The Discoveries of the Discrimination Research Group

November 7–8, 2008
At
Stanford Law School

Room 180, First Floor

Funded by
Ford Foundation
“Building on the earlier Discrimination Research Group conference and book, this meeting will feature many of the best empirical scholars, lawyers, and policy makers studying the changing dynamics of employment discrimination, considering what they mean in the workplace and in the courts.”

- LAURA BETH NIELSEN

CONFERENCE PLANNING COMMITTEE

**Ellen Berrey**
Assistant Professor, Department of Sociology,
University at Buffalo, SUNY

**Lauren B. Edelman**
Agnes Roddy Robb Professor of Law and
Professor of Sociology; and Director, Center for
the Study of Law and Society, Boalt Hall
School of Law, University of California-Berkeley

**Samuel R. Lucas**
Associate Professor, Department of Sociology and
an affiliate of the Department of Demography,
University of California-Berkeley

**Robert L. Nelson**
Director and MacCrate Research Chair in
the Legal Profession at the American Bar
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Northwestern University

**Laura Beth Nielsen**
Research Professor, American Bar Foundation;
Associate Professor of Sociology
and Director of Legal Studies,
Northwestern University

**Robin Stryker**
Professor of Sociology and Affiliated Professor,
Rogers College of Law, at the
University of Arizona
CONFERENCE WELCOME


This conference seeks to disseminate the latest empirical research findings on employment discrimination and the law, building on research carried out by the Discrimination Research Group (DRG). The DRG is a Special Project funded jointly by the American Bar Foundation, the Center for Advanced Study in the Behavioral Sciences, and the Ford Foundation, which has been meeting at the Center since 2004.

In recent years there has been burgeoning interest in research on bias and discrimination within the social sciences and legal scholarship. As the number of discrimination lawsuits grew dramatically in the 1990’s and the law itself underwent significant changes, courts, enforcement agencies, employers, and employment civil rights advocates faced the challenge of incorporating new research findings in their decisions, their enforcement strategies, their employment practices, and their efforts to reduce employment discrimination.

This conference, which will be held at Stanford Law School in the days following our national elections, brings together researchers, policy analysts, and journalists, and provides summaries of research that are accessible to interested audiences. The conference will open with a keynote address by economist Glenn Loury, the Merton P. Stoltz Professor of Social Sciences, of Brown University, who for a generation has been an influential public intellectual on issues of inequality and opportunity in American society. We then will hold a press conference to present and discuss selected research findings and their implications. A press booklet containing brief (one-page) descriptions of research findings will be distributed at the Conference. The remainder of the first day and the second day will be devoted to panels in which scholars will present and discuss their work with conference participants. A preliminary program is contained in the pages that follow.

We look forward to your participation in this important event.

Robert L. Nelson
Director, American Bar Foundation

Claude M. Steele
Director, Center for Advanced Study in Behavioral Sciences
CENTER FOR ADVANCED STUDY IN THE BEHAVIORAL SCIENCES AT STANFORD UNIVERSITY
## PRELIMINARY CONFERENCE SCHEDULE

**Friday, November 7**

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<th>Time</th>
<th>Event</th>
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<td>1:00–1:05 p.m.</td>
<td><strong>WELCOME FROM THE PLANNING COMMITTEE</strong></td>
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<td></td>
<td>Robert L. Nelson, American Bar Foundation &amp; Northwestern University</td>
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<td>Laura Beth Nielsen, Northwestern University &amp; American Bar Foundation</td>
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<td>1:05–2:00 p.m.</td>
<td><strong>KEYNOTE ADDRESS</strong></td>
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<td>Glenn C. Loury, Merton P. Stoltz Professor of the Social Sciences,</td>
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<td>Department of Economics, Brown University</td>
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<td>2:00–2:15 p.m.</td>
<td><strong>BREAK</strong></td>
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<td>2:15–3:15 p.m.</td>
<td><strong>PRIMARY RESEARCH FINDINGS PRESS CONFERENCE</strong></td>
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<td>Short presentations from researchers</td>
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<td>3:15–3:30 p.m.</td>
<td><strong>BREAK</strong></td>
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<td>3:30–5:15 p.m.</td>
<td><strong>PANEL I: LITIGATING EMPLOYMENT DISCRIMINATION</strong></td>
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<td><em>Judicial Deference to Institutionalized Employment Practices</em></td>
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<td>Lauren B. Edelman, UC Berkeley</td>
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<td>Linda H. Krieger, UC Berkeley</td>
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<td>Scott R. Eliason, University of Arizona</td>
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<td>Catherine Albiston, UC Berkeley</td>
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<td>Virginia Mellema, US Equal Opportunity Employment Commission</td>
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<td><em>Does Employment Discrimination Law Do a Good Job?</em></td>
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<td>John J. Donohue III, Yale University</td>
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<td>Peter Siegelman, University of Connecticut</td>
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<td><em>Individualized Justice: Litigating Claims of Employment Discrimination in the Post-Civil Rights United States</em></td>
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<td>Robert L. Nelson, Northwestern University and American Bar Foundation</td>
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<td>Ryon Lancaster, University of Chicago</td>
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<td>5:15–6:00 p.m.</td>
<td><strong>RECEPTION</strong></td>
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<td>Stanford, Crocker Garden</td>
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Preliminary Conference Schedule

Saturday, November 8

8:00–9:00 a.m. Continental Breakfast

9:00–10:30 a.m. Panel II: Discrimination, Difference, and Diversity in Organizations

Race at the Top: How Companies Shape the Inclusion of African Americans on Their Boards in Response to Institutional Pressures
Clayton S. Rose, Harvard University
William T. Bielby, University of Illinois at Chicago

Kicking and Screaming: Decoupling, Commitment, and Resistance in Organizational Diversity Programs
Frank Dobbin, Harvard University
Alexandra Kalev, University of Arizona

Diversity Ideology and the Distribution of Organizational Resources: Evidence from Three U.S. Field Sites
Ellen C. Berrey, University at Buffalo, SUNY

Cracking the Glass Cages? Restructuring and Ascriptive Inequality at Work
Alexandra Kalev, University of Arizona
Discussion: Alison Morantz, Stanford University

10:30–10:45 a.m. Break

10:45–12:30 p.m. Panel III: Reception and Use of Social Science Research in Employment Civil Rights

The Use of Social Science on Implicit Bias in Title VII Discrimination Cases
Cecilia Ridgeway, Stanford University

At the Interface of Law, Business Organizations and Social Science: Industrial Psychologists Mediate the Meaning and Impact of Employment Discrimination Law
Robin Stryker, University of Arizona

Sexual Harassment and Posttraumatic Stress Disorder: Damages Beyond Prior Abuse
Margaret S. Stockdale, Southern Illinois University
T.K. Logan, University of Kentucky
Rebecca Weston, Southern Illinois University
Discussion: Susan Bisom-Rapp, Thomas Jefferson School of Law

12:15–1:30 p.m. Lunch
CONFERENCE SCHEDULE
Saturday, November 8, continued

1:30–3:00 p.m.  ROUNDTABLE

Politics, Movements and Discrimination Research Group
Samuel R. Lucas, UC Berkeley
Martha Biondi, Northwestern University
Taeku Lee, UC Berkeley
Miranda Massie, New York Lawyers for the Public Interest
Susan Sturm, Columbia University

3:00–3:15 p.m.  BREAK

3:15–4:45 p.m.  CONCLUDING REMARKS
William T. Bielby, University of Illinois at Chicago
Deborah L. Rhode, Stanford University

4:45–5:45 p.m.  RECEPTION
Stanford, Crocker Garden

“The Discrimination Research Group has been working to develop new social scientific understandings of employment discrimination and the role that law can play in combating this persistent problem. The findings of these scholars are critically important to making informed judgments about the future of anti-discrimination law.”

- ROBERT L. NELSON
CONFERENCE INFORMATION:

Schedule:

The conference will begin at 1:00 p.m. on Friday, November 7, and conclude at 4:45 p.m. on Saturday, November 8.

Conference Location and Parking:

Stanford Law School, Room 180, first floor, Crown Quadrangle, 559 Nathan Abbott Way, Stanford, CA 94305-8610

For driving directions, information on visitor parking and maps, visit www.law.stanford.edu/directions/

Visitor parking is available on the Stanford University campus. Upon request in advance of the conference, one-day visitor parking permits are available to conference contributors and members of the press. [Est cost: $12/daily permit per person.]

FOR ADDITIONAL INFORMATION, CONTACT:

Media Contacts:

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CONFERENCE PARTICIPANTS AND CONTRIBUTORS

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Martha Biondi, Northwestern University
Susan Bisom-Rapp, Thomas Jefferson School of Law
William Bridges, University of Illinois at Chicago
Bliss Cartwright, Equal Employment Opportunity Commission
Ruth Colker, Moritz College of Law, Ohio State University Law School
Faye Crosby, University of California, Santa Cruz
Frank Dobbin, Harvard University
John J. Donohue III, Yale University
Lauren B. Edelman, Boalt Hall School of Law, University of California-Berkeley
Scott R. Eliason, University of Arizona
Samuel Estreicher, New York University School of Law
Elizabeth Gorman, University of Virginia
Tanya Hernandez, Rutgers School of Law-Newark
Elizabeth Hirsh, Cornell University
Alexandra Kalev, University of Arizona
Linda H. Krieger, University of California - Berkeley
Ryon Lancaster, University of Chicago
Kevin Lang, Boston University
Taeku Lee, University of California-Berkeley
T.K. Logan, University of Kentucky
Glen C. Loury, Brown University

Samuel R. Lucas, University of California-Berkeley
Brenda N. Major, Professor, Psychology Department, University of California-Santa Barbara
Miranda Massie, New York Lawyers for the Public Interest
Virginia Mellema, US Equal Opportunity Employment Commission
Debra Meyerson, Stanford University
Alison Morantz, Stanford University
Robert L. Nelson, American Bar Foundation; Northwestern University
Laura Beth Nielsen, American Bar Foundation, Northwestern University
Robert Parker, University of California, Riverside
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Cecilia Ridgeway, Stanford University
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Claude Steele, Center for Advanced Study in the Behavioral Sciences, Stanford University
Margaret S. Stockdale, Southern Illinois University Carbondale
Susan Sturm, Columbia University
Robin Stryker, University of Arizona
Rebecca Weston, Southern Illinois University
ABOUT THE AMERICAN BAR FOUNDATION

The American Bar Foundation is an organization dedicated to advancing justice through rigorous research on the law, legal practices, and the law's impact on our society. The ABF is the nation's leading research institute for the empirical study of law. An independent, nonprofit organization for more than fifty years, ABF seeks to advance the understanding and improvement of law through research projects of unmatched scale and quality on the most pressing issues facing the legal system in the United States and the world.

The Foundation is committed to broad dissemination of research findings to the organized bar, scholars, and the general public. The results are published in a wide range of forums, including leading academic journals, law reviews, and academic and commercial presses. Since its founding in 1952, the American Bar Foundation has become the preeminent provider of empirical research fundamental to legal institutions and legal processes. It has achieved this preeminence by supporting independent research that combines the best tools of social science analysis with a variety of intellectual perspectives associated with disciplines ranging from law, economics, political science and history to sociology, psychology and anthropology. Today, ABF Research Fellows are among the leading scholars in all of these disciplines.

While it is essential that the Foundation draw on the talents of leading scholars in their fields, it is equally important that these scholars use their talents to understand legal phenomena as they affect real people and events. The Foundation’s projects repeatedly produce findings of specific relevance to the legal profession and of more general importance to our society.

Key to the strength of the ABF is the ongoing and significant financial support generously provided by the American Bar Endowment. The ABF has also benefited in its first half-century from the valued contributions of the Fellows of the American Bar Foundation.

Robert L. Nelson, Director
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Chicago, IL 60611-4403
Tel: 312-988-6500

For more information, visit www.americanbarfoundation.org
ABOUT THE CENTER FOR ADVANCED STUDY IN THE BEHAVIORAL SCIENCES AT STANFORD UNIVERSITY

The Center for Advanced Study in the Behavioral Sciences at Stanford (CASBS) is dedicated to advancing knowledge about human behavior and fostering contributions to society by facilitating interdisciplinary perspectives, depth of inquiry, integration of knowledge, and application to real world concerns.

Our goal is to bring the disciplines into contact with each other—to broaden scholars beyond their specialized training. Each year, the Center welcomes a class of approximately forty scholars from any field whose research pertains to the social sciences, behavioral sciences or the humanities. The class of 2008-09 includes scholars from twelve disciplines: anthropology, communication, economics, education, history, law, medicine, music, political science, psychology, religion, and sociology. Many of these scholars work on topics that cross disciplinary boundaries.

Since the arrival of the first class in January 1955, the Center has fostered research and scholarship that has been enormously influential. We take pride in identifying rising stars and providing an environment that enables them to do the kind of consequential work that leads to global recognition. While at the center, fellows have produced pioneering works, such as Thomas Kuhn’s The Structure of Scientific Revolutions and John Rawls’ A Theory of Justice. In addition, following their residences at the Center seventeen Fellows went on to receive a Nobel Prize, eight received Pulitzer Prizes, twenty-three were selected as MacArthur Fellows, three received the John Bates Clark Medal, eleven received the Bancroft Prize, ten received National Book Awards and eighteen received the National Medal of Science. One hundred and seven were subsequently honored with membership in the National Academy of Sciences.

Since our inception, the Center has maintained an unwavering commitment to a single mission: To advance knowledge in the social and behavioral sciences. Our founding document declares that “the critical problems of our contemporary society make clear the great need for knowledge of the principles that govern behavior.” We believe that this quest for knowledge to improve society is as timely and compelling today as it was 50 years ago.

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