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An empirical analysis of sexual harassment case outcomes in academia

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Abstract

This paper studies the severity of punishment of sexual harassment in academia using a dataset of public cases of academic sexual misconduct in the United States. Using both an ordered logit and a linear probability model, we study whether the severity of punishment is associated with factors such as the gender, academic field, and seniority of the accused faculty member, and whether the institution where the incident took place was a university or not. We also investigate if there was a relationship between the case outcomes and the start of the "Me Too" movement. We find that once a sexual harassment case is filed and investigated, accused senior faculty are 25 percentage points less likely to no longer work at the institution compared to accused non-senior faculty. Furthermore, accused faculty at universities are 12.1 percentage points less likely to no longer work at the institution compared to accused faculty in non-university institutions. We find that the severity of the case outcome is not associated with either the gender of the accused or the timing of the "Me Too" movement.

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1. Introduction

Sexual harassment contributes to sex segregation and pay inequalities in the labor market (Folke and Rickne, 2022). There is empirical evidence that women face far greater risk of sexual harassment than men in every industry and at every age; and that women's risk of sexual harassment is positively correlated with the percentage of males working in the industry (Hersh, 2011; Hersh, 2015). Women's under-representation is also a concern in academia (Kahn et al. 2017). Although, there has been recent work studying sexual harassment in the workplace (Basu 2003; Antecol et al., 2006; Adams-Prassl et al., 2022), empirical work on sexual harassment in academia is relatively scarce in the economics literature.[1]

In this paper, we analyze outcomes of sexual harassment cases in academia and whether the severity of the outcome is associated with factors such as the gender and seniority of the accused faculty member, the size of the institution where the incident took place, the academic field of the accused, and the start of the "Me Too" movement. To do this, we use data from public cases of academic sexual misconduct in the United States.

We find that once a case is filed and investigated, accused senior faculty are 25 percentage points less likely to no longer work at the institution compared to accused non-senior faculty. The size of the institution investigating the matter is also associated with case outcomes: accused faculty at universities are 12.1 percentage points less likely to no longer work at the institution compared to accused faculty in non-university institutions (for example, community colleges or liberal arts colleges). These results support the general intuition that: (1) it is harder for universities to take severe action against senior faculty because they are protected by tenure (2) universities employ leading scholars more than non-universities, and they are less likely to take severe action against them because these scholars bring resources and academic prestige to the institution. In addition, we do not find evidence that the severity of the outcome is associated with either the gender of the accused or to the timing of the "Me Too" movement.

Recent work in Economics has documented the prevalence of derogatory language and sexual harassment in the Economics profession (Allgood et al., 2019; Buckles 2019; Wu 2018; Bennett Shinall 2018; Boustan and Langan 2019), and we expand this literature by analyzing sexual harassment in a broader set of disciplines. Studying sexual harassment is challenging due to limited reporting and availability of data, which makes it also difficult to obtain quantitative estimates (Bennett Shinall 2018, Lundberg and Stearns 2019). Thus, we contribute to existing research by using a new data source and provide estimates of how key explanatory variables are associated with the likelihood that severe action is taken against the accused individual after a sexual harassment case in academia is investigated.

[1] For examples outside of the economics literature, a report from the National Academies of Sciences, Engineering, and Medicine in 2018 summarized various empirical studies related to sexual harassment in Sciences, Engineering, and Medicine. Additionally, Bondestam and Lundqvist (2020) did a systematic review of sexual harassment in higher education.

2. Data and Summary Statistics

We use data from the Academic Sexual Misconduct Database (Libarkin, 2022). This data is a collection of publicly documented cases of sexual misconduct in academia in the United States from 1969 to 2022. These cases involve faculty members, administrators, and other staff. Some of these cases have been resolved, while others are ongoing. It is important to emphasize two things about the data. First, in this database, the term "sexual misconduct" refers to sexual harassment, sexual assault, stalking, violations of dating policies, violations of campus pornography policies, retaliations following accusations of sexual misconduct, and similar offenses. Second, as argued by Cantalupo and Kidder (2018), since most of the data in this study comes from public cases in the media, there may be an overrepresentation of severe cases of sexual harassment.[2] Therefore, these data do not provide a full picture of all cases of sexual harassment in academia, and our findings must be interpreted while taking this limitation into account.

The variables included in these data consist of a unique case identifier, name of the accused, name of the institution, role and position of the accused (e.g., coach, assistant professor, full professor, etc.), the discipline to which the accused belongs to (e.g., Economics, Mathematics, Philosophy, etc.), the outcome of the case, and the outcome year.

We restrict our analysis to cases where the accused individual is a faculty member (e.g., lecturer, assistant professor, visiting faculty, instructors, associate professor, etc.) or a faculty member who has an administrative position (e.g., Dean, Department Chair, etc.). We also use the name of the accused to infer their gender.[3] A faculty member who is listed in the data and accused is considered to be a senior if their position is described as being a Full Professor, Associate Professor, Department Director, Emeritus Professor, Chair, or Dean. We determined whether the incident occurred at a university or not by looking at the name of the institution; if it included the word "university," we classified it as a university. We divide the discipline of the accused individual into three categories: Arts and Humanities, Physical Sciences, and Social Sciences. Additionally, we use the outcome year mentioned in the data to determine if the outcome of the case took place after the start of the “Me Too” movement.

We use the case outcome in the data to create two outcome variables for our study. First, we create an ordered categorical variable to measure the severity of punishment to the accused. We define a "High" punishment outcome when the outcome listed for the accused is "fired," "no longer employed at the institution," or "the institution did not renew its contract". If the accused individual resigned, we define this outcome as a “Medium” punishment. In all other cases, we define the outcome of the case as “Low” punishment (for example, the accused had to take part in sexual harassment training, was reprimanded, had to pay a monetary settlement, or any other consequences).

In the next section, we use this outcome variable to estimate an ordered logit regression model. Second, we define an additional binary outcome variable equal to one if the severity of the outcome

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[2] Cantalupo and Kidder (2018) only analyzed 219 cases, which were based on Professor Liberkin's data up to 2016. In comparison, we included cases involving junior faculty and our data spanned from 1969 to 2022.

[3] Unfortunately, the data does not contain the name of the accuser. Hence, we were unable to infer the accuser’s gender.

is either “High” or “Medium” and zero if “Low”. Hence, the binary outcome variable is equal to one when the accused individual no longer works at that institution (fired, no longer employed, didn't renew contract, or resigned) and is zero otherwise.

Table I: Summary Statistics

Outcome Variables	**Frequency**	**Share**
High (fired, no longer employed, didn't renew contract)	208	29.7
Medium (Resigned)	214	30.5
Low (Other)	279	39.8
No longer works at the institution (Yes=1)	422	60.2
Other (No=0)	279	39.8
Explanatory Variables	**Frequency**	**Share**
Senior faculty	552	78.7
Not a senior faculty	149	21.3
Institution is a university	552	78.7
Institution is not a university	149	21.3
Arts and Humanities	274	39.1
Physical Sciences	269	38.4
Social Sciences	158	22.5
Case after Me Too movement? (Yes=1)	225	32.1
Case after Me Too movement? (No=0)	476	67.9
Gender of the accused (Male=1)	680	97.0
Gender of the accused (Female=0)	21	3.0
Total cases	**701**	**100**

Table I reports summary statistics for the two previously described outcome variables and the set of explanatory variables that we include in our analysis. The table shows that 97 percent of accused individuals in our data are men and 78.7 percent of accused individuals are senior faculty members. In terms of outcomes, 60.2 percent of accused individuals no longer work at the institution (that is, they were either fired, are no longer employed, did not have their contract renewed, or resigned).

Furthermore, 32.1 percent of the cases happened after the "Me Too" movement and 78.7 percentage of them happened in an academic institution that is a university.

3. Empirical Estimation and Results

3.1. Ordered logit econometric model.

The first outcome variable takes a finite and discrete number of values (High," "Medium," and "Low"). Therefore, we employ an ordered logit to model the outcome as a function of the gender and seniority of the accused faculty member, whether the accused individual worked in an institution that is a university, the discipline of the accused, and the start of the "Me Too" movement. The estimation results are presented in **Table II**.

Table II: Ordered Logit Estimation Results	
University	-0.644***
	(0.175)
Senior Faculty	-1.061***
	(0.176)
Arts and Humanities	0.376**
	(0.190)
Physical Sciences	0.068
	(0.190)
Social Sciences	(omitted)
Gender (1 if male)	-0.081
	(0.153)
Me Too dummy variable	-0.045
	(0.418)
Total Cases	**701**
Standard errors in parentheses. *** p<0.01, ** p<0.05, * p<0.1	

The ordered logit model is used to model the probability that the severity of a case outcome is High, Medium or Low. **Table III** reports average marginal effects (AME) for these three outcomes with respect to each explanatory variable.

The last column of the below table shows that accused faculty at universities are 13.1 percentage points less likely than accused faculty in non-universities to receive a "High" punishment outcome, such as being fired, no longer employed, or having their contract not renewed. Furthermore, accused senior faculty are 21.6 percentage points less likely than accused non-senior faculty to receive such a punishment.

Table III: Average Marginal Effects			
	Severity of the outcome		
	Low	Medium	High
University	0.153***	-0.022***	-0.131***
	(0.0416)	(0.008)	(0.035)
Senior Faculty	0.252***	-0.036***	-0.216***
	(0.0419)	(0.0125)	(0.0361)
Arts and Humanities	-0.088*	0.0118	0.077
	(0.045)	(0.008)	(0.0379)
Physical Sciences	-0.016	0.0036	0.0129
	(0.046)	(0.01)	(0.0361)
Gender (1 if male)	0.011	-0.0015	-0.009
	(0.099)	(0.141)	(0.085)
Me Too dummy variable	0.019	-0.0027	-0.0165
	(0.036)	(0.005)	(0.0311)
Standard errors in parentheses. *** p<0.01, ** p<0.05, * p<0.1			

3.2. Linear probability model.

We use the second binary outcome variable (equal to one if the severity of the outcome is either "High" or "Medium" and equal to zero if "Low") described in Section 2 to estimate the probability that the accused faculty member receives either a "High" or "Medium" punishment outcome once the case was filed and investigated. **Table IV** presents the estimation results of the linear probability model.[4] The table shows that the accused faculty at universities are 12.1 percentage points less likely than accused faculty in non-universities to no longer work at the institution. Furthermore, accused senior faculty are 25 percentage points less likely than accused non-senior faculty to no longer work at that institution. The results also suggest that accused faculty in the Arts and Humanities are 7.6 percentage points more likely than accused faculty in the Social Sciences (the omitted category) to no longer work at the institution, however, the estimated coefficient is not statistically significant.

[4] In addition to the linear probability model shown in Table IV, we also estimated a binary logit model and a probit model. The average marginal effects of these nonlinear models are the same as the implied effects of Table IV.

Table IV: Linear Probability Model	
University	-0.121***
	(0.044)
Senior Faculty	-0.250***
	(0.044)
Arts and Humanities	0.076
	(0.048)
Physical Sciences	0.021
	(0.048)
Social Sciences	(omitted)
Gender (1 if male)	-0.009
	(0.106)
Me Too dummy variable	-0.027
	(0.039)
Constant	0.873***
	(0.122)
Total Cases	**701**
Standard errors in parentheses. *** p<0.01, ** p<0.05, * p<0.1	

4. Final discussion

A key part of preventing sexual harassment is ensuring that appropriate action is taken when a report is made. In this paper, we use data on reported cases of sexual misconduct by US faculty to look into the results of sexual harassment cases. We found that accused senior faculty were 25 percentage points less likely than accused non-senior faculty to no longer work at the institution, and accused faculty at universities were 12.1 percentage points less likely than accused faculty at non-university institutions (such as liberal arts colleges or community colleges) to receive such a punishment. A plausible explanation is that universities have more difficulty punishing senior faculty due to tenure and because they don't want to cut ties with high-status scholars that bring recognition to the institution. We want to emphasize that our data only captures public cases in the media. Having additional details on the nature of the allegations and more comprehensive dataset recording a larger number of sexual harassment cases in academia would help address any possible biases in our findings. Further research is needed to address these limitations.

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