

The University of Rochester Case  
And  
Some Questions & Lessons for Us

January 22, 2018

## Professor Florian Jaeger

2007	Started as Assistant Professor in Brain and Cognitive Science
2013	Tenure
2016	Full Professor
2017	Administrative Leave

## Some Timelines

### Investigation Milestones

1. The Nearpass (Counsel Office) Investigation (March – May 2016)
2. The Nearpass Report & Provost Clark Determination (May – June 2016)
3. Appeal of the Nearpass Findings (July – August 2016)
4. Aslin, Cantlon, Kidd “vs” UR (June – July 2016)
5. The July 2016 Letter
6. The Curtin Investigation & Appeal Determination (July – November 2016)
7. Bixby Complaint (August 2016)
8. DeAngelis (Chair) Sanctions Jaeger and Forms Workplace Conduct Comm (August – September 2016)
9. Claimants’ Meet with President Seligman and Van Slyke (October – November 2016)
10. Prof Aslin’s Letter to Jaeger and Jaeger’s Concern for His Students (November 2016)
11. Provost Clark’s Memo to Faculty (November – December 2016) .
12. Prof Aslin Resigns in Protest (December 2016)

# Some Ramifications

the filing of the EEOC Complaint and a subsequent, recently-filed federal lawsuit

protests

demands that Jaeger be fired

a letter from 18 former graduate students who worked with Jaeger to Dean Culver in strong support of him

36 calls for President Seligman's resignation

alumni petition making five demands, including a public written apology from Seligman and acceleration by Aslin's retirement from UR;

fractured personal relationships among the BCS faculty

a letter, co-authored by a former BCS graduate student and advisee of Aslin's and signed by over 400 faculty members at other schools, saying that they will not recommend that any student of theirs go to UR to study or work under present circumstances

# Some Ramifications

Publicity

## **Clear documentation**

Notice of Investigative Process and Rights  
Confidentiality Policy  
Information Technology Policy  
Publicize Annual Data on Harassment Complaints

## **Help**

Advisers for Claimants and Accused  
Training Programs

## **Enforcement**

Dedicated Office to Investigate Sexual Harassment or Misconduct by Faculty Members  
Cabinet-Level Officer to Oversee Implementation  
Trustee or Special Committee to Oversee Implementation

# Some Recommendations In the Report

## Evolution of the UR Intimate Relationship Policy

- < 2014 Student-Faculty relationships discouraged
- 2014 Student-Faculty relationships prohibited if faculty member exercises authority. Prohibit Faculty-Ugrad
- 2017 Changes: Expanded definition of “authority”, warning about power differential, Counsel Office approves management plan for exceptions.
- 2018 The report recommends further strengthening...

# Report's Recommendations for Improving the 2017 Policy

1. examples of acts that may constitute sexual harassment
2. the range of discipline and other remedial action that may be taken when there is a violation of the policy
3. the range of discipline and other remedial actions that may be taken by deans and chairs of departments for problematic conduct that does not rise to the level of a violation of the policy, but nevertheless counsels some remedial steps.
4. encouraging members of the University community who believe that anyone subject to UR Harassment Policy has engaged in sexual harassment to report such conduct, similar to the language in the University's Student Sexual Misconduct Policy that encourages reporting.

Some Questions for Us



R1. What if what we call “risky behavior” has no power differential overtones?

R2. What are the prevention and prosecution ramifications of having a “bright line” like “no faculty-ugrad relationships.”? (Note: 19 of the 60+ AAU schools have this particular bright line.)

R3. Consider the UR recommendation “no relationships between grads and faculty who are members of the same department.” Is it good enough at Cornell to simply change “department” to “graduate field”?

R4. A chair cannot discuss a case with department faculty unless the accused approves. Is that a positive or a negative and if it is a negative can something be done about it?

R5. What's the best name for the Policy?

Romantic Relationships Policy

Consensual Relationships Policy

Intimate Relationships Policy

R6. What is the policy for getting hold of emails during a 6.4 investigation and would those rules apply for a CRP investigation?

R7. Can we publicize stats at the [Yale Level](#) ?

R8. Upon learning of risky behavior, to whom should a Chair disclose?



R9. How should all this relate to tenure evaluations and other promotions?