



COLLEGE OF LIBERAL ARTS
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Professor Robert Crosnoe
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Dear Rob:

I am writing to report my conclusions following the deliberations of the College of Liberal Arts Comprehensive Review Committee for the case of Professor Mark Regnerus.

First, I will summarize the history and procedures of the Review Committee. In 2009, having judged that the college's post-tenure review process was inadequate, I appointed the first college-level Post-Tenure Review Committee (now the Comprehensive Review Committee) in order to strengthen the process and provide, when appropriate, more informative feedback to faculty members and their department chairs. The charge of the Committee is to review each case brought before it and to recommend to the dean an appropriate course of action. For cases involving a faculty member from the same department as a committee member, the latter recuses him/herself.

I decided that a college-level review would be triggered if (1) the departmental review committee decides that a faculty member's performance is rated as "Unsatisfactory" or "Does Not Meet Expectations;" (2) the department chair dissents from a positive evaluation by the departmental review committee and judges the faculty member's performance to be either "Unsatisfactory" or "Does Not Meet Expectations;" or (3) the dean questions whether a positive evaluation by the department is justified. Note that the conditions that trigger a college-level review in CoLA are somewhat more broad than those outlined in the provost's guidelines on Comprehensive Review issued in 2011. In particular, the provost's guidelines stipulate that a college-level review is triggered when a faculty member's performance is rated as "Unsatisfactory." At the time that the provost's guidelines were announced, I consulted with Provost Leslie about the CoLA policy stipulating that a college-level review is triggered by a rating of *either* "Unsatisfactory" or "Does Not Meet Expectations." Provost Leslie told me that it was within my discretion as dean to continue applying the more stringent policy. I stress this point because Professor Regnerus has questioned the legitimacy of bringing his case

before the Comprehensive Review Committee. In fact, this procedure is consistent with our practice going back to 2009 and is entirely legitimate.

The Department of Sociology comprehensive periodic review committee appointed by then-department chairperson Christine Williams rated Professor Regnerus's performance as "Exceeds Expectations." Professor Williams dissented from the committee's judgment and rated Professor Regnerus's performance as "Does Not Meet Expectations." The discrepancy apparently reflects differences between the review committee and the chairperson about what aspects of performance were being evaluated. According to a member of the review committee (Peter Ward) and Chairperson Williams, the committee's assessment was based on the number of papers that Professor Regnerus had published during the review period and their placement in peer-reviewed journals. The review committee did not address the controversies regarding Professor Regnerus's methodology and conclusions that had arisen following the publication of the article, "How Different are the Adult Children of Parents Who Have Same Sex Relationships? Finds from the New Family Structures Study," published in *Social Science Research* in 2012. In contrast, Chairperson Williams's dissenting view was based on what she described as methodological and ethical problems associated with that article. She did not disagree with the review committee that Professor Regnerus's publication record—apart from the New Family Structures (NFS) study—was respectable.

Consistent with existing CoLA policy (see above), the disagreement between the departmental review committee and the chairperson triggered a college-level assessment of the Regnerus case by the Comprehensive Review Committee. The committee began their review of this case in the spring of 2014. Several meetings were devoted to trying to understand key issues involved in the differing assessments of Professor Regnerus's scholarship, particularly the issues and controversies surrounding the NFS study. The Comprehensive Review Committee members discussed several aspects of the methodology used by Professor Regnerus in conducting the study they found concerning, including: the disparate reactions to the study's design and the validity of its conclusions from professionals within the field, and what had been the allegations and evidence previously investigated by UT shortly after publication of the NFS study.¹

Ultimately the members and I agreed that, given the seriousness of the issues discussed, we needed some expert guidance. I therefore asked Senior Associate Dean Marc Musick, a quantitative sociologist with expertise in survey methodology, to review these issues and to provide the committee with a written report of his findings. He did so, and the report was distributed to the committee members. The committee met to discuss the report's findings, including the following:

¹ At that time, Mr. Scott Rose, a blogger not associated with UT Austin, leveled charges of scientific misconduct against Professor Regnerus. In accordance with UT policy, an inquiry was conducted by a provost-appointed committee chaired by Dr. Robert Peterson, UT's Research Integrity Officer. Following its inquiry, that committee informed Provost Steven Leslie that "no evidence was provided [by Scott Rose] to indicate that the behavior at issue rose to a level of scientific misconduct" and that therefore "no formal investigation is warranted." The provost accepted that committee's conclusion.

- The design of the NFS study survey instrument guaranteed that any participant who reported that their parent participated in a same-sex romantic relationship would have also experienced some form of family instability.
- Increased likelihood of negative outcomes for children who experience family instability are well-documented within existing scholarly literature.

Marc Musick's report on the Regnerus case discussed a number of ethical concerns, some of which were not considered in the original UT inquiry. In my view, the Comprehensive Review Committee does not provide an appropriate venue for the resolution of such ethical issues. I therefore sought the guidance of Robert Peterson and his supervisor, Juan Sanchez, Vice President for Research. Dr. Sanchez read the Musick report and communicated to me that he did not believe that any of the issues raised in the report rose to the level of scientific misconduct and that therefore it was not appropriate for his office to conduct a further inquiry and investigation.

Accordingly, when I presented Dean Musick's report to Professor Regnerus, I advised him that if he chose to respond in writing for the committee's consideration, he need not address the ethical concerns that Dean Musick had raised but should focus instead on the methodological issues that were raised. I asked him to provide the written response within six weeks. Professor Regnerus presented his response within that time period but responded to both the methodological and ethical issues discussed in the Musick report. Professor Regnerus's response was then distributed to the committee.

The Comprehensive Review Committee met in early January 2015 for a final discussion of the case. I announced at the start that, given UT's established procedures for addressing issues of ethical concern, and consistent with my advice to Professor Regnerus, our discussion of this case should focus on findings related to methodology. Although there was some disagreement expressed as to what extent any ethical concerns could be extricated from other matters, the committee offered their views on the facts of the case.

Following consideration of our discussion, and my own reading of the case, I draw the following conclusions:

- (1) Leaving aside for the moment the matter of the NFS study, the departmental review committee's assessment of Professor Regnerus's publication record—both in terms of quantity of papers and quality of publication venues—seems fair and reasonable.
- (2) With respect to the NFS study, valid methodological concerns have been raised by former chairperson Christine Williams and Marc Musick. A key one is this: Because the design of the study ensured that the parental same-sex relationship variable was confounded with the family structure stability variable, it is not possible to conclude that the different life outcomes between the two groups were caused by the parental relationship variable. This is not simply because of the usual difficulty of inferring causality from correlation. It is rather because family instability is well-known to be associated with less favorable life outcomes (e.g., Amato & Keith, 1991). Therefore, it

cannot be concluded on the basis of the NFS study that the parental relationship variable plays any causal role in life outcomes.

(3) From (2) it follows that no policy implications about same-sex parenting should be drawn from the study. As Professor Regnerus himself noted in the NFS paper, "American courts are finding arguments against gay marriage decreasingly persuasive... This study is intended to neither undermine nor affirm any legal rights concerning such." (Regnerus, 2012, p. 766).

No further action will be taken by CoLA regarding Regnerus's 2014 comprehensive review. However, I am concerned that recent events and the strong feelings they have evoked have tended to disrupt the strong level of collegiality that has characterized the Department of Sociology over the years. Accordingly, I hope that you will take steps to restore harmonious working relations among all of your faculty and, in particular, to reengage Professor Regnerus in the life and work of the department. Please let me know if, to this end, I can assist you in any way.

Sincerely,



Randy L. Diehl, Dean
David Bruton, Jr. Regents Chair in Liberal Arts

Amato, P.R. & Keith, B. (1991). Parental divorce and adult well-being: A meta-analysis. *Journal of Marriage and the Family*, 53, 43-58.

Regnerus, M. (2012). How different are the adult children of parents who have same-sex relationships? Findings from the New Family Structures Study. *Social Science Research*, 41, 752-770.

cc: Professor Mark Regnerus, Department of Sociology
Professor Christine Williams, Department of Sociology