



SOCIETIES CONSORTIUM

ON SEXUAL HARASSMENT IN STEM

An initiative to advance *professional and ethical conduct, climate & culture*

CASE STUDY LIBRARY

Case Study 1. The Dinner Party Dilemma

Case Study 1 addresses: an “incident occurring in fieldwork, off-campus social gatherings, or labs (outside the classroom), including in isolated areas of campus, and involving alcohol.”

A tenured associate professor, who leads an influential research program that provides paid undergraduate internships, hosts a party at his house, serving students alcohol and engaging them in a sexually provocative ice breaker. As the party is ending, one of the students, who is also applying for an internship, visits the research laboratory with the professor and reports on Twitter that the professor subjected her to inappropriate sexual innuendos and advances.

Case Study 1. Volume I

- I. ***Facts and Scopes of Issues***
- II. Facilitator Guide: Reflections
- III. Facilitator Guide: Analysis

Overview – Facts and Scopes of Issues

The facts and scope of issues detail the events that took place during the case study. They invite the learner to consider the facts and events from a variety of perspectives, with a lens of empathy and reduced defensiveness, and to identify actions that might have prevented or mitigated the associated harms.

1

Introduction

Professor Smith, age 36, is a recently tenured associate professor at a large research university (University). He is the first member of his family to attend college and was a socially awkward “nerd” in high school. Smith was sexually naïve entering college but found a niche of like-minded “science nerds” there. Among his friends, he was popular for the first time. Ultimately, his more confident and outgoing nature emerged. He credits his academic success to his college biology professor. After noticing Dr. Smith’s keen interest in the subject, she took him under her wing, helping him to select courses for his major, providing him research and networking opportunities, and guiding him through the daunting process of applying to graduate school. They have remained close friends.

Dr. Smith is considered a “rising star” in the biology field. He has been awarded several prominent research grants and also serves as a committee chair at the American Association for Biology (AAB). Professor Smith is one of the most popular professors at the University; even non-biology majors take his introductory biology class. He is often invited to lunch and biology majors regularly hang out at his office during office hours. Professor Smith is known to provide his top students with extensive support in laboratory work. Because of his own experiences, he both enjoys his status and genuinely likes helping students—recognizing mentorship as vital to success in the field. Given the popularity of his classes and the strength of his research laboratory, the biology department supports a paid and very competitive undergraduate student internship position with Dr. Smith. The new intern is announced just before winter break. Several of Professor Smith’s former interns have gone on to top graduate programs with contacts and strong references from the Professor.

As was his custom, Professor Smith held a dinner party at his off-campus home the evening before students left for Thanksgiving break. That day, Professor Smith spent his time in the lab working on an experiment on mouse reproduction with Jennifer, age 20 and a junior, who had previously taken three of Professor Smith’s courses. The University’s Code of Conduct proclaims it has “zero tolerance” for sexual harassment. It also prohibits sexual relations between professors and students and prohibits university staff members from serving alcohol to minors at university events. Postdocs aren’t specifically mentioned in any of the University’s policies. The Code of Conduct is 75 pages and is posted on the University website. It describes several avenues for reporting and resolving conduct violations by faculty, staff, and students.

The AAB Code of Ethics, that applies to its members and to society events and activities, is posted on its website under the Members Only section. The Code of Ethics, noting the unique and trust-based relationship between students and advisors, and the resulting heightened ethical requirements, recommends, among other things, that faculty and other research advisors be sensitive to and avoid abuses inherent in the power imbalance in the student/advisor relationship. The code does not address member conduct outside of official society events, and it requires a written complaint to trigger an investigation.

2

The Dinner Party

Attending the dinner party were a graduate student and postdoc, both in Dr. Smith's research program, and eight undergraduate students, including Jennifer. Jennifer and five other students applied for the selective internship. Professor Smith served wine, juice, and water to the students, and had bourbon out and available.

3

The Ice Breaker

After about an hour of a buffet and mingling, Professor Smith suggested that in order for the students to become better acquainted, they could play an ice breaker game called "Two Truths and a Lie." He asked, "Isn't this a game you guys like? I may look old, but I'm not that much older than you and I stay in touch with what's 'sick'." He then asked the students whether these were the rules of the game, though no one responded: 1) each player is asked to tell two truths and one lie about their bodies; and 2) the other participants have to guess which are truths and which are lies. Seeing that students were reluctant to be the first to play, Smith started the game off by stating, "I have 4-pack abs," "my penis is average size," and "I've never had oral sex performed on me." The students seemed initially shocked. The postdoc tried to change the tone of the game by sharing non-sexual details such as, "My left foot is an inch shorter than my right." When that was unsuccessful, he left the party early, saying he was leaving campus early in the morning. Everyone else continued to drink, and eventually, all of the students played and shared intimate details with the group, some appearing to enjoy themselves.

4

Late-Night Visit to the Lab

At 10:00 p.m. the students started to leave. Jennifer told Professor Smith that she was headed back to the lab to check on their experiment. Professor Smith replied that, given the upcoming holiday break, he would accompany her to make sure that the cameras recording the mice were working properly. At this point, Professor Smith's recounting of what happened diverges from Jennifer's:

Professor Smith's account. On the short walk to the lab, Professor Smith noticed that Jennifer was stumbling, and he put his arm around her shoulders to stabilize her. He engaged her in small talk to ensure that she was physically well. When asked if she had a good time, Jennifer responded that she had a great time and that the gathering gave her a chance to get

to know those in attendance better. They arrived at the lab and first checked on the mice, peering into the case together. While he did not touch Jennifer, they were in very close proximity.

Next, Professor Smith collected his internship applicant files so that he could review them during the Thanksgiving break. Jennifer's application was on the top of the stack which prompted Dr. Smith to recount for Jennifer his own experiences being mentored and noted that his continuing friendship with his mentor has provided him great support both personally and professionally. He told Jennifer that she is a curious, dedicated student and would make a great contribution to the research team. Jennifer thanked him and shortly thereafter indicated that she had to leave to catch a ride home for the Thanksgiving holiday.

In the course of the interview with University officials, Dr. Smith stressed the importance for him of being approachable to, and supportive of, his students. He recalled his own discomfort when he first attended college because he felt like he did not belong and was unfamiliar with the norms of college life. He recounted how much he appreciated his biology teacher gradually treating him as more of a peer than a student as he rose in status in her laboratory.

Jennifer's account. Soon after they started walking toward the lab, Professor Smith said, "It's getting cold out," and put his arm around her and rubbed her shoulder as they walked. He said, "That was a great party. I learned so much about everyone. Did you learn anything interesting about me?" Jennifer, who was trying to maintain some distance between them as they walked, pulled away from Professor Smith and responded, "I guess." Professor Smith then said, "That is so wild that I've never had oral sex performed on me huh? Maybe my luck will change." Jennifer did not respond. When they arrived at the lab, given the late hour, no one else was there. Jennifer quickly walked away from Professor Smith to check on the mice in one cage. Professor Smith came from behind her and put his head next to hers in a way that locked Jennifer in that position. He laughed and said, "Looks like this little fella isn't getting any action tonight. I hope that's not a harbinger for me." Jennifer froze in shock and fear and responded with a muffled "Uh-Huh."

After a moment, Professor Smith moved and sat on top of the lab table. Jennifer moved away and checked on some other mice cages. Professor Smith said to her, "I know that you applied for the internship. It'll be great for us to be together all the time." At this point, Jennifer pretended to get a text on her phone and indicated that she had to leave. Within 15 minutes of leaving, she recounted the incident from her perspective on her Twitter page, tagging the accounts of both the University and the AAB. Retweets ensued as well as many comments: some expressed outrage and solidarity, some used #metoo, others suggested that Jennifer should "grow a pair," and several indicated that it was "just a game and nothing happened that she didn't ask for." Some comments were left by others who also attended the party including a male student who said he wished he were female so he would have an easier time getting one of the professor's internships.

5

Follow-Up Actions

Upon receiving notification of the Twitter tag from an alum, the University communications director immediately reached out to Jennifer and shared the contact information of the institution's Title IX Coordinator. A few days later, the president of AAB was notified of the tweet by another professor, who is chair of a different AAB committee, and asked if AAB was going to take any action against Professor Smith. The AAB president then called an emergency meeting of the full board to

discuss the tweeted allegations and the next steps that AAB might take. During the meeting, which lasted one hour, it was unanimously determined that Professor Smith's actions were egregious, and he would be removed from the chairmanship; however, the AAB's board noted that Professor Smith would be permitted to stay on as a member, pending the outcome of a formal investigation by the University. Additionally, they agreed not to respond to the tweet to avoid further harm to the target.