusetts sex offender registry law and corresponding regulations can be found at M.G.L. c. 6, §§ 178C-178Q and 803 CMR 1.00.

[9] Several exceptions include that a registered sex offender is not permitted to engage in ice cream truck vending, operate a school bus, or be a ride-hailing (e.g., Uber or Lyft) driver in Massachusetts, and a Level 3 offender also cannot live in certain convalescent, nursing, or rest homes or infirmaries. See M.G.L. c. 6, § 178K(2)(e), M.G.L. c. 90, § 8A ½, M.G.L. c. 159A ½, § 4, and M.G.L. c. 265, § 48. In addition, being a registered sex offender is a disqualifying offense for certain early education and child care programs. Sex offenders may be subject to additional restrictions in other states.

register with the Massachusetts board, even if he visited Massachusetts. He would, however, have been listed in the NSPOW.

Other High-Risk Classifications MIT Might Consider

At least in Massachusetts, we are not aware of a comparable registration requirement for crimes other than sex offenses. The Massachusetts Department of Criminal Justice Information Services (DCJIS) does maintain criminal history records of individuals as part of the Criminal Offender Record Information (CORI) database, but access to that information is subject to a number of restrictions.

For example, the general public is only permitted access to CORI about (i) criminal convictions for murder, manslaughter, or sex offenses; (ii) where there was a sentence of incarceration of greater than five years; or (iii) for crimes with lesser incarceration periods, only very recent convictions (generally where the incarceration period ended one to three years prior, depending on whether the crime was a misdemeanor or felony).

With the consent of the individual, an employer is permitted to access a broader range of information as part of a background check of employees and volunteers, but the use and dissemination of that information is generally limited to those with a "need to know." It is unlawful for a person to request or require a person to provide their own CORI except as expressly authorized by the CORI law (M.G.L. c. 6, § 172). Moreover, an employer must provide the individual with their CORI before questioning them about it or if they take adverse action based on the CORI. An employer that submits five or more CORI requests annually shall maintain a CORI policy which must meet the minimum standards of the DCJIS model CORI policy.[10]

Although MIT does not currently conduct background checks of all employees, it does perform checks for many categories of employees, contractors, and volunteers, including (among others) those working in residence halls, at MIT Medical, the Department of Athletics, Physical Education and Recreation (DAPER), and the MIT Police, or those who work with minors.[11]

Short of asking visitors to voluntarily disclose information about their criminal background or searching the public sex offender registry, there does not appear to be any efficient or systematic way for MIT to collect information concerning prospective visitors' criminal past.

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[10] MIT's CORI policy can be found at https://hr.mit.edu/sites/default/files/mithr_cori_020818.pdf.
[11] See https://policies.mit.edu/policy-topics/beginning-employment and https://policies.mit.edu/policies-procedures/90-relations-and-responsibilities-within-mit-community/915-protection-minors.

Given the strict limitations associated with accessing CORI, the Working Group concluded that, beyond what is already required for certain individuals under MIT's current background check practices, it would not be feasible to adopt a system whereby community members should seek to review an individual's CORI before hosting them as a visitor to campus. A pre-screening system for visitors would be difficult or impossible to manage effectively. Limiting campus access for individuals with criminal convictions would require a massive expansion of background checks, would impose a substantial administrative burden, and would not necessarily indicate the imminent threat of direct harm. Reliance on criminal convictions as a basis for exclusion from campus would, given historical and continuing inequalities in the criminal legal system, also likely have a disparate impact on the basis of race and ethnicity and conflict with MIT's aim of creating an inclusive community.

BENCHMARKING OF PEER INSTITUTIONS

The Working Group was also charged with conducting benchmarking of peer institutions to determine what, if any, restrictions are imposed on categories of high-risk individuals who visit campuses, or whether institutions have in place other measures to protect against risks involving such individuals.

We conducted a review of the publicly available websites of several Boston-area schools (Harvard, Boston University, Boston College, Tufts, Northeastern, and Emerson) as well as several of our peer schools located elsewhere (Stanford, Caltech, University of Chicago, Columbia, University of Pennsylvania, Cornell, Yale, and Princeton).[12]

By and large, this review did not identify any policies or other formal measures aimed at addressing the risks of visitors who may pose a safety risk as a result of their criminal or other background. Instead, like MIT, most universities have narrow visitor policies that are focused on guests in residence halls or that regulate appointments for students and scholars who seek to temporarily teach, learn, or conduct research at these institutions. In short, conducting this benchmarking analysis did not alert the Working Group to any policies, procedures, or other measures that MIT should consider adopting to facilitate safety from potentially high-risk visitors.[13]

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[12] Like MIT, every school has adopted a range of temporary policies in response to the Covid-19 pandemic limiting visitor access to campus and/or imposing requirements on visitors.

[13] In a May 2020 Report Concerning Jeffrey E. Epstein's Connections to Harvard University, the authors recommended that "Harvard should revise its procedure for the appointment of Visiting Fellows." See https://ogc.harvard.edu/report-concerning-Epstein, p. 26. To our knowledge, Jeffrey Epstein never held a formal appointment at MIT.

EXISTING POLICIES OR GUIDELINES CONCERNING VISITORS TO CAMPUS

The Working Group reviewed existing policies or guidelines at MIT concerning visitors to campus. In our review we were unable to identify any existing broad, general policies, or even established practices, at MIT focused specifically on the risks of hosting high-risk visitors on campus.[14] Existing policies relating to visitors/guests are generally limited to specific settings or populations.

For example, MIT has existing policies relating to guests in its residence halls, both at the Institute level and at the individual residence hall level.[15] These visitor policies generally require residents to specify their guests in advance on a guest list, require guests to present an ID, call for residence halls to keep a record of visitors, and limit the number of nights that a guest can stay overnight in the residence hall. They do not, however, involve any other vetting, such as investigating the criminal or other behavioral background of guests.

MIT also has policies and procedures—at both the Institute and departmental level—describing the circumstances under which visiting students and scholars can participate in classes, research, teaching, or other activities at MIT. These policies set forth rules for when a visitor requires a formal appointment, the benefits available to such visitors, and the circumstances under which MIT may sponsor a visa for international visitors.[16] Additional guidelines exist for hosting international visitors, including international dignitaries.[17] Again, while these policies are important for maintaining some institutional controls over who visits our campus, and they do

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[14] MIT, of course, adopted numerous policies restricting visitors to campus in light of the Covid-19 pandemic. See, e.g., https://now.mit.edu/policies/campus-visitor-policy/. While these policies, which have required visitors to register with MIT or be escorted by a community member, have focused on ensuring the well-being of the community from a public health perspective, they were not designed to address the safety risks associated with hosting potentially high risk individuals as visitors. We also understand that these policies are temporary measures, the permanent adoption of which would require wider discussion and review. To the extent that MIT may consider making some of these policies permanent, the Working Group did not feel that "campus safety," as defined in this report, should be a significant driver of those conversations.

[15] See, e.g., https://studentlife.mit.edu/housing/housing-policies/guests (Division of Student Life Housing & Residential Services Guests Policy); http://studentlife.mit.edu/sites/default/files/Documents/Maseeh%20Hall%20Guest%20Policy%2010114_0.pdf (Maseeh Hall Guest Policy).

[16] See, e.g., https://policies.mit.edu/policies-procedures/20-faculty-and-other-academic-appointments/23-academic-instructional-staff#2.3.11 (Visiting Lecturer Policy); https://policies.mit.edu/policies-procedures/50-research-appointments/53-academic-research-staff-appointments#5.3.4 (Visiting Engineer, Visiting Scientist, Visiting Scholar Policy); https://policies.mit.edu/policies-procedures/50-research-appointments/55-visiting-students (Visiting Students Policy); https://research.mit.edu/research-policies-and-procedures/visiting-and-affiliate-appointments; (Vice President for Research Visiting and Affiliate Appointments).

[17] See https://globalsupport.mit.edu/hr-finance-admin/working-hiring-internnationally/hosting-visitors/.

provide for vetting of some international visitors for national security and diplomacy purposes, they generally are not focused on broader issues of safety to the MIT community.

Finally, MIT has adopted a set of policies and procedures aimed at protecting minors who participate in MIT activities.[18] Among the measures MIT has implemented for programs involving minors are requiring advanced registration for these programs; background checks for those who supervise programs serving minors, stay overnight with minors, or have direct contact with minors as part of the program; training for staff members working with minors in MIT programs or activities; appropriate supervision ratios corresponding to different age bands; and clear guidance for reporting the suspected abuse or neglect of a minor. While these policies seek to promote safety for those who visit the MIT campus, they are specifically targeted toward a more vulnerable population, our youngest visitors.

The Working Group recognizes that specific laboratories, centers, or living groups require visitor policies tailored to meet their specific needs or the specific populations with which they work. But we conclude that a broad, permanent campus-wide restriction on visitors would unduly conflict with MIT's commitment to an open campus, as well as its engagement with its neighbors in Cambridge and beyond.

RECOMMENDATIONS TO POLICIES, PROCEDURES, AND PRACTICES

In consultations with campus stakeholders, the Working Group did not find support for substantially altering our current processes for allowing visitors to our campus. The openness of our campus was consistently identified as a critical feature that furthers MIT's mission. Any benefit to safety that might flow from tightening campus access was perceived as being far outweighed by the administrative burden of implementing new processes and the corresponding loss of interactions that promote effective teaching, learning, and scholarship. Nevertheless, the Working group does propose a new restriction on inviting Level 3 (or equivalent) sex offenders to campus, a set of recommended guidelines for MIT community members who invite visitors to campus, as well as increased clarity of reporting avenues for community members who may have concerns about a campus visitor.

(1)   MIT should prohibit Level 3 sex offenders as invited visitors to campus.

Recommendation 1: The Working Group recommends that individuals designated in any jurisdiction as Level 3 sex offenders (or corresponding highest level in the jurisdiction) may not be invited to visit the MIT campus.

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[18] See http://minors.mit.edu/ and https://policies.mit.edu/policies-procedures/90-relations-and-responsibilities-within-mit-community/915-protection-minors.

Given that the Commonwealth of Massachusetts has identified that Level 3 sex offenders "[h]ave a high risk of re-offending" and "[p]ose a high degree of danger to the public,"[19] individuals designated in any jurisdiction as Level 3 sex offenders (or corresponding highest level in the jurisdiction) create a particularly high threat of imminent physical harm on campus. As a result, the Working Group believes that those who are identified as Level 3 or equivalent sex offenders should not be invited as visitors to campus. In any circumstance in which it is discovered that an invited guest is a Level 3 sex offender or equivalent after an invitation has already been made, the invitation to campus should be revoked.[20]

Implementing such a rule requires access to information about the status of a potential visitor. At least with respect to those in the United States, this information can be determined using publicly accessible databases. As noted above, the U.S. Department of Justice maintains the Dru Sjodin National Sex Offender Public Website (NSOPW), a database that compiles sex offender registry information from state and territorial jurisdictions. To inform and empower MIT community members, information about the NSOPW should be shared with DLC leaders and administrators and made accessible at multiple locations on MIT's website, including the Atlas system.[21]

The Working Group believes that we all have a shared responsibility to protect the members of our community and that additional scrutiny of potential visitors is important to keep our community safe. To put into practice this prohibition on invited visits by Level 3 (or equivalent) sex offenders, we encourage an MIT host to conduct a search of the NSOPW before an invitation is extended. The responsibility to conduct a proactive search to prevent an invited visit by a Level 3 sex offender will depend on the nature and duration of the visitor's engagement with MIT, specifically with whom the visitor is engaging and over what period of time. In certain circumstances—at least in the following situations and others similar to them—we encourage greater scrutiny given the level of visitors' engagement with the MIT campus:

- If the invited visitor is expected to have private or semi-private interactions with students (e.g., as a mentor, etc.); or
- If the invited visitor will be a speaker at a large public event;

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[19] See https://www.mass.gov/service-details/levels-of-sex-offenders.

[20] The Working Group does not endorse a general prohibition on Level 1 or Level 2 (or equivalent) sex offenders, and notes that the limited public availability of information on Level 1 sex offenders precludes the adoption of any prohibition.

[21] Accessing the NSOPW database may trigger traumatic responses among some MIT community members. Wherever the link to the NSPOW database is posted, it is important to convey this possibility and make resources available. Among the resources could be Violence Prevention and Response, which provides confidential support and advocacy for students; MyLife Services, which provides support fro MIT faculty, staff, and postdoctoral fellows; the Boston Area Rape Crisis Center (BARCC), an off-campus resource that provides 24-hour support; and Student Mental Health and Counseling Services at MIT Medical.

If in doubt as to whether an invited visitor falls within these circumstances, MIT hosts are encouraged to search the NSOPW.[22]

If the MIT host is aware, from any source, of any allegations of sexual misconduct by a potential invited visitor or concerns about sexual misconduct have been raised about that visitor, the host is required to conduct a search of the NSOPW and rescind the invitation if the guest is a Level 3 sex offender.

The Working Group has struggled to identify processes for implementing Recommendation 1 that are efficient, enforceable, and align with MIT's academic and professional culture. We advocate continued discussion of potential solutions and for regular oversight of any new rules or approaches adopted by the Institute in response to this Recommendation.

The Working Group recognizes that adopting this practice of visitor oversight poses additional administrative burdens, but we believe that burden is justified and that our collective responsibility can help ensure the physical safety of all members of the MIT community.[23]

**(2)	Community members in positions of responsibility should consciously and proactively consider the implications of visitors they bring to campus. Hosts need to exercise judgment and listen carefully to objections.**

Recommendation 2. The Working Group recommends that the Provost, the Chancellor, and the Executive Vice President and Treasurer create and publicize guidelines for thoughtful reflection in the issuance of invitations to the MIT campus, and take steps to ensure that Department, Laboratory, and Center (DLC) leaders, faculty, and student groups are sufficiently aware of the guidelines.

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[22] The Working Group observes that searches of the NSOPW would only apply to U.S.-based individuals. We also note that name duplications in the NSOPW or inconclusive search results may require a dialogue with a potential visitor. If a host's search leads to uncertainty about whether an individual is listed as a Level 3 sex offender and further clarification is necessary, individuals can request support from the MIT Police.

[23] The Working Group acknowledges that in extraordinary circumstances, a community member may believe that there is a compelling educational reason for which a Level 3 or equivalent sex offender should be permitted to visit campus. In such circumstances—which are expected to be rare—the Working Group recommends that those who propose the visit be required to submit a written request to the Provost, the Chancellor, and the Executive Vice President and Treasurer, and that a unanimous vote of all three officers be required to override the prohibition on invited visits by Level 3 sex offenders. At a minimum, the written request should explain the reason for inviting the guest, including how the educational benefits outweigh the risks and the expected emotional harms to community members who are survivors of sexual violence as well as any measure that can be implemented to mitigate those risks and harms.

MIT hosts are responsible for their guests. Given the wide range of visitors who come to MIT and the existing regulatory landscape, there is not a single solution that would ensure a visitor would not pose an imminent threat of direct harm. Ensuring that MIT hosts know that they are responsible and accountable for their guests is the clearest approach to advancing safety.

MIT community members lack a document of shared principles they could reference to inform responsible hosts, empower those who feel in danger, and facilitate conversation at moments of conflict about a visitor or guest.

The depth of a host's engagement with these guidelines will depend on the nature and duration of the visitor's engagement with MIT, specifically with whom the visitor is engaging and over what period of time, as well as the spectrum of possible harm. The Working Group notes that these guidelines are general and that particular DLCs might adapt them to their own values, work practices, and communication cultures.

The guidelines should pose five questions that hosts would be expected to consider before extending an invitation to a campus visitor:
    i.   How will the visit advance MIT and DLC or organizational values?
    ii.   To assess any risks to physical safety, what additional information should hosts find out about visitors before inviting them to campus?
    iii. What will the expected impact of the visit be? Are there potential negative impacts that should be considered or mitigated?
    iv.   How can MIT community members share concerns about this invitation? Are there staff in your DLC, students, other MIT community members, or peers at other institutions who should be consulted in advance?
    v.   If an objection based on a physical safety risk is raised before or after the visit, have the concerns been addressed?

Guidelines—endorsed by MIT senior leaders and publicly available online—would create expectations of thoughtfulness and accountability. They would also provide community members who object to a visitor a clear set of criteria to point to in discussing their objections with others.

(3)   Existing reporting avenues are diverse and robust but not sufficiently known, fully understood, or universally trusted by the campus community.

Recommendation 3. The Working Group formally recommends that the Provost, the Chancellor, and the Executive Vice President and Treasurer take steps to publicize and clarify to the MIT community avenues for reporting concerns, the different characteristics of each avenue, and the protections of MIT's non-retaliation policy.

Through engagement with stakeholders we identified seven primary avenues through which concerns about visitors' risks to the physical safety of those at MIT could be raised:

i.   In case of imminent threat of physical harm, directly to the MIT Police Department;
ii.   Directly to the host;
iii.   Directly to the Lab Director, Department Head, Dean, or other supervisor of the host;
iv.   With support from the Institute Discrimination and Harassment Response Office;
v.   With support from Violence Prevention and Response;
vi.   Confidentially with the Ombuds office;
vii.   Anonymously to the Hotline.

Stakeholders in these offices conveyed that these reporting avenues are robust, that communication between different reporting avenues is clear, and that responses to concerns are generally timely. They agreed that multiple and diverse points of entry are a positive feature of the existing system because that diversity provides varying levels of privacy and support. The Hotline, for instance, can be completely anonymous (which may limit the ability to respond); the Ombuds Office is a confidential source of advice, but does not generally report issues; Violence Prevention and Response provides support and advocacy; and the Institute Discrimination and Harassment Response office has resources for investigation and clear tracking and reporting of data.

The Working Group learned that these reporting avenues are already being used by MIT community members who feel unsafe or threatened. During the Covid-19 pandemic, the Hotline in particular has become visible to and widely known by the MIT community.

But we also learned that asymmetries of power may make community members feel uncomfortable raising concerns through some channels, particularly to direct supervisors. While MIT's non-retaliation policy and "whistleblower" protections have been reviewed and revised, they may not be sufficiently known to and trusted by all members of the MIT community, especially students.[24]

These channels would ideally be used to address concerns raised before a visitor comes to campus. They can also be used if concerns arise after a visit, either to determine whether to permit a future visit by the same individual or invitation by the same host of others who might raise similar concerns. Some basic steps could include a flowchart or flashcard explaining the

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[24] See MIT Policies and Procedures Section 9.7: Non-Retaliation: https://policies.mit.edu/policies-procedures/90-relations-and-responsibilities-within-mit-community/97-non-retaliation.

approaches of different reporting avenues, as well as links on the websites of each reporting avenue that include descriptions of the other avenues and their approaches.

(4)   The responsibility of the MIT senior leadership team to make decisions about invitations when a concern has been raised regarding a threat of physical harm should be clarified.

Recommendation 4: The Working Group recommends a clarification of responsibility when an MIT community member raises a concern about a campus visitor based on an imminent threat of physical harm and conveys that concern through one of the channels noted above. Depending on whether the host is a faculty member, staff member, or student, if the objection cannot be resolved informally, it should be conveyed to the Provost, the Vice President for Human Resources, or the Chancellor for review and a written determination on whether to allow the visitor.

The Working Group anticipates that most safety concerns arising from potential visitors to the MIT campus can be addressed and resolved through the channels and resources described above.[25]

Where a DLC or other campus officer decides to allow access to campus to an invited visitor over an objection based on an imminent threat of physical harm, and the objection has not been resolved informally, the objection should formally be brought to the attention of the appropriate member of the MIT senior leadership team, depending on who is hosting the proposed visitor: the Provost for faculty; the Vice President for Human Resources for staff; or the Chancellor for students. The relevant senior leader should then review the concerns and make a final determination whether the invited visitor should be allowed to come to campus. The Working Group expects that senior leaders will consult with appropriate stakeholders to reach an informed decision, recognizing that the decision of the respective senior leader will be final.[26]

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[25] The Working Group observes that the Institute Discrimination and Harassment Office (IDHR) is often involved in managing situations in which a concern is raised about an attendee at an Institute event, often because of a prior relationship or negative interaction between two individuals. In those cases, IDHR often assists in implementing protective measures, such as mutual no-contact orders, but generally does not prohibit someone from being present on the MIT campus.

[26] While the process noted here may be useful or appropriate for resolving disputes about other visitors, including those who hold controversial views, the Working Group here proposes this process only for visitors who may pose an imminent threat of direct harm. Nor should this process be viewed as an opportunity to appeal or evade measures IDHR has implemented aimed at separating individuals who may attend Institute events.

CONCLUSION

MIT is a campus that has long been open to visitors. We depend on our interaction with visitors to fuel our energy, creativity, and community. MIT also has an obligation to protect the safety of our community members. MIT's values of academic freedom, an open campus, and a safe, welcoming, and inclusive environment can be aligned with increased protection for the safety of community members. Reaching that goal will require greater thoughtfulness, dialogue, and awareness of responsibility on the part of hosts; clarity and publicity for existing avenues of expressing concern; and clarification of responsibility among MIT senior leaders.

APPENDIX A: Membership

To meet the charge set forth above, the Provost, the Chancellor, the Vice President and General Counsel, and the Chair of the Faculty convened a Working Group comprised of:

Christopher Capozzola, Professor of History (Co-Chair)
John DiFava, Chief of MIT Police (Co-Chair)
Justin Steil, Associate Professor of Law and Urban Planning (Co-Chair)
Suzanne Blake, Director, MIT Emergency Management
Robin Elices, Executive Director, Office of the EVPT
Martha Gray, J.W. Kieckhefer Professor of Health Sciences and Technology and Professor of Electrical Engineering and Computer Science
Kim Haberlin, Senior Advisor to the Chancellor
Steven Hall, Professor of Aeronautics and Astronautics and Head of House, New Vassar
Mary Markel Murphy, Senior Associate Dean, Office of the Vice Chancellor
Jay Wilcoxson, Counsel, Office of the General Counsel