

1 OHIO UNIVERSITY

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4
5 RE: DR. YUSUF KALYANGO

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7 VOLUME II

8 DECEMBER 11, 2020

9 8:30 a.m. - 6:06 p.m.

10 REMOTE VIDEOCONFERENCE, RE:

11 TENURE REVOCATION HEARING

12 FACULTY SENATE PROCEEDINGS HEARING

13 OF DR. YUSUF KALYANGO

14 - - -

15
16 HELF BEFORE: Dr. Robin Muhammad,
Hearing Committee Chair

17 COMMITTEE MEMBERS:

18 Lauren McMills
Charles Lowery
19 Mark Franz
Vladimir Marchenkov
20 Yehong Shao-Lucas
Sheryl House

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Stacey Bennett
Dr. Lupo
Barbara Nalazek

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P R O C E E D I N G S

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HEARING COMMITTEE CHAIR MUHAMMAD:

Seeing all -- both parties represented, we will begin the proceedings for day two of the tenure revocation hearing of Dr. Yusuf Kalyango.

Good morning. I'm Robin Muhammad, welcoming you again and thanking you for your participation in this process.

I just have a few words. They will be repetitive, in terms of some of our procedures; but also some particular notation around the nature of the international calls that we'll be receiving today.

Again, we're continuing with witnesses called by the faculty member, and we will do that throughout, followed by the summation.

After each witness has made their introductory remarks, the balance of the time left in the 30-minute period will be divided between the faculty member's rep- -- legal representative for questioning and then transitioning to university legal counsel.

At the end -- and this will be an item that I will repeat -- prior to the summation

1 at the end of all -- at the conclusion of all
2 witness testimony, each party may expressly reserve
3 a portion of the summation time for rebuttal. So
4 again, I'll repeat that at the end, but I just
5 wanted to make note of it now.

6 It's also worth noting that though
7 the procedure for the testimony is the same as
8 yesterday, we are doing this virtually. We've
9 already experienced some connectivity issues, and
10 we will work our way through them throughout the
11 day, and hopefully there will be few.

12 Another aspect of it is that we're
13 receiving several international calls. And not
14 unlike some domestic calls, sometimes there is a
15 lag time as the voice is coming over. So we need
16 to be sensitive to that, patient with that. And
17 again, we will work through that so that we can
18 hear as best as the technology will allow us the
19 testimony and to allow both parties to question
20 during that 30-minute time for each.

21 And with that, I ask, Duane and
22 Angie, I believe Dr. Leung is here; and if willing,
23 we could get started right away. So bring her in
24 and begin the process.

25 DUANE BRUCE: All right. She is in

1 the room.

2 HEARING COMMITTEE CHAIR MUHAMMAD:

3 Thank you.

4 Good morning, Dr. Leung. I'm
5 Robin Muhammad.

6 HANG YEE LEUNG: Good morning.

7 HEARING COMMITTEE CHAIR MUHAMMAD:

8 I'm the hearing committee chair. Thank you for
9 being here today.

10 HANG YEE LEUNG: Thank you. Thank
11 you for inviting me.

12 HEARING COMMITTEE CHAIR MUHAMMAD:

13 Yes. Our procedure for each witness is the same.
14 We have a 30-minute block of time; and you are
15 welcome to make any introductory remarks that you
16 would like to make prior to, first, questioning
17 from the faculty member's counsel and then from the
18 university's legal counsel.

19 If you're reading from a particular
20 statement or a particular statement or a particular
21 document, we've been asking witnesses to just make
22 sure you're speaking slowly and clearly, because we
23 are -- in addition to recording the proceedings,
24 we're also having it transcribed by a court
25 reporter, and we want to make sure that we capture

1 every word.

2 HANG YEE LEUNG: Okay. No problem.
3 Thank you.

4 HEARING COMMITTEE CHAIR MUHAMMAD:
5 Excellent. Thank you. Please proceed.

6 Oh, I'm sorry to interrupt.

7 When -- If you go beyond maybe ten
8 minutes or so of speaking, I'll -- I'll probably
9 give you a signal that you need to conclude; but I
10 will try very hard not to cut you off.

11 HANG YEE LEUNG: So I'll be given
12 ten minutes to speak. Right?

13 HEARING COMMITTEE CHAIR MUHAMMAD:
14 Absolutely.

15 HANG YEE LEUNG: Okay. Okay. So
16 shall I start now?

17 HEARING COMMITTEE CHAIR MUHAMMAD:
18 Yes, please.

19 And when you state your name, would
20 you please spell both the first and last name,
21 again, for the benefit of court reporter. Thank
22 you.

23 HANG YEE LEUNG: Okay. Thank you.

24 Good morning. Good evening here in
25 Hong Kong. My name is Hang Yee, H-a-n-g, Y-e-e;

1 and my family name is Leung, L-e-u-n-g. I'm
2 currently a lecturer at the Chinese University of
3 Hong Kong.

4 (Discussion held off the record.)

5 Good morning. Good evening here in
6 Hong Kong. My name is Hang Yee, H-a-n-g, Y-e-e;
7 and my family name is Leung, L-e-u-n-g. I'm
8 currently a lecturer at the Chinese University of
9 Hong Kong.

10 I speak on behalf of my role as a
11 lecturer of the Hong Kong Baptist University, HKBU.
12 Then I worked there from 2014 to 2019.

13 I taught journalism and social
14 communication for HKBU and was selected as an
15 International Journalism Educator in Residence
16 Scholar, IJERS, by O.U. E.W. Scripps School of
17 Journalism.

18 I joined the SUSI program in 2016.
19 English is not my first English.

20 I got to know Dr. Kalyango,
21 Professor Mary Rogus, Dr. Jatin Srivastava,
22 Professor Robert Stewart, and Dean Scott Titsworth
23 of the O.U. journalism faculty when I joined the
24 SUSI program.

25 I met a group of O.U. journalism

1 students in Hong Kong in 2015, and I also met
2 Dr. Aimee Edmondson in Hong Kong in 2017.

3 I am a friend and a follower of
4 Miss [REDACTED] and Miss [REDACTED]
5 on Facebook and Instagram. I know them virtually,
6 but I never met them in person.

7 HKBU invited Dr. Kalyango to spend
8 half a year in Hong Kong as a visiting professor of
9 the International Journalism department in spring
10 2015 and '16. That was time I first met
11 Dr. Kalyango in Hong Kong. He was invited by two
12 of my former co-workers, Miss Bonnie Chiu, C-h-i-u,
13 and Mr. Bruce Lui, L-u-i, who were the SUSI scholar
14 of 2014 and 2015; and we had been at a gathering
15 with Dr. Kalyango when he was in Hong Kong.

16 Dr. Kalyango taught a course of
17 undergraduate degree program and conducted seminars
18 with the Ph.D. students. When he was teaching in
19 Hong Kong --

20 I know that I shouldn't show -- show
21 any slideshow here today, but I just want to show
22 you a picture that this is how Dr. Kalyango
23 conducted his lecture.

24 All right. Every student liked him.
25 He was so popular. And he was being interviewed by

1 the newsletter of HKBU School of Communication
2 where he was become the cover story of that issue.

3 Dr. Kalyango has put much of his
4 time and efforts in putting forward
5 internationalization of O.U. journalism. He has
6 founded a strategic alliance among three university
7 of three countries, including O.U. from the U.S.A.,
8 HKBU from Hong Kong, China, and University of
9 Leipzig in Germany where student of these three
10 university would visit each other every year.

11 Because of this alliance, I got the
12 chance to meet the group of O.U. students in
13 Hong Kong during 2015. And at that time I just
14 knew the students were from O.U. I didn't know
15 Dr. Kalyango.

16 An O.U. student shared experience of
17 producing a news documentary about Hong Kong
18 property housing problems. I could feel how
19 fascinated the O.U. students were when they met
20 with the students in Hong Kong.

21 From my observation, the School of
22 Communication of HKBU valued the relationship with
23 Dr. Kalyango so much. I could even not be able to
24 recall how many times I met teachers and students
25 of O.U. in Hong Kong.

1 In 2017, Dr. Kalyango has brought
2 Professor Aimee Edmondson to Hong Kong, and
3 Professor Aimee Edmondson had delivered a public
4 lecture on data journalism.

5 Dr. Kalyango not only forced
6 academic collaborations between Hong Kong and the
7 U.S., but also China. He was invited to deliver
8 seminars at the Shanghai International -- the
9 Shanghai International Studies University, a
10 university that rarely used English as their medium
11 of instruction.

12 He was also invited to speak and
13 organize an academic conference at the Fudan
14 University, which is the top university in
15 Shanghai, China, in November 2017 before he
16 traveled to Hong Kong with Dr. Edmondson.

17 I would say that there was no doubt
18 Dr. Kalyango has really bring the name and the fame
19 of O.U. and the Scripps College of Journalism to
20 Asia; in particular, Hong Kong and China. It is
21 really a great loss to the international journalism
22 education due to the suspension of Dr. Kalyango.

23 Do you know what happened next?

24 Because Dr. Kalyango was suspended
25 by O.U., the triple alliance between HKBU, O.U.,

1 and University of Leipzig has collapsed because
2 there was no one who could take up his work.
3 Despite Dr. Kalyango being suspended by O.U. for
4 over two years already, our former SUSI scholars
5 from Hong Kong and China, and even our students at
6 HKBU continue to reach out to Dr. Kalyango. We
7 even sent him masks, face masks earlier this year,
8 because the U.S. is -- is having the COVID-19
9 pandemic.

10 So during my participation in the
11 SUSI program, I was aware that Dr. Kalyango was
12 friendly to everybody. He was very, very friendly.
13 He invited me to dinner at his home and also at
14 restaurants with other scholars, and he sometimes
15 paid the check.

16 I have learned from some news report
17 that one of the complainants, [REDACTED], described that
18 Dr. Kalyango's friendly acts harassing.

19 But let me tell you something. When
20 Dr. Kalyango stayed in Hong Kong, my former
21 co-workers and I treat him dinner, brought him to
22 watch movies and shows, and even invited him to our
23 Chinese New Year celebrations. My co-workers even
24 brought the O.U. Ph.D. students to Chau Peng
25 (phonetic).

1 Does it mean that we harassed
2 Dr. Kalyango?

3 I never heard about any rumors that
4 Dr. Kalyango has treated Chinese scholars better
5 than the other scholars or he has said anything or
6 done anything that make female scholars feel
7 uncomfortable.

8 So I don't deny that people might
9 feel strange that Dr. Kalyango make so many Chinese
10 friends, especially us who come from Hong Kong and
11 China, but he is a genuine fan of Chinese culture
12 and Chinese food. His favorite food is Chinese
13 fried rice. It is an open secret. All of my HKBU
14 colleagues in the Chinese SUSI scholar know about
15 that.

16 He taught Chinese students, make
17 friend with Chinese scholars and academics. No one
18 has complained of him, and we all loved him.

19 Dear committee members, do you
20 know -- Yes, sorry. Oh, sorry. Okay.

21 So dear committee members, do you
22 know where [REDACTED] was when she first -- she attended
23 the meeting yesterday? Hawaii. So why do I know?
24 Because I'm a Facebook and Instagram friend with
25 [REDACTED] and [REDACTED], as well as [REDACTED]. But it's so sad that [REDACTED]

1 has set her Instagram private immediately after
2 yesterday's testimony.

3 Anyway, I got to be an observer
4 yesterday, when I have already expressed that --

5 Yes. Sorry.

6 (Discussion held off the record.)

7 HANG YEE LEUNG: So yesterday, I was
8 an observer of the meeting; and I log in soon when
9 Mr. George Anaya repeatedly mentioned that
10 Dr. Kalyango has evidence discrepancy.

11 Did he ever fact-check what [REDACTED] and
12 [REDACTED] said in their complaints for looking over their
13 social media?

14 Did Mr. Anaya know how much [REDACTED] has
15 been influenced by the Me Too movement on social
16 media when she filed her complaint against
17 Dr. Kalyango in 2018?

18 When Mr. Anaya put down the details
19 about how [REDACTED] felt harassed when Dr. Kalyango
20 invited her to his hotel room and tried to kiss
21 her, did he know that, actually, for -- for [REDACTED]
22 that she is a long-term drinker and she posts her
23 alcohol drink on social media almost every day.

24 So here's one.

25 So basically for -- for the

1 witnesses, especially for [REDACTED] who have
2 spoken yesterday, that I would say I never heard
3 about anything that Dr. Kalyango drink, took SUSI
4 scholars to drink, to dance, or try to -- to do
5 anything.

6 Dr. Kalyango himself is not a
7 drinker, and he never gave SUSI scholar alcohol and
8 tried to dance or kiss them. I can 200 percent
9 confirm with all of you that Dr. Kalyango does not
10 drink. I never seen him drink.

11 I know many SUSI scholars who
12 completed the program in 2014, 2015, 2016, 2017;
13 and I can 300 percent confirm to all of you that
14 not a single SUSI scholar or program assistant has
15 told me that they felt that Dr. Kalyango has any
16 special romance intention on them.

17 HEARING COMMITTEE CHAIR MUHAMMAD:
18 Dr. Leung, sorry to interrupt, you have about two
19 more minutes. We added some time on because of the
20 interruptions, but you're about at time.

21 HANG YEE LEUNG: Okay. Thank you.

22 To be honest, I'm not an insider of
23 O.U. Being a witness today does not give me any
24 benefits. I don't have to spend so many time on
25 preparing this testimony, because it is very hectic

1 exam period in Hong Kong, which I have an exam in
2 (indiscernible) in less than 12 hours of time, and
3 I got so many papers to mark. I believe you feel
4 the same as teachers.

5 I'm here because I believe that
6 truth is virtual, which is the model of the HKBU
7 School of Journalism.

8 I let you all know the truth that I
9 know.

10 I feel so disappointed that O.U.
11 lost the SUSI program to the University of Arizona.
12 Everyone at HKBU felt so frustrated, because it is
13 like we never be able to see any O.U. faculty
14 members and student visiting Hong Kong again. We
15 all don't know what happened; and it's like, oop,
16 we suddenly lost a contact with O.U., with
17 Dr. Kalyango, with all the other faculty members of
18 the O.U. Scripps School of Journalism.

19 I represent myself, my HKBU former
20 colleagues and SUSI scholars that I know; and let
21 me assure you that Dr. Kalyango is a professional,
22 reliable, sincere, and well-respected international
23 journalism scholar, who unreservedly contributed
24 his knowledge and professionalism to O.U., to the
25 journalism education globally. He put everyone

1 before himself.

2 Thank you.

3 HEARING COMMITTEE CHAIR MUHAMMAD:

4 Thank you, Dr. Leung.

5 We turn now to legal counsel for the
6 faculty member for a questioning period.

7 ANDREA ZIARKO: Thank you.

8 - - -

9 DIRECT EXAMINATION

10 BY MS. ZIARKO:

11 Q. Dr. Leung, thank you for testifying
12 today. I will not take up very much time at all.
13 You had a very thorough statement. And your
14 testimony here -- or your statement here today was
15 very important to -- to Dr. Kalyango to explain the
16 SUSI program in Hong Kong and as well as the
17 alliance between the -- your school as well as O.U.
18 and the school in Germany. And I think that --
19 that you've done that, and we appreciate it.

20 And in your experience, as you
21 stated, Dr. Kalyango's suspension has essentially
22 disseminated that alliance, and it has affected the
23 SUSI program in Hong Kong; --

24 A. Yes.

25 Q. -- correct?

1 A. Yes. Correct.

2 Q. Okay. Well, I appreciate your
3 testimony. And with that, I will go ahead and turn
4 it over to Mr. Loukx.

5 A. Thank you.

6 HEARING COMMITTEE CHAIR MUHAMMAD:

7 Thank you, Ms. Ziarko.

8 Mr. Loukx?

9 Adam LOUKX: Oh, thank you.

10 And good morning to you from
11 Hong Kong. Thank you for -- for sharing your
12 thoughts with us this morning. They're very much
13 appreciated.

14 I really don't have any questions
15 for you. And -- and again, I appreciate you
16 helping us out here today. So you have a good day,
17 and thank you very much.

18 HANG YEE LEUNG: Thank you.

19 HEARING COMMITTEE CHAIR MUHAMMAD:

20 Thank you, Mr. Loukx.

21 Thank you, Dr. Leung, very much.

22 HANG YEE LEUNG: Thank you very
23 much. So I can leave now?

24 HEARING COMMITTEE CHAIR MUHAMMAD:

25 Yes. Yes, you may, with our -- with our thanks.

1 HANG YEE LEUNG: Thank you so much.
2 Thank you for inviting me. Good-bye.

3 HEARING COMMITTEE CHAIR MUHAMMAD:
4 And, Duane, do we have --

5 We were ahead of schedule, I
6 believe. Our next witness was slotted for 9:15.
7 Is -- is that witness in the waiting room?

8 DUANE BRUCE: Not at this point.

9 HEARING COMMITTEE CHAIR MUHAMMAD:
10 All right. Everyone, we're going to go ahead and
11 break for about, let's say, ten minutes. Please be
12 back at no later than 9:05. We have asked each
13 witness to be here at least ten minutes beforehand;
14 so if we're able to start a little bit early, we
15 can -- we will probably absorb some of that extra
16 time as we go along, given some of the technical
17 issues.

18 Thank you. Please mute your mics
19 and shut down video.

20 (Brief recess.)

21 DUANE BRUCE: With the exception of
22 the witness, who I think is getting confused by the
23 waiting room and keeps popping in and out, so.

24 HEARING COMMITTEE CHAIR MUHAMMAD:
25 Well, then, let's -- let's bring in the next

1 witness. We're -- we are ready.

2 DUANE BRUCE: No. I'm waiting for
3 her to log back in.

4 HEARING COMMITTEE CHAIR MUHAMMAD:
5 Oh, she's logged out at this point?

6 DUANE BRUCE: Yeah. This will be
7 the third time. I think the waiting room confused
8 her, because every time I pushed her there, she
9 logged off and has tried to log back in.

10 HEARING COMMITTEE CHAIR MUHAMMAD:
11 Okay. We have an email address for her. So,
12 Angie, would you please send her a quick email and
13 say, Please log back in.

14 MS. BROCK: Yes, I'll do that.

15 HEARING COMMITTEE CHAIR MUHAMMAD:
16 Thank you so much.

17 DUANE BRUCE: She just got back in,
18 and she is coming into the room right now.

19 HEARING COMMITTEE CHAIR MUHAMMAD:
20 Outstanding. Thank you. Thank you both.

21 DUANE BRUCE: She is in the room
22 now.

23 HEARING COMMITTEE CHAIR MUHAMMAD:
24 Good morning, Ms. Moumakwe.

25 You'll have to turn your mic on.

1 MS. MOUMAKWE: Oh, yeah, I did.

2 How are you?

3 HEARING COMMITTEE CHAIR MUHAMMAD:

4 I'm very well, thank you.

5 And how are you? Good afternoon.

6 JEANETTE MOUMAKWE: Good afternoon.

7 Good morning to you.

8 HEARING COMMITTEE CHAIR MUHAMMAD:

9 Good morning to us. Yes, indeed.

10 Thank you for being here today.

11 We're setting aside for each witness about

12 30 minutes to give some testimony.

13 JEANETTE MOUMAKWE: Okay.

14 HEARING COMMITTEE CHAIR MUHAMMAD:

15 And the way that we have been doing it is each

16 witness introduces themselves. Please state your

17 name clearly and spell it for the benefit of the

18 court reporter, because we're taking a

19 transcription of it.

20 And we're very sensitive to the fact

21 that we -- this is on Zoom, on a virtual platform,

22 and sometimes the audio can be -- have some lag

23 time, depending on the call. And that's okay.

24 We're going to -- to work through that.

25 And if you have a statement that

1 lasts, you know, more than ten minutes, I might
2 give a little indication that you need to wrap it
3 up; but there will be an opportunity both for the
4 faculty member's legal counsel first and then the
5 university's legal counsel to ask you some
6 questions after your testimony.

7 And, oh, by the way, I'm -- I'm
8 Robin Muhammad. I'm the hearing committee chair.
9 Sorry. I should have started with that.

10 Please proceed.

11 JEANETTE MOUMAKWE: Good even- --
12 Good day, everyone. My name is Jeanette Moumakwe.
13 I'm from [REDACTED] I worked with Dr. K, who is
14 Dr. Kalyango, Yusuf Kalyango, and [REDACTED] when
15 they came here for the [REDACTED] I helped
16 them throughout the whole process.

17 Yeah, I think, uhm, that is my
18 introduction.

19 And I had a statement written about
20 which (indiscernible), and you can ask questions
21 from there, and they'll take you through the
22 statement that I shared with them if possible.

23 HEARING COMMITTEE CHAIR MUHAMMAD:
24 All right. So we can turn now to faculty, the
25 faculty member's legal counsel, if you have

1 questions.

2 GREGORY BECK: I do. Thank you,
3 Dr. Muhammad.

4 - - -

5 DIRECT EXAMINATION

6 BY MR. BECK:

7 Q. Good afternoon, Jeanette. How are
8 you?

9 A. I'm doing fine. Thank you.
10 How are you?

11 Q. Fine. Thank you.

12 All right. Let me just take you
13 through your statement. I think it would be easier
14 for the committee and for you also if I just ask
15 you some questions that are reflected in your
16 statement.

17 First of all, you were the
18 administrative coordinator and program assistant
19 for the [REDACTED] Is
20 that correct?

21 A. Right.

22 Q. And how did you -- How were you
23 selected for that position?

24 A. Well, the [REDACTED] Embassy told me
25 about the job opening together in (indiscernible)

1 Dr. Kalyango (indiscernible), and that's how our
2 program from the other participants that we're
3 trying to get the role as well.

4 Q. All right. So just so the committee
5 understands, you then -- once you were selected,
6 did you have some preplanning calls, Skype calls
7 and other calls, with Dr. Kalyango and --

8 I'm just going to refer to his
9 assistant as [REDACTED] instead of her full name. Is that
10 okay with you?

11 A. Okay. That's okay.

12 Q. So did you have --

13 A. (Indiscernible.) Sorry.

14 Q. Did you have some communication with
15 Dr. Kalyango and [REDACTED] before they arrived in
16 [REDACTED]

17 A. Yes, I did. Everything had to be
18 authorized by them and the embassy as well, so I
19 had to do research to see which sites to visit,
20 which hotel for them to visit, and which type of
21 transportation for us to use. And I had to go
22 around to do quotation as well, like logistics
23 work, I meant to say. So, yes, I did have an
24 engagement, like we decide to do it there, and they
25 had the final say. And, like, I was like, Here,

1 this is what I found. Is this okay? And they
2 would decide. And they would tell me, okay, do
3 this and (indiscernible). Like, I was their go-to
4 person. I was the person that was responsible for
5 their stay here and making sure that everything run
6 smooth.

7 Q. All right.

8 A. (Indiscernible).

9 Q. Now, this -- this is really
10 difficult, I know, because of this transmission;
11 but I -- if you can, I would like you to slow down
12 a little bit in your --

13 A. Oh, okay.

14 Q. I -- In American language, I also
15 speak very fast, so I have to always watch my pace.

16 But when you were having these
17 conversations with Dr. Kalyango and even [REDACTED], was --
18 did you ever learn that Dr. Kalyango initially was
19 going to bring his son to [REDACTED]

20 A. Dr. Kalyango did mention that he was
21 bringing his son with him, --

22 Q. Uh-huh.

23 A. -- and he's going to be by his side,
24 not -- not with, like, [REDACTED] but he was
25 coming with his son because he wanted to show him

1 Africa, and because he didn't spend time together,
2 I would say.

3 Q. At some time, did you learn that his
4 son was not going to accompany him?

5 A. He did say when he -- when
6 (indiscernible) that, like, his son is not coming
7 no more.

8 Q. All right. Now, when everyone
9 arrived, okay, were you assigned to stay with [REDACTED]

10 A. Okay. Me and [REDACTED] -- I used to call
11 her that, because that's how we would address each
12 other.

13 Q. Uh-huh.

14 A. So when they came -- so when they
15 came here in [REDACTED], I went to collect them by
16 the airport, and (indiscernible) we used to share a
17 room together. Most of the time, we were together
18 doing the work and all the hours with her. I
19 shared a room with her. I slept with her,
20 everything. I was the person who saw her when she
21 woke up in the morning (indiscernible).

22 Q. How many weeks was she in [REDACTED]
23 with you?

24 A. I will say three weeks. The first
25 week it was us. I was taking them to the places

1 that I had organized for them for them to check out
2 (indiscernible) and all those things. And the
3 other two weeks --

4 They came here on the 1st of -- of
5 [REDACTED] and I took them around and all that.
6 And after that, we shared the room.

7 Q. Now, did you enjoy spending that
8 time with -- with [REDACTED] and -- and sharing the room
9 with her?

10 A. At first -- at first, all was well;
11 but the (indiscernible) and the culture shock
12 (indiscernible). Before, like -- So we had our
13 challenges. Let me put it like that. We had our
14 challenges, but we overcame them. And then that's
15 (indiscernible) between us, and that's
16 (indiscernible). So with this whole thing going
17 on, we don't keep contact normal.

18 So, yes, we had a roller coaster.
19 Some days were good, some days were bad.

20 It even came to a point whereby Dr.
21 K asked me if I wanted another room for the next
22 (indiscernible). I was like, No, it's okay, I know
23 how to, like, you know, the (indiscernible) and all
24 of it. So I was like, I will be there for her, and
25 I understand what's going on (indiscernible). And

1 Dr. Kalyango said that she -- she's sleeping. So I
2 never left her side. We stayed on.

3 Q. And -- and was it just the work
4 volume that was causing the problem, the things
5 that you guys had to do?

6 A. I wouldn't say it was the work
7 volume, because I didn't notice anything unusual.
8 And, uhm, she -- she had her moments. Like, she
9 would get pissed at everything. But I figured,
10 like, we're women. We've got moods, you know.

11 Q. Uh-huh.

12 A. We've got moods and all that.

13 Q. Now, were you interviewed by the
14 investigator about this situation?

15 A. Yes, I was.

16 Q. And did he ask you questions about
17 whether you observed anything unusual between [REDACTED]
18 and Dr. Kalyango?

19 A. Yes, he did.

20 Q. And what did you say to him?

21 A. I told him, like, that I didn't -- I
22 didn't see anything wrong with everything that they
23 had. I didn't see anything unusual except for
24 words.

25 Q. Uh-huh. And did [REDACTED] ever complain to

1 you about Dr. Kalyango?

2 A. No.

3 Q. Now, in -- But -- And you've talked
4 about your relationship with [REDACTED] and so forth, but
5 did you have --

6 In any of your communications with
7 Dr. Kalyango, did you feel that there was anything
8 inappropriate or wrong with his communications with
9 you?

10 A. Well, Dr. K is very specific as to
11 what he wants for work. So he wants to see
12 results. And he would (indiscernible), Are you
13 guys good? And he would ask also is the work too
14 much and (indiscernible). I would say definitely
15 Dr. Kalyango is a good boss and (indiscernible),
16 and he knows what he wants (indiscernible). Judy,
17 who was here also, knew what needed to be
18 delivered. So did I.

19 So for some of us, we knew who we
20 were working with and we knew what is it that he
21 want -- he wanted and we had to deliver. And I
22 remember that he was also very professional, I must
23 say, when it comes to work.

24 Q. You also had a chance to work with
25 Dr. Judy Millesen. Is that correct?

1 A. Yes, I did.

2 Q. And did you also find her very
3 professional and good to work with?

4 A. She -- she is. They are a bunch of
5 good people. Like, we worked well together. I'm
6 not going to lie on that one.

7 Q. Uh-huh. And, now, did you find
8 Dr. Kalyango to be kind and professional to
9 everyone when you observed him?

10 A. Yes, sir.

11 Q. Okay. Now, I want to ask you a
12 little bit about some comments in your statement,
13 and that has to do with your observations of [REDACTED]'s
14 temperament.

15 You -- you mentioned that there were
16 certain points in time when you saw her get very
17 upset.

18 Can you share with the committee
19 what you were talking about?

20 A. Okay. When the embassy people --
21 like, she would drive reporters back, and they had
22 to be authorized, like, the embassy to give a
23 go-ahead (indiscernible) and whatnot. And if there
24 were a lot of (indiscernible) that a bunch of us
25 had to do, and they're like "F" this, "F" this and

1 on and whatnot. And had -- (indiscernible), she
2 had to do what she was asked to do. And that sort
3 of set up failure, because I think she had --
4 because all of us, we had -- we were assigned to
5 certain tasks, if I may say. And when it came to
6 that, like, she would, like, Oh, this too much; and
7 all of that complaining, that and this. But who
8 doesn't complain anyways?

9 But I was supposed to be there when
10 she -- you know, when she was doing all those
11 things and whatnot. How was your day? My day was
12 the same. What did you get up to? Oh, I -- I had
13 to deal with this and da-da-da. What about you?
14 Oh, I'm good. Okay. Do you need help?
15 (Indiscernible) help; and, like, that was the
16 relationship.

17 So there was an incident with the
18 laundry at the hotel, and --

19 Q. Well, let me -- let stop you there.
20 Let me just stop you there a second.

21 What I'm going to call your
22 attention to was something --

23 Did -- did [REDACTED] confide in you about a
24 situation where she got angry at Dr. Kalyango and
25 actually cursed at him? Do you recall that

1 conversation?

2 A. The one about the -- Dr. K giving
3 the participants the American dollar, why not
4 (indiscernible)?

5 Q. Yes.

6 A. She -- she tell me about it in
7 passing, and I just didn't take it into
8 consideration.

9 Q. But what did she say to you?

10 A. That he was -- she was mean to
11 them. Like, they didn't have a good communication.
12 Their communication didn't end well. Like, at some
13 point, [REDACTED] said she did cursed or whatever that
14 she did, (indiscernible) and she had to, you know,
15 go back and rectify that.

16 Q. And so she had told you that she had
17 actually cursed at him and then she was going to
18 later try to apologize?

19 A. Yes.

20 Q. All right. Now, what was the
21 situation with the laundry?

22 And the only reason I'm bringing
23 this up is that we asked [REDACTED] about this yesterday,
24 and she had certain testimony that I won't share
25 with you. But -- but what was your observation

1 about the situation with the laundry?

2 A. That she wanted the laundry to be
3 done for her for free, and she didn't want to pay
4 the hotel the money. So she gave the people at the
5 hotel to do her laundry and came back and said the
6 bill was high, she was not expecting that kind of a
7 deal, and she started to be frustrated.

8 And upon when they were getting
9 everything, the bill and whatnot, that [REDACTED] pay --
10 had to pay -- [REDACTED] paid only half of the amount
11 (indiscernible).

12 So according to my observation, I
13 think she wanted to just do the -- the bill like
14 that. And, you know, that was just something else
15 that went on also.

16 Q. But were you actually standing at
17 the counter when Dr. Kalyango paid the -- paid the
18 bill?

19 A. Yeah. When the -- when he was
20 closing everything, the bill included. So I was
21 there not with him, but I was around.

22 Q. Uh-huh. And I'm looking at your
23 statement, and -- and you say, Dr. K paid the
24 balance that [REDACTED] refused to pay. Then she got mad
25 at him because she really wanted to leave without

1 paying, and she got furious with Doctor K.

2 Is that what you observed?

3 A. Yeah. She had a -- she had an
4 imbalance emotions. Like, she -- she had her
5 moments. Let me put it like that.

6 Q. Uh-huh. And did she ever say nice
7 things about Dr. K when she was there?

8 A. Yeah. We all heard, like, he knew
9 what he wanted, he knew how he wanted things,
10 because he was very professional. (Indiscernible)
11 she'd say he was a good boss.

12 Q. Uh-huh. Well, Jeanette, I really
13 appreciate your testimony for us today. And I
14 don't have any further questions.

15 And my colleague, Mr. Loukx, may
16 have a few questions for you.

17 A. Okay.

18 - - -

19 CROSS-EXAMINATION

20 BY MR. LOUKX:

21 Q. Thank you. Good to meet you
22 remotely.

23 My name is Adam Loukx, and I do have
24 just a few questions for you. And -- and bear with
25 me. Thank you for your assistance today.

1 Prior to meeting [REDACTED] in [REDACTED],
2 you didn't know her. Is that correct?

3 A. What was the question, sir?

4 Q. You only know --

5 You did not know [REDACTED] before you met
6 her in [REDACTED] Is that right?

7 A. I did not know both Dr. K and [REDACTED]
8 when they came here in my -- in my country. So as
9 a human and [REDACTED] I had to welcome them
10 and show them [REDACTED] and the country, so I
11 had to (indiscernible) -- to watch them
12 (indiscernible).

13 Q. Oh, sure. Sure.

14 But you were not an intimate friend
15 of [REDACTED] Is that right?

16 A. We -- we became so close, we even
17 call each other sister -- sisters.

18 Q. Uh-huh.

19 A. And she gave me a present when she
20 left. She gave me earrings with pineapple, like
21 pineapple earrings. And that was the point, like,
22 we started dancing as sisters. So we were close.
23 Hence, why I didn't change the room; hence, why I
24 took her, you know, (indiscernible) emotions and
25 all that.

1 Q. Okay. But it was not a long-term,
2 standing friendship. You met her in [REDACTED]
3 worked with her in [REDACTED] roomed with her in
4 [REDACTED] but were not a long-term bestie, I
5 guess as they would say here, best friends?

6 A. It was supposed to have been like
7 that? I would say --

8 Q. She wouldn't necessarily -- she
9 wouldn't necessarily confide with you on intimate
10 secrets, would she?

11 A. She would. If she would dance to me
12 naked, then I -- I think she would have
13 (indiscernible).

14 Q. Okay.

15 A. Yes.

16 Q. Okay. Now, you mentioned something
17 about discussing with Dr. Kalyango his son may come
18 with him on the trip during the planning period.
19 You had that discussion, if I understood you
20 correctly?

21 A. He did mention that in passing when
22 we were -- when he was interviewing me and when we
23 were (indiscernible) that he will -- he might bring
24 his son to [REDACTED]

25 Q. When -- when approximately did this

1 interviewing occur in relation to the appearance of
2 Dr. Kalyango in [REDACTED] In other words, was
3 it -- was the interview in the wintertime preceding
4 the trip? springtime?

5 A. My side or your side?

6 Everything started in March.

7 Q. Okay. Very good.

8 Were you aware that [REDACTED] and Dr. K
9 took a trip [REDACTED]

10 A. They mentioned that, that they were
11 going the next -- after the -- after the [REDACTED]
12 program, they heading [REDACTED] and they both
13 seemed excited about it.

14 Q. And you were not involved in the
15 planning of that trip, were you?

16 A. No, I was not. My portion was the
17 [REDACTED]

18 Q. You talked a little bit about some
19 conversations over laundry issues.

20 A. Uh-huh.

21 Q. Were you present when you -- when
22 [REDACTED] talked to hotel management?

23 A. I was doing the (indiscernible)
24 work, but she did mention that they spoke and they
25 agreed that she paid half. (Indiscernible.)

1 Q. So you heard about the laundry
2 incident from [REDACTED]

3 A. Yes.

4 Q. Okay. Now, you --

5 A. And she was like, The money too
6 much, complaining that the money's too much or
7 (indiscernible).

8 Q. Now, the money issue that you
9 discussed involved paying [REDACTED]
10 participants in dollars rather than in local
11 currency. Is that correct?

12 A. Say what?

13 Q. Did the -- You mentioned something
14 about a disagreement between [REDACTED] and Dr. K
15 overpayment of, I think you said, American dollars?

16 A. She mentioned that. Yes, she did.

17 Q. Okay.

18 A. But I had my own things to tab out
19 at that particular moment, so I just didn't give it
20 much attention.

21 Q. Okay. Fair enough.

22 Now, when you indicated to Mr. Beck
23 that you were interviewed by Tony Anaya, just --

24 A. Uh-huh.

25 Q. -- I just want to make sure I

1 understand. Was that an email exchange or a
2 conversation?

3 A. We did a Skype interview. Like,
4 initially we fail, because I had to go back to my
5 email. Then after that, he had questions, after
6 which I -- I was able to do Skype. He had
7 questions; and he was like, Answer this, and I did
8 send him that.

9 Q. Okay. I hit the wrong button.
10 Hopefully I didn't lose you.

11 I think I have no other questions.
12 Again, thank you so much for helping us out today.
13 And it's nice to meet you.

14 A. Nice to meet you, too.

15 HEARING COMMITTEE CHAIR MUHAMMAD:
16 Thank you, Mr. Loukx.

17 Are there any questions from the
18 hearing committee members for our witness?

19 Hearing none, thank you,
20 Miss Moumakwe, for being here today. And we wish
21 you well.

22 JEANETTE MOUMAKWE: Okay. Thank
23 you, also.

24 HEARING COMMITTEE CHAIR MUHAMMAD:
25 You're welcome.

1 JEANETTE MOUMAKWE: Are we done?

2 HEARING COMMITTEE CHAIR MUHAMMAD: I
3 beg your pardon?

4 Yes, we are. I'm sorry. Thank you
5 so much. Have a good day.

6 JEANETTE MOUMAKWE: You also. Bye,
7 ma'am.

8 HEARING COMMITTEE CHAIR MUHAMMAD:
9 Bye-bye.

10 Looking to our next witness, is
11 Dr. Kenny Makungu in the waiting room?

12 DUANE BRUCE: Not yet.

13 HEARING COMMITTEE CHAIR MUHAMMAD:
14 Not at this time? Okay.

15 He's scheduled to appear at 9:45, so
16 we will just -- I'm just going to -- to stay on
17 camera and on video. If people want to stand up
18 and stretch -- stretch their legs or something like
19 that, I think that would be a good idea, but please
20 don't go very far. Again, we would like to move on
21 with the next witness as soon as he's here and
22 able.

23 (Brief pause.)

24 DUANE BRUCE: Our next witness has
25 arrived.

1 HEARING COMMITTEE CHAIR MUHAMMAD:

2 And I see that all the committee members are still
3 here and all counsel on both sides.

4 So please bring in Dr. Makungu.

5 DUANE BRUCE: He's here,
6 Dr. Muhammad.

7 HEARING COMMITTEE CHAIR MUHAMMAD:

8 Great.

9 Good morning, Dr. Makungu. I'm
10 Robin Muhammad. I am the hearing committee chair.

11 How are you?

12 You'll have to --

13 Thank you for being here.

14 KENNY MAKUNGU: Thank you. I'm
15 fine. Thank you very much.

16 HEARING COMMITTEE CHAIR MUHAMMAD:

17 Excellent.

18 What we're doing with each witness
19 is setting aside about 30 minutes for each witness
20 to give a brief statement, introduce themselves to
21 the committee. And following that -- that
22 statement, we move to questioning first from our
23 faculty member's legal counsel and then to the
24 university's representative. Following that, there
25 might be one or two questions from members of the

1 hearing committee.

2 So we're asking if you have a --
3 would like to introduce yourself and make a
4 statement. It can be very brief or it could go
5 perhaps for ten minutes. We're leaving that up --
6 up to the witnesses themselves.

7 KENNY MAKUNGU: Okay.

8 HEARING COMMITTEE CHAIR MUHAMMAD:
9 So with that, Dr. Makungu, please proceed.

10 KENNY MAKUNGU: So I start?

11 HEARING COMMITTEE CHAIR MUHAMMAD:
12 Yes, please.

13 KENNY MAKUNGU: Okay. Good
14 afternoon. I had prepared a statement, so I'll
15 read my introductory and go from that.

16 Good afternoon, honorable members
17 of the university faculty senate. Ladies and
18 gentlemen. Let me first thank the president of the
19 faculty senate of Ohio University for inviting me
20 to deliver these thoughts as a witness and
21 Host-Country Director of Ohio University's study
22 abroad program to [REDACTED] which was branded [REDACTED]
23 Media, Society and Governance.

24 Before I delve into the weeds of my
25 testimony regarding the accusations against

1 Professor Yusuf Kalyango, please allow me to
2 briefly summarize my credentials in just a minute
3 and also tell you how I am connected to the Ohio
4 University.

5 My name is Kenny Makungu. I am a
6 senior lecturer in the Department of Media
7 Communication Studies at the University of [REDACTED].
8 I have taught at the University of [REDACTED]
9 including holding academic administrative positions
10 for about 30 years now. I am a lifelong
11 academician in the area of journalism, media, and
12 mass communication. I have also hosted hundreds of
13 foreign students at the University of [REDACTED] over
14 my three-decade academic career.

15 By the time Ohio University students
16 came to [REDACTED] in the study abroad program led by
17 Professor Kalyango, I had accumulated substantial
18 international academic experience in administering
19 these types of academic exchanges.

20 Most importantly, I had also been to
21 Ohio University there in Athens, United States of
22 America. I had spent six weeks in Athens, Ohio, as
23 a fellow of the Study of the U.S. Institutes on
24 Journalism and Media.

25 In fact, Professor Yusuf Kalyango

1 and Professor David Mould were my host in the
2 summer of 2010.

3 I remember when I arrived in Ohio,
4 my leg got injured and I needed a wheelchair. I'm
5 so grateful that Professor Kalyango and his team
6 took great care of me. I had a wheelchair, and
7 they pushed me around for as long as I needed it.
8 I have great memories in Ohio and around the
9 United States because of Professor Kalyango and his
10 team.

11 So almost 18 months later when I
12 hosted the students from Ohio University with
13 Professor Kalyango, it was indeed my honor to
14 return the favor to show our [REDACTED] hospitality.

15 I am still very grateful to Ohio
16 University for the great education I received when
17 Professor Kalyango led that program in Athens. I
18 still follow American politics and current affairs
19 to this day, and I still believe in that goodness
20 of heart on the American spirit that welcomed me to
21 Ohio and the United States despite the ongoing
22 racial tensions and the struggle for equality in
23 the U.S.

24 Now, let me go to a bit of my
25 testimony.

1 The study abroad program to [REDACTED]
2 took place during the winter break, from late
3 [REDACTED] Professor Kalyango
4 was the program director from Ohio University
5 leading 18 students all from Ohio University. I
6 was one of two host country program directors from
7 the University of [REDACTED]. Another lecturer from
8 the University of [REDACTED] was Mrs. Caroline.
9 Phiri-Chibbonta. She was the second female
10 host-coordinator in [REDACTED] to deal in case there
11 were any problems with our female students on the
12 program.

13 During the four-week program, Ohio
14 University students experienced the inner workings
15 of different [REDACTED] media outlets: newspapers,
16 magazines, radio, and television, both commercial
17 and government owned. We partnered students with
18 nonprofit organizations to do volunteer work, and
19 they also were immersed in African culture.

20 During that intensive and heavily
21 guarded program, Ohio University students took two
22 classes taught primarily by me and other senior
23 lecturers from the University of [REDACTED] with
24 guidance from Professor Kalyango, but the students'
25 assignments and grading was all done by Professor

1 Kalyango.

2 The students got hands-on field
3 experience in the media industry twice a week.
4 They volunteered in advocacy institutions within
5 [REDACTED] and in the countryside once a week, and they
6 also worked alongside governmental service sectors
7 in [REDACTED] once a week.

8 The students also learned
9 coalition-building efforts through African music,
10 sports, and African dance, as well as
11 cross-cultural communication and problem-solving
12 skills.

13 They also did apprentice with local
14 journalists, students, and interacted with the wide
15 array of professionals and prominent newsmakers.

16 In order to save time, let me delve
17 into the accusations.

18 I am aware that Professor Kalyango
19 was accused of sexual harassment, as well as
20 engaging in a hostile work environment on this
21 program in [REDACTED] for this study abroad program,
22 which took place in [REDACTED] beginning in
23 [REDACTED]

24 When he called me to inform me of
25 these unfortunate accusations, I did not believe

1 him at first. I thought he was bluffing. He told
2 me that given the current situation nationwide in
3 light of the rampant assaults against women in Ohio
4 and across the country, the university at Ohio took
5 their positions against him very seriously, and it
6 made his defense against these accusations very
7 difficult. He said that it appeared the university
8 was hell-bent on disclaiming him and he was not
9 receiving a fair process.

10 I now believe him and the gravity of
11 this situation.

12 I understand that Miss [REDACTED]
13 accused Professor Kalyango of inviting her to a
14 next-door pub called Chainama and had a drink with
15 him at night after dinner. The accusations are
16 that he engaged in inappropriate behavior,
17 particularly sexual harassment. But I also
18 understand that Dr. -- Professor Kalyango was never
19 accused of asking [REDACTED] to have sex, and he
20 was never accused of engaging in any sexual acts.

21 [REDACTED] accused him of slow dancing
22 with her, and I read the allegations and I read the
23 investigator's summary report which he called the
24 Memorandum of Findings.

25 I was interviewed by the Ohio

1 University investigator, Mr. George Anaya, about
2 these accusations back in [REDACTED] Indeed, I
3 am a key witness in these accusations by
4 Miss [REDACTED]

5 Maybe by way of introduction, I
6 should stop there and then I can answer questions.
7 Like I said, I did have a prepared statement, but I
8 will not read the whole thing.

9 HEARING COMMITTEE CHAIR MUHAMMAD:
10 Thank you, Dr. Makungu.

11 And just as a note --

12 I apologize. I should have
13 mentioned this earlier.

14 -- when we are referring to
15 students, we're using their initials and not their
16 full names. So that my apology for not providing
17 that instruction.

18 KENNY MAKUNGU: Oh, sorry. I was
19 not aware.

20 HEARING COMMITTEE CHAIR MUHAMMAD:
21 Not -- not -- not a problem. My -- That was my
22 mistake.

23 So with that, I would like to turn
24 it over to questioning from Ms. Ziarko.

25 ANDREA ZIARKO: Thank you.

- - -

DIRECT EXAMINATION

BY MS. ZIARKO:

Q. Thank you, Dr. Makungu.

You -- you left off with the starting to delve into the accusations from [REDACTED] and I wanted to ask you.

You stated you spoke with Mr. Anaya.

How -- how much time did you spend speaking with Mr. Anaya about these accusations?

A. I'm sorry. You're breaking up. You're breaking up. I can't get you very clearly.

Q. Okay. Can you hear me now?

A. Yes.

Q. Okay. How much time --

A. I can hear you now.

Q. Okay. Thank you.

How much time did you spend speaking with Mr. Anaya about [REDACTED]'s accusations?

A. Yes, I did.

Q. Do you -- do you know how much time you spent talking with him?

A. Oh. It's been a while, but I know that we spent quite a bit of time. I think I spoke with him for more than an hour --

1 Q. Okay.

2 A. -- and I think on more than one
3 occasion. I can't be sure, because it's been --
4 it's been a while back. But we did -- when we
5 talked, it was a while. It took quite some time.

6 Q. Okay. And did you actually read the
7 witness statements prepared by Mr. Anaya?

8 A. I read the report that he wrote.

9 Q. Okay. And --

10 A. I (indiscernible) (did/didn't) look
11 at all the statements of the witnesses that were
12 put forward.

13 Q. Okay. And was what you told
14 Mr. Anaya included in that report?

15 A. I'm sorry?

16 Q. Was what you told Mr. Anaya included
17 in that report?

18 A. Very little of it, I must say. Very
19 little of it was included in the report.

20 Q. Well, what did you tell Mr. Anaya?

21 And I know you have a statement, and
22 you can refer to that, so.

23 A. Okay.

24 Q. Yes.

25 A. Okay. I had explained to Mr. Anaya

1 that when that program took place here, I
2 spent every single day that the students and
3 Professor Kalyango here with them. And every night
4 after the day's activities, I would have dinner
5 with them, with Professor Kalyango and all the
6 students, whether we were eating from the hotel or
7 from another restaurant and so on. And after that,
8 we'd drive back to wherever the students were
9 staying. We would make sure that all the
10 students --

11 And by the way, the students were
12 sleeping in pairs.

13 -- all the students retired to their
14 rooms, and Professor Kalyango, and I remained to
15 prepare for the next day. And I would be with
16 Professor Kalyango sometimes close to midnight and
17 sometimes likely after that every single day of
18 that program.

19 Q. Okay. Okay. And did you ever see
20 Dr. Kalyango acting inappropriately while you spent
21 time with him?

22 A. I never did, not even once.

23 Q. Okay.

24 A. And to be honest, it's quite a
25 surprise that these accusations have come up so

1 late after the fact, because one would have thought
2 that those are the kinds of things that students
3 would have brought out during the evaluations after
4 they were brought back to Ohio, and even before
5 they left, because we had talked to them. And, for
6 example, the lady that I talked to about
7 Miss Tuwanta Perry (phonetic), her task was to
8 ensure that the ladies especially, if they felt
9 inhibited to speak to either Professor Kalyango or
10 to myself, there was a female in the group that
11 they could confide in and talk, and none of them
12 ever did anything like that.

13 Q. Okay. Did you ever observe
14 Dr. Kalyango purchasing food or drinks for the
15 students studying abroad?

16 A. Dancing with students?

17 Q. Purchasing, buying food and drinks.

18 A. All the food that we consumed during
19 the program, as far as I remember, was paid for by
20 Professor Kalyango, but there was no alcohol.

21 Q. Okay. All right. That was my next
22 question.

23 A. There was no alcohol. He paid for
24 the drinks and he paid for the sodas, but there was
25 no alcohol bought for any student. He never even

1 bought a drink for me, and I drink.

2 Q. Well, now, that you say that, I do
3 want to mention there was some testimony yesterday
4 regarding an investigation by Ohio University
5 regarding some accusations made against you back in
6 2011. Is that correct?

7 A. I heard -- I heard about those
8 accusations yesterday.

9 Q. Okay.

10 A. That's when I learned about them.
11 When they happened, if they did happen in 2011,
12 that is news to me. Nobody ever got in touch with
13 me. Nobody questioned me about them. And I'm
14 very, very, very surprised. I was shocked that
15 there were allegations like that and people just
16 kept quiet. Nobody ever got in touch with me.

17 Q. But those accusations did not
18 involve Dr. Kalyango. Correct?

19 A. Sorry?

20 Q. Those accusations with regard to
21 either drinking and maybe driving some students or
22 the other accusations did not involve Dr. Kalyango.
23 Correct?

24 A. From what I know, no, they don't.

25 Q. Right. Okay.

1 What has been the impact of this
2 investigation of Dr. Kalyango and his suspension
3 with regard to the University of [REDACTED]

4 A. It's very disheartening and very
5 disappointing, because we thought we were starting
6 a meaningful relationship. And after the first
7 intake of students, we had actually even started
8 planning, seeing if we could have another group of
9 students come over in a similar manner. And
10 unfortunately, those plans were derailed, because I
11 think Professor Kalyango lost one of the parents or
12 the other. He had some kind of bereavement in the
13 family, and the whole program just fell through
14 after that.

15 Q. Do you have anything else to -- to
16 add, anything in conclusion that maybe I didn't
17 pull up from your -- your statement at all?

18 A. Well, uhm, one of the things that
19 surprises me about the accusations, like I said
20 earlier, the students were sleeping in pairs; so if
21 Dr. Kalyango did invite any of the students to go
22 out at night after they had already gone to bed,
23 that would have been -- had to have been after
24 midnight. And I don't think that was possible.
25 Because what was the other -- what was the other

1 roommate going to be told where was the -- the
2 roommate going to be going. I don't think it was
3 possible.

4 Every night I left after the
5 students had been sent to their rooms, every single
6 night. It is not possible thereafter that a
7 student could leave the room without their roommate
8 knowing. And I -- I would have believed that since
9 the accusation is that it was in the night, then
10 the roommate for the accuser should have been one
11 of the witnesses to confirm that, Yes, after we got
12 to the room, then I -- she left because she said
13 she had an appointment with Professor Kalyango. It
14 never happened. I don't believe it ever happened.

15 Q. Thank you.

16 And I just want to check.

17 Was the schedule pretty busy during
18 the day for the students?

19 A. Sorry?

20 Q. Was the schedule busy during the day
21 for the students? Did they have any of downtime?

22 A. No, they didn't. And, in fact, that
23 was one of the complaints that they had; because
24 the program was so tight, they never had any free
25 time to do -- I'm sure they would have loved to go

1 out on their own and do certain things, see certain
2 things, and so on; but we were worried about
3 letting them loose and going in their own
4 directions, because there was no way that you could
5 keep an eye on 18 students when there were only
6 essentially three of us looking after them. So we
7 didn't give them that free time.

8 Q. Okay. All right. Thank you very
9 much.

10 I'm going to turn it over to
11 Mr. Loukx here. Thank you.

12 A. Thank you very much.

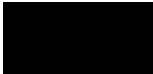
13 - - -

14 CROSS-EXAMINATION

15 BY MR. LOUKX:

16 Q. Good morning, Professor. And thank
17 you for helping us out here today.

18 My name is Adam Loukx, and I am with
19 Ohio University Legal Affairs.

20 How long was this program in 

21 How long did it last?

22 A. It was four weeks.

23 Q. Four weeks.

24 And as I understand your testimony,
25 in that four weeks, after the program ended, you

1 were beside Dr. Kalyango's -- you were at
2 Dr. Kalyango's si- -- side every night. Is that
3 right?

4 A. I sure was, from the date they
5 arrived.

6 Q. From the date they arrived until the
7 date they left?

8 A. Yes.

9 Q. You indicated that you talked to
10 Tony Anaya maybe on more than one occasion.

11 A. I said I definitely talked to him,
12 and I'm not sure whether it was once or twice.
13 That's what I said.

14 Q. When did that occur?

15 A. Sorry?

16 Q. When did you talk to Tony Anaya?
17 Just, not the date, but what year?

18 A. Last year, 2019.

19 Q. Last year.

20 And I heard you say you can't be
21 sure. It's been a while back, last year.

22 A. This is December.

23 Q. Okay. But you have a very clear
24 memory of [REDACTED] but you don't
25 have a clear memory of talking to Tony Anaya a year

1 ago?

2 A. I remember talking to him. What I
3 said was I can't remember how long I talked with
4 him.

5 Q. Okay. Very good. But that was a
6 year ago.

7 Now, you indicate that the first you
8 heard of a complaint made against you was recently?

9 A. Yes.

10 Q. And are you -- Did you see the MOF
11 in that case?

12 A. No.

13 Q. Were you -- Well, let me put it a
14 different way.

15 Well, were you aware a student in
16 that case indicated that you invited her back to
17 your room when you were in the [REDACTED]

18 A. I learned about it yesterday.

19 Q. And I suppose you deny that
20 happened. Correct?

21 A. Like I said, how could it happen
22 when students were dismissed as a group?

23 Q. As it was related, this happened
24 when you were driving a group of students, and
25 Dr. Kalyango was in another van.

1 A. I was -- So I invited her to my room
2 in the presence of other students?

3 Q. That's what was related.

4 But you deny that. You deny that.
5 Is that fair to say? We can move on.

6 A. Absolutely. It never happened.

7 Q. It's also been alleged that you were
8 driving students after consuming alcohol.

9 A. Again, I never heard that till
10 yesterday. I remember --

11 Q. Did you --

12 A. No, no. Let me -- let me finish.

13 Q. Okay.

14 A. I remember one evening on the
15 [REDACTED] I bought a bottle of whiskey to take to
16 my room. I never drank it in the presence of the
17 students. I bought it, and they saw it, because
18 they knew that I did consume alcohol. They had
19 been invited to my house. And at my house, we
20 invited them to take sodas from my fridge at my
21 home. And in that fridge, there was alcohol. They
22 were invited to take sodas, which they did. And in
23 my living room, I have a bar. So they knew I
24 drank, but I never drank in front -- in the
25 presence of students. And I never drove.

1 That's one of the things that would
2 (indiscernible) warned against. If my employers
3 even heard that I was driving under -- foreign
4 students after consuming alcohol, I would have been
5 fired a long time ago.

6 Q. Thank you. So you --

7 A. A long time ago.

8 Q. So in a word, you deny it? You
9 deny --

10 A. Why do I deny it?

11 Q. You deny that you drank and drove
12 students. Right?

13 A. I did not drink and drive students.

14 Q. And so when a student testified
15 before this committee that it was bad enough where
16 a student actually jumped out of the vehicle you
17 were driving, that wouldn't have been true, either?

18 A. A student didn't jump out of my
19 vehicle.

20 Q. Okay. Fair enough. You --

21 A. No, that's something that I never
22 even heard yesterday.

23 Q. Thank you.

24 A. How could that happen and goes so
25 quiet until -- until yesterday?

1 Q. So let's talk -- let's switch a
2 little bit on the questioning.

3 You talked to Dr. Kalyango about
4 this matter, --

5 A. Yes, I did.

6 Q. -- the matter we're here for?
7 How often did you talk to him?

8 A. You're breaking up again. Sorry?

9 Q. Did you talk to Dr. Kalyango more
10 than once about this matter?

11 A. He briefed me more than once, yes,
12 about what was going on.

13 Q. Okay. He briefed you?
14 And did you get the MOF from
15 Dr. Kalyango?

16 A. The what?

17 Q. Did you get the Memorandum of
18 Finding from Dr. Kalyango?

19 A. From Anaya.

20 Q. Okay. And when you were briefed by
21 Dr. Kalyango, did you discuss what you were going
22 to say here today?

23 A. Absolutely not.

24 Q. You did not mention what you were --
25 you would tell the committee?

1 A. (Witness shook head negatively.)
2 Why would I do that? I've got nothing to hide.

3 Q. And Dr. Kalyango did not ask you to
4 tell them what you were going to tell the
5 committee?

6 A. I think if he did that, that would
7 be an insult to me, --

8 Q. That's all the questions I have.

9 A. -- and I would be very offended.

10 Q. All right. Thank you for your
11 patience with me. And that's all the questions I
12 have. Again, thank you for coming in and helping
13 us out today.

14 A. Thank you very much.

15 HEARING COMMITTEE CHAIR MUHAMMAD:
16 Thank you, Mr. Loukx.

17 Do we have any questions for our
18 witness from the hearing committee members?

19 All right. We have no --

20 VLADIMIR MARCHENKOV: Robin, sorry.
21 I have a question, just a clarification, a
22 clarification if I may.

23 HEARING COMMITTEE CHAIR MUHAMMAD:
24 Please.

25 VLADIMIR MARCHENKOV: Dr. Makungu,

1 my name is Vladimir Marchenkov. I am a member of
2 the hearing committee, and I wanted to clarify one
3 point in your testimony.

4 You said that after the [REDACTED] trip,
5 the O.U. study abroad trips to [REDACTED] ended.
6 Right? That that was the end of that program.

7 KENNY MAKUNGU: Well, we only had
8 one visit, yes. That was the first and the last.

9 VLADIMIR MARCHENKOV: Okay. And
10 then you -- you mentioned --

11 What was the reason for this? Was
12 it -- was it because O.U. did not send any students
13 your way or something happened on your side?

14 KENNY MAKUNGU: No. My -- And in
15 fact, like I said, we had started planning on a
16 second trip; and then I think somewhere along the
17 way, Professor Kalyango had a bereavement or two in
18 the family, and the whole program just broke down.

19 VLADIMIR MARCHENKOV: Thank you very
20 much for clarifying that.

21 KENNY MAKUNGU: Thank you.

22 VLADIMIR MARCHENKOV: Thank you.

23 HEARING COMMITTEE CHAIR MUHAMMAD:

24 Well, thank you very much, Mr. Makungu --

25 Dr. Makungu, excuse me, for being here today and

1 providing your testimony. It's very much
2 appreciated. And we thank you and wish you a good
3 rest of the day.

4 KENNY MAKUNGU: Thank you very much
5 for having me.

6 HEARING COMMITTEE CHAIR MUHAMMAD:
7 Absolutely. Take care.

8 KENNY MAKUNGU: Thank you. Thank
9 you.

10 I can leave the meeting?

11 HEARING COMMITTEE CHAIR MUHAMMAD:
12 Yes, you may. Thank you again.

13 KENNY MAKUNGU: Thank you. Thank
14 you.

15 HEARING COMMITTEE CHAIR MUHAMMAD:
16 All right. Thank you, everyone. We'll again sort
17 of hold. I don't think our next witness is yet in
18 the -- the waiting room, but I would expect them
19 within about four minutes. So again, I'm going to
20 stay on camera with my mic off. It's an okay time
21 to get up and stretch, but please don't go very
22 far.

23 (Brief recess.)

24 HEARING COMMITTEE CHAIR MUHAMMAD:
25 Good afternoon, Dr. Moeng. I'm Robin Muhammad.

1 I'm the hearing committee chair.

2 KENNETH MOENG: Good afternoon. I
3 hope you can hear me loud and clear, if that's okay
4 with you. Thank you.

5 HEARING COMMITTEE CHAIR MUHAMMAD:
6 Yes. Do you have video capability or is it easier
7 for you to have the video off?

8 KENNETH MOENG: Let me enable it.
9 That should be fine.

10 HEARING COMMITTEE CHAIR MUHAMMAD:
11 Thank you very much.

12 KENNETH MOENG: Thank you.

13 HEARING COMMITTEE CHAIR MUHAMMAD:
14 Well, again, thank you for being here. With each
15 of the witnesses, we're allocating about 30 minutes
16 for -- to include, excuse me, your testimony, brief
17 introductory remarks, and then the balance of time
18 for questioning from each side; that is, from the
19 faculty member's legal counsel, as well as the
20 university's representative.

21 KENNETH MOENG: Okay.

22 HEARING COMMITTEE CHAIR MUHAMMAD:
23 Following that, we have an opportunity, if any of
24 the hearing committee has a -- have questions, then
25 we could entertain those questions at that time.

1 So we very much appreciate you being
2 here.

3 And for the benefit of court
4 reporter, please just state your name. And if
5 you're going to be reading from any statement,
6 definitely speak slowly.

7 Do you think that you'll be giving a
8 testimony of more than a few minutes?

9 KENNETH MOENG: Uhm, my name is
10 Kenneth Moeng, for the court.

11 In terms of reading a statement, I
12 would not necessarily be reading, but I will be
13 presenting a summary of my conclusions that I had
14 previously prepared.

15 HEARING COMMITTEE CHAIR MUHAMMAD:
16 Thank you. That will be -- that will be excellent.

17 If it goes past ten minutes, I might
18 raise my hand and -- and indicate that we need to
19 move into questioning.

20 KENNETH MOENG: Okay.

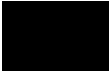
21 HEARING COMMITTEE CHAIR MUHAMMAD:
22 But with that, please -- please proceed.

23 KENNETH MOENG: Okay. Let me say
24 good morning to you and good afternoon for me.
25 It's almost sunset here in Gaborne, Botswana, which

1 is where I am.

2 As I said, my name is
3 Kenneth Moeng. I'm an author and all-around media
4 professional. I started my profession in 1997.
5 I'm currently working for the Botswana government,
6 which is the State Department. I'm at the office
7 of the president doing media relations. And my --
8 my profession spans about 23 years.

9 So firstly, let me talk about how I
10 met Professor Kalyango. I have known him after I
11 was contacted first by the State Department through
12 the embassy in Botswana, and this is where I was
13 invited to attend the SUSI program. This was in
14 2015. And that's when I first met and worked with
15 Dr. Kalyango.

16 The second time that we did meet
17 professionally was when I was the host country
18 director for Botswana, and this is when the Bureau
19 of Educational and Cultural Affairs of the
20 United States through Professor Kalyango had asked
21 me to be the director on the YALI Connect Camps.
22 The YALI Connect Camps are the camps that nurture
23 young mentors and mentees across Africa. And this
24 was now in 

25 And let me say that's my brief

1 introduction, and to say that I'm really honored to
2 be here to state a case of really what I know and
3 what I have observed and I experienced with
4 Professor Yusuf Kalyango on these two distinguished
5 programs. And, in fact, I was quite inspired,
6 because I ultimately then published my fifth book
7 in 2017 after going through these programs.

8 In -- in summary, I would say this,
9 these things accusations about harassment, sexual
10 harassment, all revolve around work abroad by
11 Professor Kalyango. And those accusations involve
12 work implemented in Africa, you know, for -- for
13 international scholars. And I had the opportunity
14 to experience working with Kalyango then. And to
15 just say that under the SUSI program in 2015, we
16 were about 18; and in [REDACTED] doing the [REDACTED]
17 [REDACTED] we were managing about 52 mentees and
18 mentors, inclusive. And this is the same time
19 that Professor Kalyango had, I believe, hired
20 [REDACTED] to work as an assistant on these [REDACTED]
21 [REDACTED]. I believe, if I'm not mistaken,
22 that's [REDACTED]

23 And for the under credit
24 (indiscernible) [REDACTED] was already really
25 working with Professor Kalyango in [REDACTED] I believe

1 that now for, in the case of [REDACTED] we actually
2 did not have met [REDACTED] It was Miss [REDACTED]
3 [REDACTED] who came with Professor Kalyango to [REDACTED]
4 instead of [REDACTED]

5 And -- and for this, I believe that
6 my engagement with the professor, especially how I
7 have seen him engaging with his team, his staff,
8 especially the student female employees, females
9 [REDACTED] participants, you know, was quite profound.
10 In fact, because it was the first time for me in
11 America in 2015, I was like, Wow, is this what they
12 say the American dream? I was quite delighted of
13 how he was quite good at working with us, all of us
14 in 2015, each one of us.

15 And then in the [REDACTED] program, to --
16 the -- all of the graduate students who were
17 working with us were quite confident. And we had
18 program assistants who were also men and some were
19 women. We had about four female assistants, and
20 Kalyango was the administrator taking care of us.
21 And each one of us, the scholars had our egos. You
22 know, we are from different countries: Kazakhstan,
23 I -- I remember Pakistan, [REDACTED] Africa; we had
24 some from Greece, different cultures, denominations
25 of -- you know, because we even had some who -- who

1 were asking where they could go to a Mosque and
2 pray. And all of these, I believe, during my
3 encounter with professor was very good here. And
4 at no particular time have I seen anything that was
5 outward or wayward. He was always respectful. And
6 we respected him with all of our unique cultures.
7 And I could say that most of us were very, very,
8 very, very comfortable.

9 Even on arrival, I remember that,
10 you know, they would give us, you know, a room to
11 rest, because when -- I believe it's Hilton Gardens
12 in Columbus, very hospitable. And this is first
13 time when we -- we all just met. And his student
14 employees were also there, most of them which were
15 women. And they took time to make us comfortable
16 the first time arriving in -- in America. It was
17 at the time. And as scholars, we met several times
18 just us scholars, and we would talk about how the
19 program is going and what we think of the professor
20 and how we think of Dr. Mary Roberts, who was also
21 working with professor, and how the students are
22 helping us to cope with the assignments that we
23 were also given during the course of [REDACTED].

24 And our schedules were -- were very
25 demanding. So we would meet in the evenings, cook,

1 come with different dishes, and meet. And in all
2 of those times, there was no -- no one who ever
3 shared a moment that was quite discomfoting about
4 how Professor Kalyango acted or how he took himself
5 or suggested or implied or inferred anything that
6 was either sexual or that would be considered some
7 form of harassment. And -- and I say that, because
8 quite -- maybe one or two of us, we had -- we had
9 medical issues. We had to visit the hospitals.
10 I -- I was one of them. And one of the females was
11 from Ghana, Uganda, also had, and I believe that
12 she -- I remember her telling me that, Kenneth, you
13 know, I've been helped very well. I have not been
14 underprivileged or taken any other way for not
15 being well. It was an appropriate behavior,
16 welcoming encounter with the professor and staff,
17 and the -- the students or the -- whether those be
18 master's or doctorate that were working with the
19 professor.

20 I think for now, to allow for your
21 questions, I would say I would hold here, and then
22 I will keep taking my (indiscernible) I -- I had
23 also written before.

24 HEARING COMMITTEE CHAIR MUHAMMAD:

25 Thank you, Dr. Moeng.

1 Miss Ziarko, please proceed.

2 ANDREA ZIARKO: Thank you.

3 - - -

4 DIRECT EXAMINATION

5 BY MS. ZIARKO:

6 Q. Dr. Moeng, thank you for your
7 testimony so far.

8 Could you describe for the committee
9 a little bit about the SUSI program in general and
10 your -- and your experience with that in -- at Ohio
11 University?

12 A. The -- the SUSI program, we were 18
13 from different countries, and it was highly
14 involving. It was six weeks in Ohio. And these --
15 when we arrived, I believed, somewhere around
16 4th of July and we -- we were taken to a different
17 places; and in terms of the -- the curriculum and
18 the content, it was quite excellent. It dealt with
19 educational matters, the scholars learning the
20 issues about how America reports and talks about
21 itself. We would have different professors who
22 come and do presentations in -- in those six weeks,
23 and we would visit different cities and towns and
24 go to some of the media institutions, including the
25 likes of CNN, uhm, Washington Post, and the likes.

1 So in general, I would say that the
2 SUSI program, as it were, was an eye opener, and
3 especially how America is able to bring from
4 outside people to learn and understand how America
5 is in terms of media institutions.

6 Q. And would you say within those short
7 weeks, really, that you were there, that there was
8 quite a bit of travel and logistics with regard to
9 transportation?

10 A. Yes. What was your question?

11 Q. Would you say that --

12 So there was quite a bit of
13 transportation and traveling during the SUSI
14 program. Right?

15 A. Yeah, correct. Yes.

16 Q. Okay.

17 A. We -- we did travel a lot. I
18 remember we went as far as Columbus. We did
19 Atlanta, Georgia, Cleveland, Amish country,
20 northern Ohio. Uhm, I forgot the name. We visited
21 the -- the coal area where there used to be mines
22 of coal. Yes, there was a lot of travel; and in
23 those times, we were treated very well in the
24 program.

25 Q. Okay. And can you -- How did the

1 YALI program in [REDACTED] compare to the SUSI
2 program? Can you explain to the committee a little
3 about the -- the difference?

4 A. I think the -- the difference with
5 SUSI and YALI was some -- hum, different in the
6 sense that, uhm, it -- it will be the same as if
7 you had gone to a camp, you would have had to have
8 gone through something that is, YALI that is
9 administrative to teach you how the development
10 of -- of your profession and how you do it. So it
11 was -- it was almost the actualization of someone
12 who actually went to SUSI and now is out mentoring
13 people, teaching them; and making sure that when
14 they go back to their country, they can be able to
15 deliver quite well. So I would say in terms of
16 curriculum, it was almost at par; and in delivery,
17 quite good, because we had different and other
18 professors who were also hired in to come in to
19 mentor the scholars from the 32 countries.

20 So, yes, the content was high; and
21 it was involved, because you -- you would actually
22 now experience the connection between the young
23 professionals and the mentees and how the professor
24 and his colleagues who were coming are able to --
25 to nurture these young YALI professionals.

1 Q. Okay. And did you have anything
2 else you wanted to state about your interactions
3 with Dr. Kalyango?

4 A. Yes. Uhm, I would say that, uhm,
5 I've been -- I will forever, for me, particularly,
6 I will forever be grateful for all the resources
7 that we got from the program; in fact, you know,
8 from my academic peers we met in the United States.
9 For example, we attended an Association for
10 Educators in Journalism and Mass Media
11 Communication Convention. And I believe that was
12 in San Francisco. It was very good. And this is
13 one of the biggest academic conventions, and we
14 were very grateful to -- to have attended it. And
15 even then, all of us, female scholars who were
16 working with the professor, we were all booked in
17 one hotel. And I'm pleased to say that at all of
18 those times, Professor Kalyango was quite
19 enthusiastic, making sure that we -- we were
20 working together and we understand how the SUSI
21 program works.

22 Q. Okay. Thank you.

23 At this point I'll turn it over to
24 counsel for the university.

25 HEARING COMMITTEE CHAIR MUHAMMAD:

1 Thank you, Ms. Ziarko.

2 Mr. Loukx?

3 ADAM LOUKX: Oh, thank you.

4 And good morning, Dr. Moeng. I have
5 no questions for you, but do like to thank you
6 for -- for helping us out today.

7 KENNETH MOENG: Oh, thank you very
8 much.

9 HEARING COMMITTEE CHAIR MUHAMMAD:
10 And with that, do we have any questions from the
11 hearing committee members?

12 Hearing none, I want to thank you
13 again, Dr. Moeng, for being here. And that
14 concludes your testimony time.

15 Again, thank you very much and have
16 a good rest of the evening --

17 KENNETH MOENG: Yeah.

18 HEARING COMMITTEE CHAIR MUHAMMAD: --
19 in Botswana.

20 KENNETH MOENG: Yes. If you don't
21 mind, it's just one minute just to add to
22 (indiscernible), if that's okay.

23 HEARING COMMITTEE CHAIR MUHAMMAD:
24 Absolutely. Please do. Go ahead.

25 KENNETH MOENG: Yes.

1 Let me just say that, uhm, it's --
2 I'm very happy that to -- for you, the special
3 committee of Ohio University faculty that I hereby
4 reassert my knowledge of Professor Kalyango's
5 character; that it is sound; he is a man of God;
6 he's fearing. And what I know and what I did
7 actually really observe and experiences is that
8 Kalyango's interaction with us male, female
9 scholars was quite commendable. And I applaud his
10 maturity and the way he related with all of us,
11 some of who were quite confused with environmental,
12 either being in America or being a different
13 teaching opportunity, as it were.

14 And in my opinion, as you might
15 imagine, that the sexual harassment charges are
16 quite scary, sometimes very important and
17 detrimental and even combative if not handled
18 properly.

19 And I -- I would like to say thanks
20 for you having invited me. And I pray that the
21 facts and the evidence and my testimony like this
22 one that I'm giving it to you would work and help
23 you come up with your decision that you believe
24 will be sound and that will stay quite good for the
25 University of Ohio, currently, presently, and for

1 the future.

2 Nevertheless, I'm very, very happy
3 to say that I've been here. So thank you very
4 much.

5 HEARING COMMITTEE CHAIR MUHAMMAD:
6 Thank you very much, Dr. Moeng.

7 KENNETH MOENG: Thank you.

8 HEARING COMMITTEE CHAIR MUHAMMAD:
9 Wish you a very good rest of the evening.

10 KENNETH MOENG: You too.

11 HEARING COMMITTEE CHAIR MUHAMMAD:
12 Thank you so much.

13 KENNETH MOENG: Bye-bye.

14 HEARING COMMITTEE CHAIR MUHAMMAD:
15 Bye-bye.

16 KENNETH MOENG: Bye.

17 HEARING COMMITTEE CHAIR MUHAMMAD:

18 All right. Everyone, well, based on the schedule,
19 we have a -- a morning break that will be a little
20 bit expanded since we're running ahead a little bit
21 of schedule.

22 Our next witness will be here a
23 little bit before 11, scheduled to be here from 11
24 to 11:30. So take the morning break until just a
25 few minutes before 11; and please be back, you

1 know, no later than 10:55 so that we can begin on
2 time.

3 Thank you. I will be off camera but
4 nearby. See you around 11.

5 (Brief recess.)

6 HEARING COMMITTEE CHAIR MUHAMMAD:
7 Hello all. We're going to get started momentarily
8 with the next couple of witnesses.

9 Also for the benefit of the hearing
10 committee and counsel on both sides, I've just
11 received a document provided by university
12 representatives. I've shared that with the
13 committee members, and I've also forwarded a copy
14 to the faculty member and his legal counsel as well
15 just so you're aware of it, because I just -- just
16 sent it.

17 Duane, and with that, would you
18 please bring in our next witness.

19 DUANE BRUCE: He is entering the
20 room now. It says joining.

21 HEARING COMMITTEE CHAIR MUHAMMAD:
22 Good afternoon. I'm Robin Muhammad. I'm chair of
23 the hearing committee. Thank you for being here.

24 Mr. Imanishimwe, are you there?

25 ANGE IMANISHIMWE: Hello.

1 HEARING COMMITTEE CHAIR MUHAMMAD:

2 Hello. Good afternoon. Thank you for being here.

3 ANGE IMANISHIMWE: Good afternoon.

4 HEARING COMMITTEE CHAIR MUHAMMAD: I
5 hope you can hear me okay. I'm Robin Muhammad, and
6 I'm chair of the hearing committee.

7 ANGE IMANISHIMWE: Yes.

8 HEARING COMMITTEE CHAIR MUHAMMAD:
9 Excellent. Well, thank you. We're giving about
10 30 minutes for --

11 ANGE IMANISHIMWE: Yeah. I can hear
12 you.

13 HEARING COMMITTEE CHAIR MUHAMMAD:
14 That's fine. I can -- We can tell that there's a
15 little bit of a delay, and that's no problem; so I
16 apologize for speaking over you.

17 I'd like to begin by allowing you to
18 introduce yourself and to make any introductory
19 remarks that you would like to make. And then
20 we'll turn some questioning over to, first, the
21 faculty member's legal counsel and then to the
22 university's legal counsel. That should take in
23 total about 30 minutes. And after that, if there
24 are any questions from the hearing committee, we'll
25 entertain them at that time.

1 How does that sound?

2 ANGE IMANISHIMWE: Okay. Thank you
3 very much.

4 My name is Ange Imanishimwe. I'm
5 from [REDACTED]

6 And then I thank you, Dr. Muhammad,
7 for this opportunity in this hearing.

8 And I would like tell you that I was
9 the director of the program when Professor Kalyango
10 was in [REDACTED] as
11 well.

12 So I'm very happy that I can
13 provide, you know, all the details that you needed
14 from our side. And then any questions is very
15 welcomed to tell you how the itinerary was. I just
16 want to tell you everything that was happening
17 during that stay of 60 days in [REDACTED]

18 HEARING COMMITTEE CHAIR MUHAMMAD:
19 That will be excellent.

20 I would also like to add that when
21 we are referring to students, we use only their
22 initials and -- and not their full names. I
23 apologize. I should have said that earlier on if
24 you weren't aware.

25 But please proceed.

1 ANGE IMANISHIMWE: Yes. I just want
2 to say that my full name is Ange Imanishimwe. I
3 don't know if I can spell it; but, you know, my
4 name is I-m-a-n-i-s-h-i-m-w-e. That is how I can
5 spell my name.

6 - - -


7 DIRECT EXAMINATION

8 BY MR. BECK:

9 Q. Ange, this is Greg Beck. Why don't
10 I pose questions to you, and then we can get down
11 your statement that way.

12 A. I can hear you.

13 Q. Can you? Okay.

14 First, would you tell the committee
15 what your NGO is, BIOCOOP, and what you do in
16  with that?

17 ANGE IMANISHIMWE: Okay. Thank you
18 very much for that question.

19 My local organization is called
20 BIOCOOP, and that is a large biodiversity
21 conservation organization, and is an organization
22 that I founded in 2012 (indiscernible) we can take
23 young people, put their studies (indiscernible) and
24 to put them together to give back to their
25 community.

1 So from a very young age, I made the
2 commitment to see how I can give back to my
3 community, and that is why I put in place the
4 BIOCOOP which is a biodiversity conservation and
5 (indiscernible), because I was born in [REDACTED]
6 [REDACTED], and I was born in [REDACTED]
7 which is, you know, one of the poorest districts in
8 this country of [REDACTED]. And it is in the
9 (indiscernible) province of the country. And then
10 that is why I made that commitment.

11 And then from there, I was the top
12 [REDACTED] leader of the country here in [REDACTED] in 2012;
13 and I was awarded, you know, by our president to be
14 the best young innovator of the country. And, of
15 course, that is when I started to, uhm, you know,
16 to be exposed at the national and international
17 levels.

18 Q. And was it in that capacity that you
19 met Dr. Kalyango?

20 A. Uhm, thank you for that question.

21 Because of that initiative that I
22 had at the grass-root level in [REDACTED] I wanted to
23 raise some funding, you know, from different
24 organizations at the international level, including
25 the United States (indiscernible) for the program

1 here in (indiscernible) where I got 50 thousand
2 U.S. dollars for the (indiscernible) of the Nyungwe
3 National Park. And because of that performance, I
4 was recommended by President Obama in 2015 in the
5 program called The Mandela Washington Fellowship
6 for Young African Leaders.

7 And because I was there in the U.S.,
8 I do -- I was doing a program at the University of
9 California in Berkeley, and I was doing public
10 policy and civic leadership, you know, in
11 California. And because of the problems that I --
12 I had -- and in that time, I was also among 100
13 Young African Leaders to stay in the United States,
14 and I was doing my program at the.
15 Nature Conservancy in Boston, Massachusetts.

16 And then I -- I went back to [REDACTED]
17 And when I went back to [REDACTED] that was a program
18 [REDACTED] and that is where
19 Professor Kalyango was involved. And he came in
20 [REDACTED], and then we met with Professor Kalyango.
21 And he was with his son, and there were other
22 professors from Ohio University. I can remember
23 that there was a professor called Dr. Judy and
24 Dr. Rogus. They were there in that program. And
25 that is where I met Professor Kalyango. And, of

1 course, I started discussion with him the
2 possibility to connect to BIOCOOP, because in my
3 (indiscernible) of (indiscernible) BIOCOOP, I was
4 insisted that can put BIOCOOP at international
5 level. And now I'm happy that BIOCOOP now is in
6 Ethiopia and now is in Kenya.

7 So I was discussing with
8 Professor Kalyango (indiscernible) of creating some
9 partnerships with international professors and
10 international professionals so that I could put my
11 organization to an international level.

12 Q. Okay. Thank you. Thank you so much
13 for that explanation.

14 And I'm going to ask you to do
15 something that I have to remind myself all the
16 time, and that is to slow down how I'm -- the pace
17 of my speech. Because of this Zoom call, it's --
18 sometimes it's hard to hear exactly what you're
19 saying, and I want to make sure we get everything
20 that you say.

21 What I want to --

22 And thank you for that connection.

23 But I want to move now to what

24 happened in [REDACTED] and your involvement
25 in this [REDACTED] trip.

1 It's my understanding that you
2 reached out to Dr. Kalyango in [REDACTED] to
3 see if he could come to [REDACTED] for something
4 related to environmental journalism. Is that
5 correct?

6 A. Yes, it is correct.

7 But from that, I would love to tell
8 you that my connection with Professor Kalyango
9 started in 2015 when we met in [REDACTED]

10 And later on, in 2016, I was
11 (indiscernible) with Dr. Kalyango, because, you
12 know, he was doing so many programs at the
13 international level. So I got to know that
14 Professor Kalyango would have a [REDACTED] in
15 (indiscernible) [REDACTED]. In that time, I was
16 proposing to him, Can you please come to [REDACTED] as
17 well so that you can work with some alumni of the
18 program, the Young African Leadership Program.

19 Q. All right.

20 A. (Indiscernible) .

21 Yes. Yes.

22 Q. Let -- let me stop you.

23 A. (Indiscernible.) Yeah.

24 Q. Let me just stop you there just so
25 we understand.

1 You reached out to him in [REDACTED]
2 [REDACTED] because you -- you had heard he was coming to
3 [REDACTED] in [REDACTED] Camp. Is that
4 correct?

5 A. Yes. I knew that he will come to
6 [REDACTED] and [REDACTED] did come.

7 Then I told him, Is there any
8 possibility that you can come to [REDACTED] as well
9 so that you can meet some Young African Leaders
10 in some other areas, because I knew that
11 Professor Kalyango is an expert in the journalism
12 and the communication. And my ambition was now to
13 connect in environmental conservation and
14 journalism, because I know that people needed to
15 understand, you know, the connection between the
16 (indiscernible). And that is when I told him.

17 And then he told to me that to my
18 pledge, the program of the U.S. of Department of
19 State is not something you can do automatic. So he
20 told me that maybe he would have the program in
21 [REDACTED] in the -- [REDACTED] And
22 that is when he told me with that it was possible
23 that maybe he can arrange if we can work with some
24 of the [REDACTED] leaders, especially in the program of
25 international journalism.

1 Q. All right. So then you and
2 Dr. Kalyango agreed that after the [REDACTED] in
3 June of [REDACTED], he would come [REDACTED] right after
4 that to work on this -- on the environmental
5 journalism issues with you. Is that correct?

6 A. It -- it was a kind of agreement,
7 but he -- he was not yet sure about that. But, of
8 course, he said he promise that it is possible. So
9 the confirmation started to come in -- in March.
10 That is when he said maybe it would be possible.
11 But in January, he was not sure yet.

12 Q. Okay. So once it was confirmed in
13 March, can you just tell the panel what -- what
14 part you did in part of the planning as far as
15 scheduling and -- and -- and so forth?

16 A. Actually, in March, I reached out to
17 talk to Professor Kalyango only one time, only one
18 time before. (Indiscernible) called me, you know,
19 What's up; you know, telling me what his plan is.
20 And then told me that in the summer, now it is
21 confirmed that after [REDACTED] he will come [REDACTED]
22 [REDACTED] with is son. And that is when we decided to
23 work. You know, the room was with him, because he
24 was telling me, I will come now [REDACTED] and I
25 will be coming with my son. And because even when

1 I -- I was with Dr. Kalyango back in 2013 in
2 Kigali, also he was with his son. And then I was
3 telling him, Ah, that is great. So will you come
4 again with your son? Then he's saying yes. Then
5 I started now to work on the itinerary with
6 Professor Kalyango in March.

7 Q. And in part of that itinerary, did
8 it include this [REDACTED] with his son?

9 A. Yes, he (indiscernible) that,
10 because when the (indiscernible) in [REDACTED],
11 Professor Kalyango was with Dr. Judy, as I said,
12 and Dr. Rogus. And at that time, I can remember
13 that Dr. Judy made a commitment to go to the
14 (indiscernible) National Park.

15 And actually that is when I also
16 told Professor Kalyango, This is a fantastic thing
17 [REDACTED] This is something which is fabulous.
18 This is a one-time experience. Please, can you
19 plan to come back [REDACTED] and do such kind of
20 activity, because it was very amazing.

21 And then he said, you know, I'm
22 tempted to come [REDACTED] again, even though I
23 don't know when yet; but when I will come, I will
24 visit [REDACTED] for sure.

25 So during those discussions, of

1 course, (indiscernible), he said, I (indiscernible)
2 that I can see, I would like to come with my son, I
3 want to come with my family (indiscernible)
4 lifetime experience.

5 Q. So did you make those arrangements
6 for the [REDACTED] for he and -- for he and his
7 son?

8 A. Yeah, yeah. I made the reservations
9 for Professor Kalyango and his son to go to the
10 mountain, [REDACTED]

11 And I think in the end of April,
12 that is when Professor Kalyango was asking me, you
13 know, if I have, you know, already made a
14 reservation. And I said yes.

15 And then he said that there is a --
16 a change in the plan. That is where I was a little
17 worried, because the -- the government here was
18 very strict when you were booking the [REDACTED]
19 [REDACTED] and the mission (indiscernible), they were
20 not (indiscernible) about changing.

21 But during that time, I went back to
22 (indiscernible) in [REDACTED], because (indiscernible)
23 [REDACTED]. And there -- So I told them, now is
24 there's a change which is happening. And then they
25 say, It's fine, it's fine. (Indiscernible.)

1 Q. All right. So you changed the name
2 from his son [REDACTED]

3 A. Yes.

4 Q. Now, did you also book and make
5 arrangements for the -- the rooms for he and his
6 son in [REDACTED]

7 A. Of course. When I was -- because
8 that was in March, uhm, he sent an email. And
9 then, of course, I was in touch with the people
10 because I know the guys there at the [REDACTED]
11 Actually we call it [REDACTED] Resort, you
12 know?

13 Q. Uh-huh.

14 A. And I was actually the one to
15 recommend that hotel as well.

16 Then he made reservation for a
17 double room. But, of course, because everything
18 that was going on, I was (indiscernible), that is
19 when also he said that he will come, of course,
20 with his son. So that's double room that he was
21 reserving at that time, of course, it was for him
22 and his son. And last thing is that also me and
23 the driver for the (indiscernible) also we
24 stayed -- we were supposed to stay at [REDACTED]
25 But because there was some condition there in

1 [REDACTED] and then somehow the expenses, we were
2 supposed to stay there as well. But for us, we
3 didn't want to stay there, but at some cheap hotel.
4 And then we negotiated with the people at the hotel
5 to cancel our reservation, me and the driver. And
6 then, of course, we stayed somewhere around.

7 Q. Now, in May, did you start having
8 conversations with [REDACTED] and Dr. Kalyango about [REDACTED]
9 [REDACTED] trip?

10 A. Uhm, yes. Actually, we may -- we
11 kept to discussing, because it wasn't my first time
12 to go with some international students, because in
13 2015 I hosted a student from Ohio University.
14 That's (indiscernible). It was here at BIOCOOP.
15 And in 2016, I hosted also an Ohio University
16 student (indiscernible). You know, they was
17 planning it in two days, you know, here at my
18 organization. And they really enjoyed, you know,
19 our -- where we put them, especially in
20 environmental conservation and the (indiscernible)
21 activities.

22 But, of course, in 20 --

23 As you were asking -- as you were
24 asking, in [REDACTED] we discussed the route, you
25 know, with [REDACTED] about the itinerary. And I

1 connected [REDACTED] to a professor called
2 Professor Beth Kaplan. She's actually an American,
3 but she's working for the University [REDACTED]
4 And when I am hosting those international students,
5 I'm instructed that I connected them with two other
6 academicians, other professors, other, you know,
7 (indiscernible). So we discussed. And I, like I
8 said, connected [REDACTED] to Professor Beth Kaplan. And
9 they talked. You know, they were talking. You
10 know, she was asking Professor Beth how is [REDACTED];
11 you know, how do -- do we work. And they confirm
12 that the organization, of course, is working very
13 well.

14 And that is when [REDACTED] you know, was
15 calling to me, you know, on the phone, telling me
16 that, you know, she's happy to come [REDACTED].

17 And I can remember that the -- I was
18 there having to address the itinerary; and, of
19 course, [REDACTED] got to know what would be the work
20 plan when she -- they reached [REDACTED]

21 Q. All right. So from your
22 conversations with [REDACTED], including her conversations
23 with Dr. Kaplan, is it your belief that when she
24 arrived, or even before she arrived in [REDACTED], she
25 knew what the itinerary was?

1 A. Yeah. To me, she knew that, because
2 I personally discussed it with [REDACTED] on the
3 telephone about [REDACTED] and about what she will be
4 doing [REDACTED] And, you know, maybe she --
5 (indiscernible) there would be a probing question;
6 but when she would arrived, you know, everything
7 that was in the plan was done in the itinerary.

8 And then I can --

9 Q. Now, let me ask you. Can you
10 confirm that both you and Ms. [REDACTED] knew before
11 they came [REDACTED] that Dr. Kalyango would not be
12 in the [REDACTED] area; he would be staying
13 somewhere else?

14 A. Ah, ah. That is a very good
15 question.

16 What I can say there is that in
17 April, Dr. Kalyango told me that there was a change
18 in the plan, that his son -- his son will not come.
19 And then he informed me that instead of his son
20 coming to [REDACTED], he will come with someone working
21 in the program of [REDACTED] called

22 [REDACTED] And that is when I -- I first heard,
23 you know, [REDACTED]

24 And then Dr. K told me that, you
25 know, [REDACTED] will be the one to stay, you know, at

1 [REDACTED] Hotel and I and the driver.

2 Q. And he was -- Where was Dr. Kalyango
3 going to stay during that same period of time?

4 A. Uhm, during that time, he told me
5 that he will be in [REDACTED] is a university,
6 a private university here in [REDACTED]. They have a
7 program of journalism. And that that -- that
8 university has been working with Ohio in some years
9 ago, as I was informed by Professor Kalyango. But
10 also he had some work in [REDACTED] Because even when
11 they reached (indiscernible) [REDACTED] Dr. Kalyango
12 has never been, you know, to the western province,
13 because [REDACTED] is in the Western Province in the
14 border of [REDACTED] in (indiscernible) and is, you
15 know, far from [REDACTED] The only day we were
16 together with Professor Kalyango was when we were
17 at the mountain and [REDACTED]

18 Q. Okay. But is it your testimony or
19 is it your statement --

20 And then this is sort of my last
21 question.

22 Is it your statement that both you
23 and [REDACTED] knew even before you came to [REDACTED] that
24 Dr. Kalyango was not going to be staying at
25 [REDACTED] he was going to be in [REDACTED] and those

1 areas?

2 A. Yes, for me, I -- I knew that,
3 because he has (indiscernible). I knew that, that
4 he would be in [REDACTED] and (indiscernible) and other
5 stuff. And that is why he told me, Make sure that
6 you, [REDACTED] and the driver will tour the whole
7 country.

8 But one of the things that he
9 permitted, and that is, he didn't manage to do
10 maybe because (indiscernible) work, is that he will
11 be involved on -- it was the -- you know, on the --
12 I think it was on the June 21st, he had promised
13 that he will be with me generally. But also
14 because he had -- he had a very tight schedule, he
15 didn't come to -- to the event over (indiscernible)
16 as well because of driving from [REDACTED] to the
17 Southern Province where it was a hilly road,
18 (indiscernible) road, it was not easy. So which
19 means that only one day with Dr. K. The remaining
20 days, I was with [REDACTED].

21 Q. All right. And that was pursuant --
22 that was in the whole itinerary. Is that right?

23 A. Yes. Yeah, as I was informed, it
24 was in the itinerary.

25 Q. All right. And my final question to

1 you, sir, and then I'll turn it over to my
2 colleague, is, did you explain all of this to the
3 investigator?

4 A. Ah, yes, I managed to tell the
5 investigator. But the thing is that, you know, I
6 told him all of those things. But when I was
7 reading the report, I didn't see where the
8 investigator was showing in my statement. Because
9 I was someone on a (indiscernible) of calls,
10 knowing everything which had went on, I was with
11 [REDACTED] from the first day to the last day, and
12 I was explaining everything to the investigator.
13 But even when I was reading the report, I was
14 punished, because I didn't say anything regarding
15 (indiscernible), you know? And I could see that
16 sometimes he was describing [REDACTED] as a country.
17 (indiscernible), maybe, which is not accurate.
18 But, you know, I would love to tell you that it is
19 a country. Even though you can check all the
20 professional report, it's a country which manage to
21 do a lot for the people; and it is a country, which
22 is really very safe. Everyone in [REDACTED] is very
23 calm. And we wanted to have really the culture
24 (indiscernible) so that the people that coming to
25 our country (indiscernible).

1 Q. Thank you so much. I appreciate
2 your time.

3 Mr. Loukx may have some questions
4 for you.

5 - - -

6 CROSS-EXAMINATION

7 BY MR. LOUKX:

8 Q. Thank you. Do you mind if I call
9 you, is it Ange?

10 A. Ange.

11 Q. Ange.

12 Ange, thank you for helping us out
13 today.

14 You indicate that you made the
15 reservation for the [REDACTED] Hotel?

16 A. Yes.

17 Q. And I'm a little confused, and maybe
18 you can help me out.

19 Is your email angeisho7@gmail.com?

20 A. Yes.

21 Q. I'm looking at an email that's at
22 168 in the evidence pack. And I recognize you
23 probably don't have that, so I'll -- I will
24 describe it here. It's from Dr. Yusuf Kalyango.
25 It's dated Monday, [REDACTED] Reservation

1 Request: Executive room, and it's addressed to
2 [REDACTED] com, ah, and three other email
3 addresses also that appear to be the [REDACTED]
4 Resort, with a copy to you at that email I just
5 spoke of.

6 Do you recall receiving a copy of
7 that email?

8 A. Yes. I -- Yeah, I -- I remember I
9 got the copy of that email, because I was even the
10 one to provide the email over the -- over the
11 hotel.

12 Q. Okay. Well, the email says, Dear
13 Reservation Manager, and this is from Dr. Kalyango,
14 I am writing to request you reserve one executive
15 room; and then in quotes -- or in parentheses,
16 double bed and breakfast. It doesn't talk about
17 two beds, but a double bed and breakfast for two
18 people at [REDACTED] Resort and (indiscernible),
19 is it [REDACTED] The booking is the following
20 dates, and then it goes on to say [REDACTED] to
21 [REDACTED]. I hope you can confirm this
22 reservation. I look forward to hearing from you.
23 And it's got the signature line for Dr. Yusuf
24 Kalyango, Professor and Director, Institute of
25 International Journalism at Ohio University.

1 And I guess the confusion I'm having
2 is that this appears that Dr. Kalyango made the
3 reservation, and he made a reservation for a room
4 with a double bed, not two beds, and breakfast at
5 the Emeraude Hotel.

6 Can you explain?

7 A. Yes. Thank you for that question.

8 Normally I (indiscernible) that
9 area, saying that when he was making that
10 reservation, he was telling me that he was coming
11 with his son as usual. Because it was not the
12 first time for Dr. K to come with his son, because
13 as I state in the previous year, he was also here
14 in [REDACTED] with his son. And at that time, there
15 was another professor from Ohio University,
16 including Dr. Rogus and Dr. Judy. So that is when
17 he made the reservation.

18 And, also, to me also, I made the
19 reservation, because Professor Kalyango said to me
20 to make my own reservation over there, the driver.
21 But for that one that he sent, I knew that, and I
22 was aware that he will be coming with his son and
23 they will stay at, you know, [REDACTED]

24 Q. Now, do you know if this is the room
25 that [REDACTED] stayed in, the one referenced in this

1 email?

2 A. Uhm, I can tell you --

3 Q. If you don't know, that's fine.

4 A. Yeah, I don't know that. I don't
5 know that.

6 Q. Have you talked to Dr. Kalyango
7 about this case?

8 A. Which case?

9 Q. The case that we're here discussing
10 today, the matter that we're here discussing today.
11 Have you had an occasion to talk to Dr. Kalyango
12 about this matter?

13 A. No, I did not -- He didn't talk to
14 me. Ah, for me, I considered the email letter I
15 received from, you know, Dr. Robin. Ah, yeah.

16 Q. So you talked to Tony Anaya and you
17 gave a statement --

18 A. Yes.

19 Q. -- in [REDACTED] but you've
20 not talked to Dr. Kalyango about this case?

21 A. No, I didn't talk to him, but I
22 talked to his attorney.

23 Q. Okay.

24 A. Yeah.

25 MR. LOUKX: I -- I sure appreciate

1 you attending long distance. And thank you for all
2 your help.

3 I have no further questions. And,
4 hey, have a great day.

5 ANGE IMANISHIMWE: Thank you very
6 much.

7 HEARING COMMITTEE CHAIR MUHAMMAD:
8 Thank you, Mr. Loukx.

9 At this time are there any questions
10 from the hearing committee members?

11 SHERYL HOUSE: Robin, this is
12 Sheryl House. I have a question.

13 HEARING COMMITTEE CHAIR MUHAMMAD:
14 Yes. Dr. House, please.

15 SHERYL HOUSE: Ange, you had
16 mentioned that you had made the --

17 I'm kind of confused still, because
18 I hear you say --

19 Did you make reservations for
20 Dr. Kalyango in [REDACTED]? Did you have anything to
21 do with his reservations in the city where he
22 stayed, ended up staying?

23 ANGE IMANISHIMWE: Well, actually,
24 for the reservation, he was the one to make the
25 reservations, but he was informing me on all the

1 reservations.

2 SHERYL HOUSE: So he made his own
3 reservations where he was giving his presentations?

4 ANGE IMANISHIMWE: Yes. He made the
5 reservation in different hotel in [REDACTED], and he
6 was informing me about where he would be staying.

7 SHERYL HOUSE: Thank you.

8 ANGE IMANISHIMWE: Yeah.

9 HEARING COMMITTEE CHAIR MUHAMMAD:
10 Thank you, Dr. House.

11 And thank you, Dr. Imanishimwe.
12 Thank you so much for your testi- --

13 VLADIMIR MARCHENKOV: May I ask a
14 quick questions?

15 HEARING COMMITTEE CHAIR MUHAMMAD:
16 Of course.

17 VLADIMIR MARCHENKOV: Hello,
18 Mr. Imanishimwe. My name is Vladimir Marchenkov.
19 I am a member of the -- of the hearing committee.

20 And I was wondering if you could
21 clarify what exactly [REDACTED] did when she was in [REDACTED]
22 with you on that trip.

23 ANGE IMANISHIMWE: Okay. That is a
24 very fantastic question.

25 Actually, the (indiscernible)

1 [REDACTED], it was only June 19th, [REDACTED] And on the,
2 you know, other time, you know, [REDACTED] stayed in
3 [REDACTED]; but the second day we drove to the
4 national -- National Park where (indiscernible)
5 mountain in (indiscernible). And at that time,
6 we -- we finished the day -- the [REDACTED]
7 [REDACTED] at around 1 p.m., 1 in time. That time we had
8 one car hired by, you know, Professor Kalyango.
9 And he said that he has a little work in [REDACTED].
10 For him he took a taxi, a cab to go back to [REDACTED]
11 So I and [REDACTED] and the driver,
12 Frances. We -- we drove directly to the Western
13 Province where we call (indiscernible), and then
14 that is when we reached even the [REDACTED]
15 Hotel.

16 So we were there. And, of course,
17 as I told you, I had also contacted other people
18 that I would be staying there. But after learning
19 that the hotel, is expensive, (indiscernible), but
20 we accompanied [REDACTED] to stay in that room.

21 But during the trip, what we were
22 doing, I was just explaining to [REDACTED] what we have
23 in [REDACTED], the environment that we have, because
24 (indiscernible) [REDACTED] I was telling her about
25 the electrical service, because I'm a professional

1 guide. And I was used to work in the international
2 parks in [REDACTED].

3 So the other day now, that is when
4 now, of course, [REDACTED] It is a
5 national park, which is rich in biodiversity. You
6 know, we were visiting also different areas in
7 [REDACTED], and we were taking a lot of pictures.

8 And I can remember that when we were
9 in [REDACTED], in the middle of the forest, that is
10 when [REDACTED] was telling me that Dr. K is texting her
11 that he is in [REDACTED] and that he will not manage to
12 come to the event to meet the journalists.

13 So I -- I knew that information just
14 from [REDACTED] not really from Dr. K, because [REDACTED] told
15 me, you know, I can get now diversity from Dr. K,
16 that now he's still busy in [REDACTED] and that he
17 won't attend the event. And Dr. K asked [REDACTED] now
18 to speak on behalf of Ohio University. Then when
19 it come to driving, I have (indiscernible)
20 passerby as well. And we were taking pictures.
21 And I can remember the words that [REDACTED] would used
22 say. She was used to say, This is quite super
23 duper mega cool, you know? Super duper mega cool.
24 So she said to me, Ange, you know, This is super
25 duper mega cool.

1 And, you know, to be honest with
2 you, I have never seen a very happy woman like
3 [REDACTED], because (indiscernible) she was very happy.
4 She was laughing, you know. She was saying, Ange,
5 This is fantastic.

6 And I know that before departure,
7 [REDACTED] commit to me that she will come to [REDACTED] for
8 other projects.

9 So, you know, to complete the -- you
10 know, the answer that I was saying, now
11 (indiscernible) this is the second town in [REDACTED]
12 where now we met the local journalists. You know,
13 I had invited the local journalists. I had invited
14 the academician. And then I was with [REDACTED] now, who
15 was representing Ohio University.

16 So in that event, now with attending
17 the journalists (indiscernible) in [REDACTED] how to
18 connect their skills with environmental management,
19 because in [REDACTED] we don't have any program of
20 environmental journalism. There is no program of
21 environmental communication. We only have the
22 program of journalism and communication.

23 And now the plan was now to see how
24 we can connect the dot, saying how can we connect
25 environmental management and the journalism. And

1 [REDACTED] was now explaining to them, and [REDACTED] was now
2 talking on behalf of Ohio University.

3 And that is when now I was even
4 trying to market Ohio University, because even
5 though you can send someone to come here in [REDACTED],
6 the local journalists, especially in the [REDACTED]
7 Province, they know about the program is between
8 [REDACTED] and Ohio University. And they know that,
9 you know, Ohio did a lot to (indiscernible),
10 because I was the first one in [REDACTED] to connect
11 (indiscernible) with environment.

12 And now, even though you can tell me
13 right now, I can sell you more than 20 --
14 (indiscernible) that the journalists have
15 (indiscernible) after meeting, you know, [REDACTED] from
16 Ohio University, and that was mostly because of the
17 connection that Dr. Kalyango did. Because although
18 the connection is between [REDACTED],
19 and Ohio University, where because Dr. Kalyango was
20 putting a lot of people, you know, to connect dots.

21 And as I told you earlier,
22 (indiscernible) his students, you know, to come
23 here to this country who were doing their
24 (indiscernible) in [REDACTED]

25 So in a few words, that is what we

1 did with [REDACTED]

2 And then [REDACTED] told me that she will
3 come back to [REDACTED] and she told me that she
4 really enjoyed the environment of the country.
5 And, you know, even the driver that we were
6 together in generally, they know [REDACTED], because she
7 was really very, very happy and she was a best
8 friend here.

9 VLADIMIR MARCHENKOV: Thank you very
10 much, indeed. Thank you.

11 ANGE IMANISHIMWE: Thank you.

12 HEARING COMMITTEE CHAIR MUHAMMAD:
13 Thank you very much Mr. Imanishimwe. I want to
14 thank you for your time today and -- on behalf of
15 the hearing committee.

16 And this will conclude your
17 testimony. We wish you all the best.

18 ANGE IMANISHIMWE: Thank you very
19 much.

20 HEARING COMMITTEE CHAIR MUHAMMAD:
21 You're welcome. Take care. Bye-bye.

22 ANGE IMANISHIMWE: Okay.

23 HEARING COMMITTEE CHAIR MUHAMMAD:
24 And with that, Duane, would you please move in our
25 next witness.

1 DUANE BRUCE: He is joining the
2 meeting now.

3 HEARING COMMITTEE CHAIR MUHAMMAD:
4 Thank you.

5 Good afternoon, [REDACTED] I'm
6 Robin Muhammad. I'm the hearing committee chair.
7 Thank you for joining us today to provide
8 testimony.

9 (Inaudible.)

10 HEARING COMMITTEE CHAIR MUHAMMAD:
11 Good afternoon, [REDACTED] I'm Robin Muhammad.
12 I'm the hearing committee chair.

13 Thank you for being with us today.
14 We're going to use the next 30 minutes.

15 [REDACTED] Yeah. Good afternoon.
16 Good to see you.

17 HEARING COMMITTEE CHAIR MUHAMMAD:
18 Good to see you as well. Thank you.

19 So for the next 30 minutes, we'll
20 start first by any introductory remark that you
21 would like to make, and then the balance of time
22 will be between -- divided between the faculty
23 member's legal representative for questioning, and
24 then we'll switch to the university's legal counsel
25 for additional questioning.

1 At the end of that 30 minutes, we'll
2 entertain any questions that the hearing committee
3 might have as well. And we're asking everyone --

4 [REDACTED] Yeah.

5 HEARING COMMITTEE CHAIR MUHAMMAD:

6 Please -- please proceed.

7 [REDACTED] Yeah. Thank you so
8 much for (indiscernible) of this senate hearing, as
9 well as everyone present. Good afternoon also to
10 Professor Kalyango.

11 My name is [REDACTED]

12 [REDACTED] I am now an
13 alumni. I graduated from Ohio University in [REDACTED]

14 [REDACTED]
15 and then a [REDACTED]

16 [REDACTED]

17 I got to know Professor Kalyango
18 when he visited [REDACTED] He was at my former
19 university, my alma mater. The [REDACTED]
20 [REDACTED] where he was going around,
21 talking about Ohio University and telling people
22 how, when they get to Ohio University, they will
23 have a better opportunity to school themselves.

24 HEARING COMMITTEE CHAIR MUHAMMAD:

25 Thank you for that. We're hearing you just fine.

1 I thank you for speaking so clearly and slowly,
2 because we're managing this Zoom meeting and a lot
3 of audio -- audio issues.

4 If it would be all right, now we're
5 going to ask Mr. Beck to come in and offer up some
6 questions.

7 Mr. Beck.

8 GREGORY BECK: Thank you,
9 Dr. Muhammad.

10 - - -

11 DIRECT EXAMINATION

12 BY MR. BECK:

13 Q. [REDACTED] my name is Greg Beck, and
14 I represent, along with some others, Dr. Kalyango,
15 and I just have a few questions. I -- I do have a
16 copy of the statement that you had prepared, and I
17 want to ask you some -- just some general
18 questions.

19 While you were at O.U. [REDACTED]
20 [REDACTED], did -- did you know
21 Dr. Kalyango at that time?

22 A. Yes, I did. I -- Like I mentioned
23 earlier, I first met him in [REDACTED] when he came
24 visiting, talking about Ohio University. And so
25 when I was -- Then when I came to Ohio University,

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[REDACTED]

And so to (indiscernible)

Dr. Kalyango, I was also attracted [REDACTED]

[REDACTED]

So

(inaudible) I knew Dr. Kalyango.

Q. And during your course of study,

[REDACTED],

was he helpful to you?

A. Yeah, he was very, very, very helpful.

Let me just make a quick correction.

[REDACTED]

And so during my projects, every step, every chapter (indiscernible) making is making academic (indiscernible).

Q. I want to talk -- I want to draw your attention, [REDACTED] to the late part of [REDACTED]

[REDACTED]

Did Dr. Kalyango ask you to do some work for him on some evaluations from the [REDACTED] trip

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[REDACTED]

A. Yes, that is accurately correct.

Yes. So I was invited by Dr. Kalyango to work on some evaluation which he brought from [REDACTED]. And so it was a pile of documents, which is a hard copy; and then the soft copy was, indeed, on his Mac computer in his office.

And so he left the office for me so that I can check the paper-based documentation. I changed the one which I entered on the computer to check whether they are the same or whether there was some variation and also to check the (indiscernible), whether they are grammatically correct. So, yes, yes, I was asked to do some work by Dr. Kalyango.

Q. So just so that I understand, he asked you to match the hard copies of the evaluations that were filled out by the participants up against what was actually in the computer. Is that right?

A. Yeah, that is correct.

Q. Now, had you ever done that type of job before?

A. Yes. I did one of those, ah, for another project from, I think, [REDACTED] yes,

1 which, again, was a paper-based document which I
2 need to look at it and then double-check to the
3 ones that were entered in (indiscernible).

4 Q. So you froze up on me a little bit
5 there, [REDACTED]

6 A. Yes, I'm here.

7 Q. So the job that you did in [REDACTED] at
8 looking at the hard evaluations [REDACTED] was
9 the same job that you did for him in -- in [REDACTED]
10 from the [REDACTED] trip. Is that correct?

11 A. Yeah, that is correct. The -- the
12 difference within the two job is different
13 participants and then different location in terms
14 of being [REDACTED]. So, yes,
15 that is correct. But in terms of what goes in,
16 (inaudible) was they are all (inaudible) based.

17 Q. Now, how much time did you have to
18 spend to do this match-up between the hard copies
19 and the computer copies -- and the computer
20 information? I'm sorry.

21 A. Uhm, if I could -- I could recall, I
22 think that I use over six hours to do that.

23 Q. And in that process, did you see any
24 errors?

25 A. Yes, I -- I did; I mean,

1 typo-related errors, and then errors regarding the
2 evaluation itself were what I identified.

3 Q. And when you identified an error,
4 did you just simply correct it?

5 A. Yes. I was able to correct it,
6 because it was in the -- the soft copy. But then
7 the hard copy is original copy, which I didn't -- I
8 didn't know to touch. And so I was just matching
9 the hard copy, I did on the soft copy. So that the
10 hard copy will reflect exactly what it is -- is
11 captured on the hard copy.

12 Q. And then once you completed that
13 task, did you just advise Dr. Kalyango about that?

14 A. Yes. Once that task was completed,
15 I -- I mentioned to him that it's done. And so I
16 placed the hard copies in brown envelopes and
17 dropped that in his office in (indiscernible). And
18 then I think (indiscernible) the one
19 (indiscernible), I guess, yeah.

20 Q. And did he ask you to do anything
21 else after that with respect to the [REDACTED]

22 [REDACTED]

23 A. No. That was -- No. My job was
24 done after matching the hard copy to the soft copy
25 to ensure that they reflect -- the hard copy

1 reflect exactly what had been captured in the soft
2 copy. And my work was done, and that was it.

3 Q. You know, [REDACTED] that's really
4 the last question I have except for this one.

5 A. Yes.

6 Q. And that is, in your statement,
7 you -- I think you -- I -- you were asked to sort
8 of reflect on your thoughts on Dr. Kalyango. And I
9 think I'm referring to your last paragraph in your
10 written statement. Would you just share that with
11 the panel?

12 A. Can you say that question? You were
13 breaking. Your last question was breaking.

14 Q. I'm sorry. My last question for you
15 was, would you just share with the panel the last
16 paragraph that you wrote in your statement about
17 Dr. Kalyango?

18 A. Yeah. So let me quickly jump to
19 that.

20 I think that Professor Kalyango for
21 me and [REDACTED] students will say that he's a
22 lifesaver, because he actually understand our
23 challenges given that he's an African-born
24 professor, which happens to be the only African
25 born professor in the Scripps College. He's very

1 approachable. Anytime you approach Dr. Kalyango
2 with any issue, you knew not to explain yourself
3 more, and that he would be in the position to -- to
4 really -- to really assist.

5 I mean, I think that I can't just
6 imagine Scripps College without him. I mean,
7 talking for myself, I do not know what I would have
8 done to succeed academically without the assistance
9 of Professor Kalyango; not just academically, but
10 financially in the sense that giving us some
11 (indiscernible) jobs, which indeed also sustained
12 us during our stay on Ohio University campus.

13 And so it will be very difficult to
14 get a replacement of such professor or, indeed, a
15 lot of respect. Not just in America, but across
16 Africa given his experience as a journalist and as
17 somebody who knows the African politics in and out
18 and somebody who knows how the African economy
19 works.

20 Q. Thank you, [REDACTED]. I have no
21 further questions.

22 HEARING COMMITTEE CHAIR MUHAMMAD:
23 Thank you, Mr. Beck.

24 We'll turn now to university's
25 counsel.

1 ADAM LOUKX: Thank you.

2 - - -

3 CROSS-EXAMINATION

4 BY MR. LOUKX:

5 Q. [REDACTED] good afternoon. Or maybe
6 I guess it's still morning, here anyway. Thank you
7 for joining us and thank you for your help.

8 I only have a very few questions,
9 and it's partly just to aid my confusion. Perhaps
10 I'm the only one that's confused, so indulge me
11 just a second.

12 As I understand it, you were given
13 some evaluations, and your task was to take the
14 hard copy of the evaluation and check it against
15 something that had been downloaded on a computer.
16 Is that right?

17 A. Yeah, that is correct.

18 Q. And you did that task?

19 A. Yes, I did that task.

20 I think, like I mentioned earlier
21 when I was responding -- I responded to the other
22 attorney, my task then was to focus when there were
23 errors, which -- which I did, and also correct few
24 numbers which were not entered correctly. And so
25 once that was done, my -- my work ended.

1 Q. And the endpoint of this task was to
2 make sure that the hard copies matched what was on
3 the computer. Correct?

4 A. Yes. The task was to match the hard
5 copy to exactly what was captured in the computer.

6 Q. So the best document to tell what
7 the evaluation said is the hard copy. Right?

8 A. Absolutely. Absolutely. It's just
9 like you coming from Ohio University and presenting
10 your transcript to, let's say, an (indiscernible)
11 university. So (indiscernible) with a transcript
12 you submit it, (indiscernible) and reflects the
13 original. You may be asked to send an original.
14 (Indiscernible) you send to that university by the
15 Ohio University.

16 And, so, yes, my task was to match
17 the hard copy. I gave the soft copy to
18 (indiscernible) in the soft copy reflect exactly
19 what is on the hard copy.

20 Q. And what was the purpose of the soft
21 copy? Where did that go?

22 A. That, I am not actually sure,
23 because I just write on it and then send it.

24 Q. I see. But again, if I compare the
25 soft copy to the hard copy --

1 A. I did it on the Mac computer as
2 a way to -- (indiscernible). Yeah,
3 that's it. That was my task. So where it was sent
4 to wasn't my task, so that I cannot say.

5 Q. Okay. Do you know if you were the
6 last person to do this task with those evaluations?

7 A. So far as my memory, ah, can
8 remem- -- I -- So far as I can remember, I did not
9 ask for (indiscernible). I knew that one student
10 work on it first, and that is -- now I'm -- I'm
11 just getting to know it now. Before that, I didn't
12 know somebody work on it before I was asked to work
13 on it.

14 And so my task then was just to
15 compare the hard copy to the soft copy, and then
16 that was it.

17 So subsequently, I didn't know
18 whether after me someone else work on it or that
19 was it.

20 Q. Okay. But in the end of the day, if
21 there is a discrepancy between the soft copy and
22 the hard copy, that discrepancy would be the fault,
23 for a lack of a better word, the person that
24 entered the information into the soft copy. Right?

25 A. Can you repeat that again? You were

1 breaking at that point.

2 Q. Okay. Fair enough.

3 The -- If there is a discrepancy
4 between the hard copy and the soft copy, that would
5 be error by the person that entered the information
6 into the soft copy. Right?

7 A. Yes, that is correct.

8 Q. Okay. That helps me out a bit. And
9 thank you for bearing with me.

10 I have no other questions. And
11 thank you again for your participation in this
12 matter.

13 A. And thanks so much for also having
14 me.

15 HEARING COMMITTEE CHAIR MUHAMMAD:
16 Thank you, Mr. Loukx.

17 [REDACTED] one moment. I wanted to
18 ask the hearing committee members if anyone has a
19 question for [REDACTED] at this time.

20 YEHONG SHAO-LUCAS: I have a quick
21 question.

22 [REDACTED] Okay.

23 YEHONG SHAO-LUCAS: Hi, [REDACTED]

24 So after --

25 I just want you to clarify this.

1 So after you finished a comparison,
2 did you -- what did you do? You sent it to
3 Professor K, or did you --

4 Can you clarify that?

5 Did you -- So you corrected it and
6 then give the soft copy to Professor K. Is that
7 right? Am I -- Is that correct?

8 [REDACTED] Yeah. I think that
9 let me better explain this particular aspect of the
10 question.

11 Like I mentioned in my previous
12 response to the previous attorney, I told him that
13 my task basically was to compare and then correct
14 if, indeed, there was some error on the soft copy,
15 which indeed was on the Mac computer in
16 Dr. Kalyango's office in Schoonover. And so after
17 that was done, after that correction was done, the
18 next thing I did was to put the hard copy in a
19 brown envelope, and then that was dropped in the
20 Sing Tao office, which, indeed, is Dr. Kalyango's
21 office as well, which is near to Baker, if I -- I
22 quite remember. And that meant my task was done.

23 YEHONG SHAO-LUCAS: Okay. All
24 right. Thank you.

25 [REDACTED] You're welcome.

1 HEARING COMMITTEE CHAIR MUHAMMAD:

2 Thank you, Dr. Shao.

3 Thank you so much, [REDACTED]. That
4 concludes your testimony. We greatly appreciate
5 your time today in providing the testimony. Have a
6 good rest of the today.

7 [REDACTED] All right. Thank you,
8 Dr. Robin. It's been fantastic having me. And
9 have a good one, too.

10 HEARING COMMITTEE CHAIR MUHAMMAD:

11 Take care. Bye-bye now.

12 [REDACTED] All right. Yeah.
13 Bye.

14 HEARING COMMITTEE CHAIR MUHAMMAD:

15 Our next witness is in the waiting room, as I
16 understand it, so I'd like to move on with them;
17 and then we will break at approximately 12:30 for a
18 lunch break for just 30 minutes.

19 Duane, would you please bring in
20 Dr. Ekeanyanwu.

21 DUANE BRUCE: I believe he is in the
22 joining phase at this time.

23 HEARING COMMITTEE CHAIR MUHAMMAD:

24 Thank you.

25 Good afternoon, Dr. Ekeanyanwu. I

1 am Robin Muhammad. I am the hearing committee
2 chair. Thank you so much for being with us today
3 to provide testimony.

4 We have about 30 minutes. You're
5 welcome to start with some introductory remarks,
6 and then we'll shift to the faculty member's legal
7 counsel to pose some questions to you, followed by
8 the university's legal counsel to do the same. At
9 the end of that 30 minutes, if there are questions
10 from the hearing committee itself from various
11 members, we'll entertain them at that time.

12 I hope you can hear me all right.
13 You might want to take your -- Your microphone is
14 muted; so if you'd click on that, then we can hear.

15 NNAMDI EKEANYANWU: Can you hear me
16 now?

17 HEARING COMMITTEE CHAIR MUHAMMAD: I
18 can hear you very well. Thank you.

19 NNAMDI EKEANYANWU: Okay. Thank
20 you, ma'am.

21 HEARING COMMITTEE CHAIR MUHAMMAD:
22 So -- so please make your introductory marks
23 remarks; and then if you heard me, I hope, we'll
24 shift to the questioning portion of the next
25 30 minutes.

1 NNAMDI EKEANYANWU: Okay, ma'am.

2 HEARING COMMITTEE CHAIR MUHAMMAD:

3 Very good.

4 NNAMDI EKEANYANWU: Thank you,
5 ma'am.

6 So my name is Nnamdi Ekeanyanwu.
7 I'm a professor of international communication at
8 the University of and strategic communication at
9 the University of Uyo in South-South part of
10 Nigeria.

11 I'm sure I was invited for this
12 testimony because of my relationship with Ohio
13 University. I'm a SUSI scholar. I was part of the
14 cohorts that attended the [REDACTED].

15 I'm also the national president of
16 the African Council for Communication Education,
17 ACC for short. ACC is the -- one of the largest
18 communication association for Africans in Africa in
19 that, you know -- you know, in Diaspora. I'm the
20 current national president. My tenure started in
21 2017. And so -- and then a SUSI scholar. That's
22 my brief introduction.

23 HEARING COMMITTEE CHAIR MUHAMMAD:

24 Thank you for that. We'll turn now to questioning.

25 NNAMDI EKEANYANWU: Okay, ma'am.

1 HEARING COMMITTEE CHAIR MUHAMMAD:

2 Ms. Ziarko.

3 - - -

4 DIRECT EXAMINATION

5 BY MS. ZIARKO:

6 Q. Thank you, Professor, for that.

7 You mentioned that you're here and
8 you wanted to talk about your relationship with
9 Ohio University and the SUSI program.

10 Can you go ahead and do that and
11 explain your role in that and the importance of the
12 SUSI program?

13 A. Thank you, ma'am.

14 In 2011, one of the best things that
15 happened to my career was the announcement that I
16 won the scholarship to represent West Africa,
17 Nigeria, in the SUSI program at the Ohio
18 University. Immediately the U.S. ambassador
19 informed me. A week later Professor Yusuf Kalyango
20 sent an email also congratulating me for that. And
21 in July we came for the program.

22 The SUSI program is a program that
23 American government set up to help African scholars
24 like me and permit scholars to, you know, come to
25 America, understand the American system, and view

1 the cultural divides.

2 That program changed my life and
3 career, because it -- for somebody who meddled in
4 international, you know, communication, it helped
5 me to understand, you know, the American system
6 that supposedly I was teaching a class; and it also
7 helped me in my career in terms of my students that
8 it is crucial and the contacts that came from that.
9 And the continuous collaboration that continued
10 from that scholarship I attended Ohio is something
11 I cannot describe in words (indiscernible). That
12 had been a very -- it was an enriching program. It
13 was a program that exposed me to the program that,
14 you know, gave me a connection to Ohio University,
15 as well as other, you know, scholars that
16 participated in that program.

17 Q. Okay. Thank you.

18 And can you describe your
19 interactions with Dr. Kalyango and your experiences
20 with him during the SUSI program?

21 A. Thank you, ma'am.

22 From the very first email he sent,
23 you know, you could see the kind of man that he
24 was. He was a gentleman. The -- the man was very
25 respectful; was very, very, very respectful, I

1 would say in my time with him and for -- Because I
2 checked him out online, and he was a big professor
3 as far as I was concerned. I was young
4 (indiscernible) career. And at the airport, he was
5 physically present at the airport to welcome me and
6 other persons that arrived. And that was the first
7 shock I had of a -- of somebody with such a CV
8 representing American government and the university
9 waiting for me at the airports and not
10 (indiscernible) student a person to do that. And
11 so the relationship started.

12 And all through my stay at Ohio
13 University and subsequently, because we -- it
14 didn't end at Ohio University after we left the
15 program. When I became the president -- secretary
16 of the ACC that I mentioned, we also made an
17 attempt to invite him, you know, because he was
18 a -- he remained a gentleman; he remained very,
19 very respectful as a person. And most importantly,
20 we all saw him, as a scholar, very attentive. You
21 know, related well with everyone, you know, during
22 my time there. And that's why I say, my being
23 here, I'm not just here as SUSI scholar. I'm also
24 here representing some of my colleagues. You know,
25 I was second person from Nigeria that attended that

1 program. I am a representative of my colleagues
2 who have I have interacted with since this issue
3 started. And I was asked to speak on their behalf.
4 I'm also representative of ACC. They also ask me,
5 because they know him, so to speak on his behalf.

6 So the Kalyango I met at Ohio
7 University was a very, very respectful scholar,
8 very detailed, very attentive, and very strict,
9 because he handled us well in terms of some of us,
10 we were in America for the first time and making
11 sure that we were within the bounds of the program
12 and we didn't go outside our expectations. That's
13 the man I knew, and that's why I have agreed to
14 speak here today as a witness.

15 Q. Thank you.

16 In your statement that you provided
17 to me, you listed several reasons why the -- the
18 SUSI program, which is administered at O.U., how it
19 benefitted you and -- and all the other scholars
20 that are a part of it.

21 A. Yes.

22 Q. Can you -- can you highlight those
23 for the committee, please?

24 A. Yes. The SUSI program, as I said
25 earlier, was very, very changing in terms of career

1 turnaround for me. And number one, it increased
2 my, you know, professional knowledge about the
3 American media system. And so for the first
4 time -- We were reading books -- for the first
5 time, I had a full-time contacts with American
6 media, because we were taken to, you know,
7 different media places and systems. We had
8 practical lectures, interactions.

9 You know, my visit to C- -- to CNN
10 in Atlanta was a high point of that.

11 Today I am being consulted as an
12 (indiscernible) in that area where I had just done
13 my visit. And that SUSI program provided that
14 opportunity.

15 Secondly, you know, the -- it helped
16 me in my collaborative research. I am happy to
17 report that I have published some works with
18 Professor Kalyango and other colleagues arising
19 from the SUSI program. Without the SUSI program, I
20 wouldn't have met them; that collaboration wouldn't
21 have happened. And so I can boast of a, you know,
22 international publications, you know, in my CV from
23 that SUSI program. Number 3, we also participated
24 in, you know, extensive exchanges.

25 In [REDACTED] Dr. Kalyango led a team

1 to -- to [REDACTED], you know, to, you know, lead a
2 conference, help organize the conference and lead,
3 you know, the conference in [REDACTED]. That's one of
4 the benefit of that.

5 So we had, you know, international
6 representation, because Kalyango is completely an
7 international scholar, well known. We had some
8 funding because of his presence because he agreed
9 to participate at that conference.

10 And so this we are talking about
11 number 4. I don't know. Also with my
12 participation in SUSI with Professor Kalyango
13 (indiscernible) Mary Rogus, you know, we also have
14 a -- we -- we -- our -- Our profile, the journal we
15 publish from that (indiscernible), the profile, you
16 know, you know, went on, because Dr. Kalyango
17 agreed to be a part of the international team for
18 that conference.

19 So these are some of the, you know,
20 benefits of my participation at SUSI.

21 Q. Okay. And you said you are here on
22 behalf of several people and organizations to speak
23 on --

24 A. Yes, ma'am.

25 Q. -- to speak for Dr. Kalyango.

1 But, in fact, you're not -- you
2 didn't just come here today for this.

3 You actually wrote the president of
4 the university, didn't you, on Dr. Kalyango's
5 behalf?

6 A. Yes, I did, because in 20 -- by --
7 in [REDACTED] when we invited Dr. Kalyango and the
8 international journal, (indiscernible) where he was
9 the director. So we reach an agreement for him to
10 co-host the conference as part of a -- the -- the
11 collaborations we would be having with the
12 university. And he agreed. And we started the
13 process. And all of a sudden, he wrote me to say
14 that he will not be able to represent Ohio
15 University again because he has a pending case.

16 And I said, What pending case?

17 And he described the situation to
18 me.

19 And I felt obligated to write
20 the university president as the president of
21 ACC that we had a standing arrangement with
22 Professor Kalyango, and this is who represented the
23 university. And (indiscernible) promise was funded
24 if he -- the university and the -- the unit he was
25 directing agreed to participate, and that they were

1 not going to continue if he did not.

2 So I wrote a personal letter to the
3 president finding out what is the situation, and
4 this is our situation. And after several, you
5 know, weeks, there was no response. I sent a
6 reminder, reminding the president I wasn't writing
7 as an individual. I am representing an
8 organization [REDACTED] in Africa, Africans in
9 communication education, and we had a contractual
10 agreement with the universities, and I needed to
11 understand what was going on and why Kalyango
12 cannot be part of it anymore.

13 And then after that, she respond --
14 the president, you know, responded and was
15 dismissive because I (indiscernible) that
16 Dr. Kalyango had shared the details of the issue
17 with me. And then I (indiscernible) the matter was
18 still -- the issue was still ongoing. It was not
19 stopping him from participating.

20 And so the president was dismissive
21 of my abuse; and then eventually, you know, sent me
22 a memo to interact with the dean. And the current
23 dean was also not a -- was not supportive.

24 (Indiscernible) He didn't want to get involved with
25 whatever project that -- that he knew Professor K,

1 we used to call him, was livid at that point in
2 time.

3 So they all did not -- They were not
4 helpful.

5 If not for my relationship with Ohio
6 University as an alumnus of the SUSI program, I'm
7 almost tempted to, you know, take the case further
8 in terms of Kalyango representing the university
9 and having an agreement with us, and that human
10 being thrown out of the way without any
11 consideration of the implication for us. And so it
12 was a big deal. It was a big deal for us on a
13 negative side trying to get that conference
14 organized and have that conference in 2019 without
15 Ohio University, without Ohio -- without
16 Dr. Kalyango be part of it, because it was
17 advertised the (indiscernible.) We couldn't get it
18 funded again. (Indiscernible) they were deceptive.
19 We provided Ohio University (indiscernible)
20 international scholar in the name of Kalyango to
21 secure funding. All of a sudden Ohio University
22 was not participating; Kalyango was not coming.

23 And I couldn't share the details of
24 this situation together, because it was a private
25 matter, which I -- it wasn't my place to do. But

1 it was negative on the part of ACC, and we're not
2 happy.

3 And I expressed that to the
4 president, that ACC was not happy how the matter
5 was treated and how Kalyango was not allowed to
6 represent the university even when the case was an
7 ongoing case, there was no, you know, condition,
8 and a lot of that.

9 Q. All right. Thank you.

10 And based on your knowledge and
11 observations of Dr. Kalyango, were you surprised
12 about these allegations?

13 A. I was completely -- I was completely
14 surprised.

15 Ma'am, I have to be very honest with
16 you. I would apologize for being in Africa, but I
17 have to be very honest with you. Every other
18 person, because when the conference did not go as
19 planned with Kalyango, the secretary called me at
20 ACC and some members. Don't forget everybody goes
21 online. Kalyango was in [REDACTED] as he lead
22 from Ohio for that conference.

23 And so when he spoke, if I'm
24 permitted to show some videos here, Kalyango was
25 a -- was like a -- a super star right from U.S. for

1 that conference. He was the most photographed
2 person at that conference. I was -- I was the
3 secretary of the (indiscernible) there. Because I
4 brought Kalyango and Ohio, I was contesting the
5 election for the presidency, that election, I won
6 that election clearly because everybody felt
7 bringing the person of Kalyango, that that's the
8 kind of thing that is spread at an international
9 conference, the kind of (indiscernible). So I won
10 that election because I brought him there. So
11 everybody, we are aware.

12 And then he announce the arrangement
13 that we had in 2019, Ohio will partner with ACC in
14 a graduate conference. So when the conference
15 (indiscernible), I had to share some of the
16 reasons, because I didn't want to sound like a
17 politician who was like -- I had to share some of
18 the details. Some of them also found online and
19 called my attention. (Indiscernible) seen online
20 about Professor Kalyango. And everybody,
21 everybody, they were surprised. And I was
22 particularly -- particularly (indiscernible),
23 because it doesn't represent the man that we know.

24 My colleagues who were a part of the
25 SUSI program, the SUSI program had, you know, an

1 almost equal female and male. We're all free in
2 this process. We -- More than four or five hotels,
3 we spent together.

4 The -- Most of the students helps
5 that we had. You know, all of them, we have --
6 most of them -- they have -- The graduate students,
7 they were all females. None of them have -- have
8 written to find out what is going on. None of them
9 had anything negative to say to date
10 (indiscernible). No one has reported any negative.

11 I have to be very frank with you.
12 Kalyango came to [REDACTED] When he came to [REDACTED]
13 I said he was like a super star coming from U.S.,
14 you know, in a city (indiscernible) [REDACTED] And
15 so everyone, everyone, people wanted all these
16 details.

17 If Kalyango wanted to have a company
18 of hundred female in that conference, they would
19 sign up with me. So how about that show? But that
20 never happened. All throughout our stay and we
21 left, there was no indication of the quality of
22 man, the kind of person that had been
23 (indiscernible) in the last two years been
24 described. In my place, we say that a leopard
25 cannot change his spots. If a man is so described,

1 but it cannot be in one instance. It's a character
2 that people cannot hide for a long time. It will
3 show. So we were all surprised, and that's why
4 I'm -- I'm speaking here today. We were all
5 surprised that such allegations here.

6 And I am happy. My happiness is
7 that I have asked every other SUSI scholar, ACC
8 members. Nobody seems to say anything negative.
9 And I'm happy to hear that there are no
10 corroborations of rudenesses. The older graduate
11 students to line up to say that this is the man, we
12 have had this experience with him or not, the other
13 colleagues here, I'm happy -- I don't know exactly
14 if Mary Rogus is part of the team speaking or
15 the -- Anne Cooper (indiscernible). These are
16 people we met. They were people that are working,
17 comfortable working with him. I don't know whether
18 they are speaking for him at this hearing. But I
19 have tried to talk to them, and I'm happy to hear
20 that every one of them says that is not Professor K
21 that we know.

22 And so it's -- I am shocked, and I
23 can't describe it in words.

24 And let me say this before you ask
25 your next question.

1 I -- I don't want to -- You know, we
2 can't stop saying this. But I'm very particular.
3 I am very convinced. You know, I'm happy that this
4 senate committee is being heard by professors who
5 know what it takes to be a professor and who know
6 what amount of effort that Professor K put into
7 life to become a professor; and, you know, didn't
8 want to be rubbish over an isolated is- -- you
9 know, incident.

10 I -- I -- I reach that conclusion,
11 that if he was not black and African and
12 successful, we wouldn't be having this
13 conversation. And I'm sorry to say that. We
14 wouldn't be having this conversation.

15 Q. Thank you for your testimony.

16 I am going to turn it over now to
17 Ohio University's counsel, and he may have some
18 questions for you, okay? Thank you.

19 NNAMDI EKEANYANWU: Thank you,
20 ma'am.

21 MR. LOUKX: Good afternoon. And
22 thank you for your appearance here today.

23 I have no questions for you. So I
24 do appreciate your -- your testimony and the help
25 you've given the committee, but no questions from

1 me. Thank you.

2 NNAMDI EKEANYANWU: Thank you, sir.

3 HEARING COMMITTEE CHAIR MUHAMMAD:

4 Thank you, Mr. Loukx.

5 Do we have any questions for
6 Professor Ekeanyanwu from the hearing committee
7 members?

8 Hearing -- hearing none, I want to
9 thank you again, Professor Ekeanyanwu, for your
10 time here today to provide testimony and to answer
11 questions. It's very much appreciated. And on
12 behalf of the hearing committee, we wish you all
13 the best.

14 NNAMDI EKEANYANWU: Thank you so
15 much, ma'am, for the opportunity. And I pray that
16 you people have the guidance to do the right thing.
17 God help all of you. Thank you so much, ma'am.

18 HEARING COMMITTEE CHAIR MUHAMMAD:
19 Thank you. Have a good day.

20 NNAMDI EKEANYANWU: Thank you,
21 ma'am.

22 HEARING COMMITTEE CHAIR MUHAMMAD:
23 All right. Thank you, everyone. It's about 12:16
24 by my clock.

25 We can break now for the lunch. I

1 won't call it the lunch hour. It will be the lunch
2 44 minutes.

3 Please be back around 12:25 at the
4 latest, so -- Excuse me. Excuse me. Please be
5 back at five minutes before 1 so that we can bring
6 in our next guess in a timely fashion.

7 Thank you so much. Enjoy the break.
8 I will be off camera and muted, but not far away.

9 CHARLES LOWERY: Thank you, Robin.

10 - - -

11 Thereupon, a luncheon recess was
12 taken at 12:16 p.m. until 12:57 p.m.

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Friday Afternoon Session
December 11, 2020
12:57 p.m.

- - -

P-R-O-C-E-E-D-I-N-G-S

HEARING COMMITTEE CHAIR MUHAMMAD:

All right. Thank you, everyone. We're back for
another slate of testimony between now and 3:30.

Duane, please usher in our next
witness.

DUANE BRUCE: The next witness is
joining now.

HEARING COMMITTEE CHAIR MUHAMMAD:

Good afternoon, Dr. Katu-Ogundimu. I'm
Robin Muhammad, the hearing committee chair. I
hope you're doing well.

Good afternoon, Dr. Katu-Ogundimu.

NANCY KATU-OGUNDIMU: Hi. Good
af- -- good evening from Nigeria.

HEARING COMMITTEE CHAIR MUHAMMAD:

Better. Good evening, then.

NANCY KATU-OGUNDIMU: Yeah.

HEARING COMMITTEE CHAIR MUHAMMAD:

Thank you very much for being here.

Are you able to key in with video?

NANCY KATU-OGUNDIMU: Yes, I can.

1 HEARING COMMITTEE CHAIR MUHAMMAD:

2 Excellent. Thank you so much.

3 NANCY KATU-OGUNDIMU: All right.

4 HEARING COMMITTEE CHAIR MUHAMMAD:

5 I'm Robin Muhammad. I'm the chair of the hearing
6 committee. On behalf of the hearing committee, I
7 want to thank you for being here today to provide
8 testimony for these proceedings.

9 NANCY KATU-OGUNDIMU: Thank you.

10 HEARING COMMITTEE CHAIR MUHAMMAD:

11 We have about 30 minutes for your testimony. That
12 will include any introductory remarks that you
13 would like to make at the beginning, and then we'll
14 pivot to questions from the faculty member's legal
15 counsel and then to questions from the university
16 legal counsel. And at the end of that 30 minutes,
17 we'll entertain any questions that there might be
18 coming from the hearing committee itself.

19 So with that, simply begin your
20 testimony when you're ready.

21 NANCY KATU-OGUNDIMU: My name is
22 Dr. Nancy Katu-Ogundimu, and I am a faculty member
23 in the Department of Mass Communication, University
24 of Jos, Nigeria. I earned my master's and my Ph.D.
25 at Ohio University, my master's in communication

1 and development, and my Ph.D. in mass communication
2 in the School of Media Arts and Studies, Scripps
3 College of Communication.

4 And my husband, my daughter, and I
5 actually all earned a master's and our Ph.D.s in
6 O.U., so basically we are Bobcat family members.
7 And I'm a proud member of the Bobcat family in
8 Nigeria.

9 So basically that's just a general
10 introduction about me. And I'll just be waiting
11 for Andrea to -- to speak with me.

12 HEARING COMMITTEE CHAIR MUHAMMAD:
13 Excellent. Thank you.

14 Ms. Ziarko, if you would like to
15 proceed with questions.

16 ANDREA ZIARKO: All right. Thank
17 you.

18 - - -

19 DIRECT EXAMINATION

20 BY MS. ZIARKO:

21 Q. Doctor, can you give a little bit of
22 background. You say you and your family are all
23 graduates of O.U. And can you give some background
24 as to the relationship between O.U. and the
25 Nigerian community?

1 A. Uhm, like I said, my husband, my
2 daughter, and I all came to O.U., and we all earned
3 a master's and Ph.D. And one thing that fascinated
4 me about O.U. from the beginning was the fact that
5 O.U. had a relationship with the Nigerian
6 government between the 1980s to the nine -- the
7 1980s and the '90s. There was a relationship with
8 Northern Nigeria, a contract signed to train
9 students of Nigeria at O.U.; so I was very
10 fascinated to find, you know, a lot of governors
11 here, senators, members of the House of
12 Representatives, a number of people I know who are
13 all alumni of O.U.

14 And when I got onto the campus, I
15 also found, for example, that in the seventies,
16 there were a large Nigerian community. So that's
17 kind of one of the reasons that drew me to O.U.,
18 and I would say that I enjoyed every bit of my stay
19 as a student.

20 Q. Great.

21 Now, when did you first meet
22 Dr. Kalyango?

23 A. I met Dr. Kalyango in 2010. I came
24 to O.U. on a Ford Foundation, Ford Foundation
25 international fellowship; and my area of study or

1 research area was media and conflict. And so when
2 I was looking around for courses, my former
3 director, who was also my academic mentor,
4 Professor Obregon (phonetic) directly, you know,
5 kind of introduce me to a media and conflict course
6 in the School of Journalism. So I walked into the
7 class in 2010 I think the second semester, and that
8 was the first day I met Dr. Kalyango, who was the
9 professor teaching the class.

10 Q. And what was your impression of
11 Dr. Kalyango?

12 Well, is that what you called him,
13 Dr. Kalyango?

14 A. Actually, we -- well, Dr. Kalyango
15 for the first day; but after that, he became Dr. K,
16 which he is to a lot of the students.

17 Ah, my impression was I was really
18 excited seeing Dr. Kalyango in class, because when
19 I got onto campus, I realized, for example, in the
20 program that I was attending that I really didn't
21 have, ah, either African professors or professors
22 who had a research interest in Africa, and that
23 kind of bothered me. Because with Ford Foundation,
24 the bulk of that career program was to kind of
25 equip me with the needed skills and knowledge to go

1 back home and then to use those skills in Nigeria.

2 So definitely my research area had
3 to do with Nigeria. And at that time, Plateau
4 State where I come from was dealing with a lot of
5 (indiscernible) conflict. So I was trying to find
6 my way in between to see how I could situate myself
7 to be of help to my country when I returned.

8 And so I looked around the campus;
9 and I was kind of disappointed when I -- you know,
10 I didn't find what I was looking for until
11 Dr. Obregon directed me to Kalyango's class.

12 So I came. You know, I was excited
13 to see a person of color, to see an African man;
14 and also I found his class was very fascinating.
15 There was a lot of engagement, interaction between
16 the students, between the students and the
17 professor. He was very thorough and very concerned
18 about each of his students. So that was basically
19 my first impression of him.

20 And for my final paper, I -- I
21 did -- I wrote a paper on something to do with
22 conflict in Africa. And somehow I think a few
23 months after the class was over, we met some --
24 somewhere around Elder library, and he told me I
25 had a very good research paper, and he encouraged

1 me to put that for a conference. And he helped
2 work with me to make the paper good and eventually
3 got top paper in the division.

4 And from then, Dr. K became
5 basically, like, my academic mentor and eventually
6 became a member of my dissertation committee.

7 Q. So it's fair to say that
8 Dr. Kalyango pushed you as a student?

9 A. Yeah, he pushed me really hard.
10 Somehow there's this thing about
11 him, I -- he expects a lot from his students, and
12 somehow you don't just want to disappoint him,
13 because he -- he tends to, you know, make you
14 understand that you are better than what you think
15 you are; and he drives you, in quote, a slave
16 driver when it comes to work. You know, he doesn't
17 compromise the quality of his work, especially with
18 his students.

19 And so a lot of times, you know, one
20 would just strive to do well because you don't want
21 to disappoint Dr. K.

22 Q. Okay. I want to switch gears just a
23 little bit and ask you.

24 You mentioned some -- the
25 experiences you had on campus.

1 And how about as an international
2 student? Was there any misunderstanding of the
3 international program that either you or your
4 husband experienced while you were there?

5 A. Yeah, a lot.

6 Uhm, as an international student --
7 First of all, as a Ford Foundation
8 fellow at that time, we had one year of preacademic
9 training where we were kind of exposed to the
10 American culture and what to expect and what not
11 to, just to reduce kind of the shock, the culture
12 shock.

13 And so for some of us, we were a bit
14 grounded when we came into the U.S. And for me, I
15 found Athens a very quiet place, which kind of suit
16 me well where I'm coming from.

17 However, I mean, with -- with -- as
18 an international student, there were also shocks
19 that came along with it, especially when you deal
20 with people who have a misconception of Africa,
21 people who have stereotypes and biases about who
22 you are.

23 And I have a number of, you know,
24 examples for that.

25 First of all, I'll talk about my

1 husband. My husband worked as a graduate tutor in
2 the graduate writing lab at the library, and he had
3 a situation where his supervisor then wrote him an
4 email basically kind of complaining about his
5 Nigerian accent and explained why his accent made
6 it difficult for Americans students to understand.
7 And, you know, kind of -- The email was just
8 riddled with some very racial undertones. And one
9 thing that bothered us at that time was he was the
10 only African tutor in the -- in the graduate
11 writing center, and we noticed a large traffic of
12 African students to that place with a lot of Asians
13 and other people of color. And what we kind of
14 questioned is, while he may not have had the
15 American accent, or whatever that might mean, his
16 supervisor was not mindful of the possibility that
17 he had a lot of African students who didn't
18 understand the American accent in itself. And he
19 felt really -- And then she felt like he --- he was
20 too forthcoming. He was kind of assertive. She
21 felt he was aggressive. And so that created a
22 problem. And he felt really harassed, if I could
23 say that, and wrote an email to the ombudsperson.
24 The office of the ombudsperson, there was an
25 acknowledgment of that email, but nothing ever came

1 of it.

2 When my husband (inaudible) about
3 O.U., one of the sad memories he has about O.U. is
4 that, because he felt like, you know, at least he
5 needed to be heard and his voice was not important.

6 Q. Okay.

7 A. So that's for him.

8 Q. Right.

9 A. And for -- when for me, I would say,
10 apart from the racist things, we find, and
11 especially from people who had a wrong
12 misconception, misconceptions about issues. I
13 struggled with some part of my academics because I,
14 you know, needed some kind of help from people who
15 had perspectives from where I was coming from.

16 For example, for my Ph.D.
17 dissertation, I sent in my proposal to IRB, and
18 then I had a problem because I wanted to conduct a
19 mixed method. And IRB had an issue with how I was
20 collecting my data. My research was kind of
21 focused on -- a lot on religion in Nigeria, and
22 they felt it was a very sensitive topic, which is
23 rightly so; however, they were uncomfortable with
24 me administering the questionnaire face to face.
25 They suggested, you know, having boxes and keys,

1 putting them in envelopes, which ordinarily is a
2 good procedure, but not in the place where I come
3 from; because if I had to start putting
4 questionnaires in envelopes and boxes, it might
5 expose me to a lot of danger. And because I really
6 didn't really have anyone who understood where I was
7 coming from, I had to move away from using this
8 mixed method and just focus on something.

9 Dr. K was kind of useful in that
10 that he helped me steer away my method from a mixed
11 methodology to just focus on political research.
12 And then along the line to -- you know, in trying
13 to figure out where to situate my research, you
14 know, I was talking -- I had someone on my
15 committee that I had to eventually let go of, but
16 the person told me to just forget about what I
17 (indiscernible), because my country wasn't ready
18 for the type of research I was trying to conduct.
19 And that bothered me a lot, I told my husband.

20 Q. Okay.

21 A. So, I mean, I -- to some extent I
22 felt that there were a lot of people who really had
23 a misunderstanding of where I was coming from, they
24 lacked perspective; and that's where I found Dr. K
25 very useful for me through the entire journey I had

1 in O.U.

2 Q. Now, what about your perspective as
3 a female African and maybe about the African
4 culture? And can you explain a little bit about
5 how compliments might be given or taken in your
6 culture?

7 A. Yeah.

8 Uhm, I came cross this case that
9 Dr. K had online, actually. I started looking for
10 something when reading about O.U.; and I just
11 stumbled about, you know, on this story. And I
12 read through some of the complaints and -- and the
13 issues that were raised.

14 And I tried to say, first of all, I
15 don't put down another person's experiences,
16 because, uhm, I -- I -- I am a victim a lot of
17 sexual harassment, especially in Nigeria. So I --
18 I -- I always respect people's stories a lot.

19 But when I found some of the issues
20 were, you know, like, there were messages Dr. K was
21 supposed to have sent about telling the student she
22 looked beautiful, she looked pretty, and all those
23 compliments and all that; and when I saw that, I
24 asked myself, Is this really, like, the reason or
25 the reason it became a sexual harassment thing,

1 among tied to other things? I asked that, because,
2 you're beautiful, you're pretty, you're whatever,
3 from where I come from, that compliment is like
4 telling somebody the sky is blue, you know, when
5 you're just trying to be polite, when you're just
6 trying to be kind, when you just, you know, want to
7 reach out to a person. So, you know, culturally,
8 and I would always say that, a typical African
9 woman probably expect a lot of those compliments
10 everyday, because it's a cultural way you kind of
11 grow to just appreciate that and teach people how
12 to send out those kind of compliments.

13 So for me I felt --

14 Well, based on the reports, he said
15 he did not; but I felt that even if he did, he was
16 just being a typical gentleman, just typical
17 African man.

18 Q. You mentioned you saw the report
19 online. So no -- nobody called you to tell you
20 about this. You --

21 A. No, no. I read everything and all,
22 some court papers; because after I stumbled on it,
23 I called a friend of mine who was also -- who was
24 also in O.U. just to find out, you know, if she
25 knew what was going on. And so I had read about

1 the story; and from then, I began to follow it up
2 online.

3 So no one spoke to me about
4 anything. I read some court filing when the
5 student sued O.U. I read the judgment there
6 online. I read the filing by Dr. K. So I read all
7 that online.

8 Q. What is your -- When you heard that
9 part of the -- part of the allegations are Dr. K's
10 punitive actions that he took, what's your
11 experience with that back at O.U.?

12 A. Oh, okay. So when I read about, you
13 know, Dr. K's punitive action, for example, I also
14 had to ask myself if it was really Dr. K, I mean,
15 if -- if -- if he could have done that; because one
16 thing I know about him is that he -- he's
17 (indiscernible) for a lot of things are respective
18 on my journey through O.U., is meeting Dr. K,
19 working with him, and learning a lot of, you know,
20 ethics from him, a lot of work ethics. And I'll
21 never forget that.

22 So I had an experience where, you
23 know, after my third year, I run out of funding.
24 I met Dr. K, and I discussed with him that I had no
25 funding. I didn't know where to turn. And that's

1 one other problem, that, you know, administrations
2 in O.U. do not understand about international
3 students. The day you lose your funding is the day
4 you lose your standing, your immigration status;
5 and then you have to pack your bags and go, except
6 you find something to do. And the sad thing is
7 that we're not allowed to work outside the campus,
8 so we have to find jobs on campus in order to -- to
9 stay within the requirement of the individual. So
10 that really bothered me.

11 And when I talked to him, he agreed,
12 or rather, you know, told me he was going to look
13 out for opportunities.

14 It wasn't like two, three weeks
15 later when I saw this advertisement about some
16 recruitment going on for the SUSI program in the
17 summer, and I quickly applied for the program. So
18 you can just imagine how happy I was when I walked
19 into that interview and I met Dr. K as a member of
20 a three-man panel. And I went through the
21 interview. I felt I did very well in the
22 interview. I came out pretty confident that I had
23 the job. And I also told myself somehow that, I
24 mean, Dr. K knows that I'm battling (indiscernible)
25 this job. So I just knew he was searching. So you

1 can imagine my disappointment, you know, like, the
2 next day when I just got this email that said,
3 Sorry, you know, you were not -- you didn't make up
4 the list for -- for the job. I was really, really
5 disappointed. I was sad. I was angry at him for a
6 while and --

7 But then I -- I kind of understood
8 one thing about him. I may have been his protegee;
9 but one thing is, if I didn't meet their -- a
10 certain requirement, there was no way he was going
11 to, you know, push any rule aside just to give me
12 the job.

13 So, I mean, working with him, I
14 understood that when it came to doing your work,
15 when it came to providing results, when it come --
16 came -- comes to being efficient and effective, he
17 doesn't compromise those standards no matter who
18 you are and no matter the level of the relationship
19 you have.

20 Q. Thank you.

21 And what was your observation of
22 women and minorities as professors when you were on
23 campus at O.U.?

24 A. Yeah. I -- I would describe -- I
25 kind of wrote something, initially; and I said I --

1 I sometimes look at African men and women or people
2 of color on campus in O.U. --

3 And I'm just really being serious
4 about this.

5 -- it's more like having -- having
6 them adorn the system, the -- the place, so that
7 when you talk about diversity, you can pick on the
8 few black people. And I -- and I felt that too as
9 an African student; that sometimes it was just
10 about pointing us out and showing how much diverse
11 the campus was. But when it came to dealing with
12 our needs, you know, no one really paid attention
13 to us. And I kind of felt that was what was going
14 on with them.

15 I had an experience with
16 Professor Michelle Ferrier, and I did a -- an exit
17 interview with her. And I then shared my
18 experiences as an African student and what I went
19 through, and -- and called all the African students
20 who went through the college to -- to speak with
21 her. And we were aware that she was trying to
22 raise up this issue, because it was kind of
23 becoming a very recurrent problem, and somehow she
24 felt there was a need to raise that.

25 Just when I got back to Nigeria,

1 I -- I found that she -- she had problems and she
2 was taking -- suing O.U. to court. And at that
3 time, I actually agreed to testify for her, because
4 I felt like somehow because she was trying to give
5 voice to some of these things that we were going
6 through, it was kind of a retaliation on her. I --
7 I didn't see her leaving O.U. in a very happy -- a
8 very happy -- you know, in -- on good terms
9 basically, and that really saddened me.

10 And so you can imagine that when I
11 saw this thing about Dr. K, the first thing that
12 came to my mind was, you know, another African has
13 been thrown down, and that really bothers me. For
14 us, this is really personal.

15 Q. Thank you for your testimony. I
16 appreciate it.

17 A. Thank you. Thank you.

18 HEARING COMMITTEE CHAIR MUHAMMAD:
19 We'll turn it over to Mr. Loukx at this time.

20 Ms. Ziarko, are you done with the
21 questioning?

22 ANDREA ZIARKO: Yes.

23 HEARING COMMITTEE CHAIR MUHAMMAD:
24 Thank you very much.

25 Mr. Loukx?

1 MR. LOUKX: Oh, thank you. I -- I
2 have no questions of this witness.

3 And thank you, Doctor, for helping
4 us out today.

5 NANCY KATU-OGUNDIMU: Thank you,
6 sir.

7 HEARING COMMITTEE CHAIR MUHAMMAD:
8 With that, I'll turn to the hearing committee to
9 entertain any questions at this time of
10 Dr. Katu-Ogundimu.

11 Hearing none on behalf of the
12 hearing committee, thank you very much for your
13 time today to provide this testimony and to respond
14 to questions. We wish you the very best.

15 NANCY KATU-OGUNDIMU: Thank you so
16 much. Thank you. I appreciate it.

17 HEARING COMMITTEE CHAIR MUHAMMAD:
18 Good-night.

19 NANCY KATU-OGUNDIMU: Bye. Night.

20 HEARING COMMITTEE CHAIR MUHAMMAD:
21 Thank you for your note, Duane. I see that our
22 next witness is indeed here in the waiting room.
23 Would you please bring them into the main room?

24 DUANE BRUCE: The next witness is
25 here.

1 HEARING COMMITTEE CHAIR MUHAMMAD:

2 Thank you.

3 Good afternoon, Dr. Srivastava.

4 This is Robin Mohammed. I'm chair of the hearing
5 committee. Thank you for being with us today.

6 JATIN SRIVASTAVA: Good afternoon.

7 Thank you.

8 HEARING COMMITTEE CHAIR MUHAMMAD:

9 What we've been doing with each witness is using
10 the 30 minutes for, first, any introductory remarks
11 that you would like to make to the committee. Then
12 we move to the counsel for the faculty member to
13 pose a few questions, and then shift finally to the
14 university legal counsel for additional -- for
15 questions from that side. That should bring us to
16 about 30 minutes. And then if there are any
17 questions from the hearing committee, we -- we can
18 entertain those at that point.

19 JATIN SRIVASTAVA: Okay. So should
20 I start?

21 HEARING COMMITTEE CHAIR MUHAMMAD:

22 Yes, please do.

23 JATIN SRIVASTAVA: So I'm here to
24 talk about, you know, the tenure revocation
25 decision.

1 Now, I don't have very extensive
2 comments; but when I talk, I want to talk mostly
3 about the role of one person and one incident. But
4 I also think that the system, you know, through
5 which this process was done was -- you know, was
6 compromised, okay?

7 So -- so essentially it seemed like,
8 you know, when it came to the department to -- you
9 know, to make their decision, it was like -- you
10 know, it was a jury of peers, you know? But this
11 is a jury which is polarized, where some people
12 believe -- You know, so there are two parties from
13 the department. You know, some people have taken
14 one side; some people have taken the other side,
15 you know. And then -- You know, and then they have
16 histories. So some people are senior. They are
17 full professors or they are chairs of Promotion and
18 Tenure committees, and -- you know, and directors
19 and those kind of things. So some people have more
20 power than other people, which is very different
21 from an ideal juror.

22 Similarly, the discussions never
23 happened. You know, so it was each person talking
24 separately to -- to the director. And what that
25 did was -- So it was more of awarding or more of a

1 reinforcement of what the patterns were, you know.
2 So there was no discretion. Okay.

3 But I think the most problematic
4 part was that there were these -- you know, there
5 was at least one incident of intimidation, you
6 know, which -- you know, which could have
7 discouraged people from contributing to the
8 discussion, ah, which could have just -- You know,
9 just chill- -- You know, it's -- it's a chilling
10 effect that we -- you know, we call in the media
11 language, so. You know, so if a party sues one
12 journalist or one newspaper, other newspapers stop
13 writing about that particular party.

14 So I think that kind of effect could
15 also have been there, okay?

16 I did talk to -- So there was this
17 incident about which I talked to Dr. Stewart, who
18 was the director of the program then two times,
19 one -- one that -- So the first time I invited
20 him -- So I essentially, you know, sought a meeting
21 with him, and that was on September 6, 2000 -- No.
22 That was Thursday. So that was the Thursday after
23 September 6th, so second week of September. And
24 then I had a meeting with him for the tenure
25 revocation hearing, the -- you know, the process on

1 March 17th. So I talked about these incidents, and
2 I talked about why I'm uncomfortable with the way
3 this process is being handled.

4 So I think I would like to stop here
5 and thank you.

6 HEARING COMMITTEE CHAIR MUHAMMAD:
7 Thank you. And with that, we turn to the faculty
8 member's legal counsel for question -- questioning.

9 Is -- Mr. Lute, are you --

10 MEL LUTE: (Nodded affirmatively.)

11 HEARING COMMITTEE CHAIR MUHAMMAD:
12 Thank you. Please.

13 Mel LUTE: Yes. Thank you.

14 - - -

15 DIRECT EXAMINATION

16 BY MR. LUTE:

17 Q. Good afternoon, sir.

18 You mentioned earlier, and I just
19 want to sort of maybe elaborate. You mentioned
20 that you thought in your -- that the process that
21 university undertook with respect to the
22 allegations against Dr. Kalyango was compromised.

23 And what do you mean by
24 "compromised" in that context?

25 A. Uhm, so -- so I'll -- I'll give

1 you -- Actually, I'll -- I'll -- I'll tell you
2 about an incident.

3 So this was a faculty meeting on
4 March 28th or 29th in 2018. Now, so this was
5 not like -- This was a graduate committee
6 meeting -- I'll -- I'll correct myself -- not a
7 general faculty meeting. So this was a graduate
8 committee meeting on March 28th and 29th when I
9 first came to know about -- you know, about
10 accusations against Dr. Kalyango.

11 What had happened, that in a
12 previous meeting when -- when the graduate
13 committee met, Dr. Kalyango, you know, strongly,
14 let's say, spoke against one of the candidates, you
15 know, who was applying for the doctorate program.
16 Okay. That candidate was already a master's
17 student. And -- and Dr. Kalyango said that, you
18 know, because of her performance in one of the grad
19 projects which Dr. Kalyango led, you know, he
20 didn't want her to be in the graduate program and
21 felt very strongly against -- you know, against
22 her -- her admission.

23 So the committee, you know, decided
24 to not admit the graduate, not admit the candidate
25 to the doctorate program, okay?

1 Dr. Sweeney was not a part of that
2 meeting. He came back. And I think he was, you
3 know, on a medical visit. So he came back. He
4 wrote an email to -- you know, a general email,
5 shared among graduate committee to Dr. Kalyango,
6 accusing him of -- of something. It was not clear
7 what they were talking about. And then we had --
8 and then we scheduled a meeting last week of March
9 in 2018, okay? It was 3:30 p.m. It was 28th or
10 29th. I -- I'm not sure about the date.

11 Now, in that meeting, Dr. Sweeney
12 came in, and he was very agitated. He told us
13 that -- you know, that he had -- that there was
14 something going on and there were accusations
15 against Dr. Kalyango, and faculty could not be told
16 about those accusations because, you know, it was
17 the process that was going on.

18 He had talked to -- He said that he
19 had talked to the legal department, and now he can
20 talk about those accusations. He said that one --
21 there was one complaint against Dr. Kalyango for
22 sexual harassment and -- you know, and then, you
23 know, he kind of went into things in detail.

24 Now, it would have been perfectly
25 fine if he had just -- you know, just said that

1 there was a conflict; but he accused Dr. Kalyango
2 of actually, you know -- of actually, you know,
3 being a harasser.

4 Besides, there were some things that
5 he said that were -- that I saw that scared me, I
6 know, and that I saw as intimidation.

7 So he said that -- that students
8 will write stories about it in the -- and articles
9 in the -- in the town newspapers. I don't know
10 exactly which newspaper he meant, okay? He said
11 that students were talking to other students, and
12 we are getting back publicity, and this will affect
13 our graduate program. And -- and that's -- you
14 know, and that was the second part.

15 But then he started, you know,
16 getting more aggressive. He -- At one point he
17 said, I'm a Christian. And -- you know, and I
18 never thought about Dr. Kalyango's religion, you
19 know? And that's the first time, you know, I think
20 about that. And -- and that was -- You know, so --
21 And I think the context was he said -- because I
22 don't remember the second part (indiscernible). I
23 remember "I'm a Christian." You know, that's hard
24 to forget. So I think it was something like, I'm a
25 Christian, and I will make this right. So

1 something like that, okay? But I remembered "I'm a
2 Christian" part, and that I still remember that.

3 I -- You know, I change my opinion.

4 (Indiscernible) you know, I had voted for not, you
5 know, admitting, you know, the candidate; but this
6 time I agreed; you know, I changed my -- my
7 decision.

8 So -- so that's something, you know,
9 that happened.

10 He also said something which I
11 thought was pretty hypocritical. So he said -- So
12 when he was talking about the -- about meeting, he
13 said, And liq- -- and alcohol was served, you know,
14 he kind of shouted it out. You know, and it -- it
15 just kind of seemed pretty odd, because the school
16 has a culture of -- of drinking with students. You
17 would actually see, you know, emails where
18 Dr. Sweeney is inviting new graduate students or
19 graduate students visiting the campus to meet other
20 students at Jackie Os. You know, you have emails
21 about graduate picnics where -- you know, where
22 they're talking about who will bring the booze or
23 who will bring the alcohol. So -- so it's -- so it
24 just seemed very, very out of place, you know.

25 Q. Professor, when you talk about this

1 active intimidation, you mean the active
2 intimidation by Mike Sweeney?

3 A. Ah, yes. Yes.

4 Q. And I get the impression what you're
5 saying, are you saying that you felt that in
6 this -- in this meeting --

7 First of all, if Mike Sweeney had
8 not disclosed these investigations and these
9 allegations in detail against Dr. Kalyango, up
10 until that time, you did not know about them. Is
11 that correct?

12 A. Yes, I did not know about them.

13 And remember. After this, I believe
14 that this was -- that this was the case -- this was
15 the complaint where ECRC could not find -- find
16 the ground, you know, where -- you know, where they
17 said that was no retaliation on -- on the part of
18 Dr. Kalyango. And I don't exactly remember where I
19 saw this. I think it was in -- in the media
20 somewhere. It was on the WOUB website. But when I
21 looked at that -- you know, when I come across --
22 You know, and I really don't remember where I saw
23 that. And I might be wrong. But when I saw that
24 information or when I came across that information,
25 I thought that, you know, if this is right, then

1 Dr. Sweeney wrongly accused, you know, Dr. Kalyango
2 of doing something which he did not do or which
3 could not be proved.

4 So actually, it was a case of
5 retaliation. So he intimidated the committee, you
6 know, and he retaliated against Dr. Kalyango.

7 Q. And -- and in -- in terms of
8 Mike Sweeney's presentation at the meeting, that
9 was used by Mike Sweeney to change votes to get
10 this candidate?

11 A. Yes. Yes. You were -- You froze --
12 You know, the screen froze for a minute, Mr. Lute.

13 So but I think I got what you were
14 asking.

15 Yes. You know, in light of --

16 Remember, Dr. Kalyango was --

17 And -- and I would like to make it
18 very clear that I have never taken a side in this
19 case, you know? Even when I talked to Dr. Stewart
20 about this, I was talking to him as a person who
21 wants the rules -- like, who was complaining to --
22 you know, to a supervisor about a university rule
23 that is broken. So it was a process that was, you
24 know --

25 So -- so I was talking about making

1 sure that university's rules were -- you know, that
2 there was a public due to a compromise and he
3 should know about it so that, you know, he could
4 take action about it.

5 You know, so I -- I never --

6 Like, you know, when we -- we looked
7 at the evidence and -- you know, and I thought
8 about it, like, I -- I -- I looked at the evidence,
9 I would look at the news coverage; and it was
10 really hard to figure out what was going on, you
11 know.

12 Q. When you met with Mr. Stewart, did
13 you have -- did you express to Mr. Stewart that
14 you felt that detenuring was not warranted in this
15 instance?

16 A. No, I did not -- I did not say any
17 such thing. I never --

18 So it was more of the report that
19 the process was compromised. And -- and -- and,
20 see, like, that's what I've been saying; that if
21 you don't do the process right, then how do you
22 know that what you did was right, you know?

23 Q. Uh-huh. And in doing the process
24 right, you said that Mike Sweeney's action that he
25 took at the meeting compromised the investigation

1 and the manner in which the university was
2 addressing the allegations against Dr. Kalyango.
3 Is that right?

4 A. Yes.

5 Now, remember that I was, you know,
6 in general talking about the whole environment.
7 You know, university's process do make sense. But
8 this was a case where two people from the same
9 department were there. And there was this conflict
10 that, you know, I knew Dr. Kalyango well, but I
11 also knew the student well; and I cannot -- you
12 know, I cannot believe that -- that a woman
13 would -- you know, would lie about any such thing.
14 So it was really hard for me. So I was involved.
15 And -- and that's why I believe that, since the
16 whole department is involved in this, maybe, you
17 know, the process should not have come to the
18 department. You know, it was --

19 Q. The things with Mr. Stewart, did he
20 satisfy the concerns that you brought to him? Did
21 you feel like he was hearing you?

22 A. Yes, he -- Dr. Stewart, he -- Yes.
23 You know, I felt he was hearing me. I -- I told
24 him, you know, that this is what happened, and
25 that's pretty much it, you know? I didn't expect

1 to get involved.

2 Even now I'm here because of the
3 Freedom of Information Act request that -- that got
4 Dr. Kalyango the notes.

5 Q. Uh-huh.

6 A. And then, you know, when he asked
7 me, I said that, All right, so. But, you know, in
8 our email exchange, I told him that I will not talk
9 about supporting any party or supporting any
10 decision in this whole situation.

11 Q. Okay.

12 A. I -- I don't think I'm competent
13 enough. There was no discussion. I did not
14 understand what the factors were.

15 But there was one thing that I was
16 sure of, that there was intimidation and there was
17 retaliation in that meeting.

18 Q. Very well. Thank you, Professor.

19 At this point in time, I'm going to
20 turn it over to my colleague on behalf of the
21 university.

22 Thank you, sir.

23 MR. LOUKX: Thank you, Mr. Lute.

24 - - -

25

CROSS-EXAMINATION

BY MR. LOUKX:

Q. And good afternoon, Professor.

Thank you for coming in here today to talk to us.

I just want to make sure I understand your testimony correctly. I'm probably the dumbest person on the call, so I -- I apologize if my going through this is -- is looking for the obvious.

You indicate that in [REDACTED] the graduate committee met to discuss the admission of a master's student into the Ph.D. program.

A. Yes.

Q. And at that time, Dr. K was strongly against the admission of a particular master's student into the program.

A. Yes.

Q. That was unusual for Dr. K, wasn't it? Did he often speak vociferously against a student coming into the program?

A. No. That was unusual. That was unusual.

Q. But Professor Sweeney wasn't there for that meeting, so another meeting was convened

1 subsequently. Correct?

2 A. Yes.

3 Q. And at that meeting, it was clear
4 that Dr. Sweeney was passionately in favor of
5 admission of this student. Correct?

6 A. It -- Yes, it -- it seemed that.
7 But it was also, you know, a personal -- It was
8 so --

9 See, had it been only the
10 argument that --

11 You know, so he could have just said
12 that there is a complaint and -- and we should
13 reconsider, you know? And the committee would
14 have -- would have agreed. But -- You know, but he
15 went on to -- you know, to say other things, which
16 I thought was --

17 So, yes, I thought that Dr. Kalyango
18 in the first meeting came out a bit too strong; it
19 was unusual. And I thought that Dr. Sweeney came
20 out too strong; it was unusual. In both cases, I
21 thought that there was something -- You know,
22 especially in the second case, I thought that there
23 was something personal going on.

24 Q. That's fair enough. And -- and
25 thank you for that clarification.

1 You also, however, talked about a
2 meeting you had with Professor Stewart. And I
3 think you indicated that was in March, but I don't
4 think I caught the year.

5 A. So that was March 17, 2020. So
6 that --

7 Q. Okay.

8 A. -- that was the detenure hearing.

9 And there was another meeting where
10 I kind of set up a meeting to -- you know, to
11 discuss so essentially, you know, the same
12 incident. And that was much earlier.

13 Q. So the meeting with Dr. Stewart was,
14 in fact, [REDACTED] after the graduate committee
15 meetings that you referred to involving the
16 graduate student, Professor Sweeney, and
17 Professor Kalyango. Right?

18 A. So one of the meetings was [REDACTED]
19 Ah, yes. So one of the meeting was [REDACTED] and
20 that was in [REDACTED] when I wrote to him that
21 I wanted to talk to him about some
22 diversity-related issue.

23 Q. Okay.

24 A. So that was -- so that was -- so
25 that was [REDACTED]

1 Q. Okay.

2 A. And I have an email with me about
3 that.

4 Q. Okay.

5 A. So the second meeting --
6 So I saw -- I talked about this
7 incident.

8 And the second meeting happened
9 during the formal hearings on March 17th, 2020.

10 Q. Okay. But the discussion with
11 Dr. Stewart about the detenuring process for
12 Dr. Kalyango occurred in March of 2020, maybe March
13 and April of 2020?

14 A. Yes.

15 Q. And the graduate committee met [REDACTED]

16 [REDACTED]

17 A. Yes.

18 Q. And these incidents were not the
19 same meeting, right? They related only to the
20 extent that they involved Dr. Kalyango.

21 A. Ah, same meeting? Yes. So I talked
22 about the same incident in these two meetings.

23 Q. Ultimately, in the graduate
24 committee meeting, you indicated that you, in fact,
25 reversed your vote and voted for the admission of

1 the student.

2 A. Yes.

3 Q. [REDACTED]

4 [REDACTED]

5 A. [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 Q. I appreciate that correction. I --
11 I warned you earlier I'm probably the dumbest
12 person on the line.

13 Now, you had mentioned something,
14 back to what you had heard about things involving
15 Dr. Kalyango, you had read some things in the
16 press, too. Correct?

17 A. Uh-huh.

18 Q. And you're in a journalism school;
19 so knowing journalists and aspiring journalists,
20 people talk. Right?

21 A. Uh-huh.

22 Q. So you -- People were talking about
23 Dr. Kalyango other than Dr. Sweeney. Correct?

24 A. I don't know much about that,
25 because I was not -- you know, I -- I just was not

1 socially very involved with anyone.

2 Q. Fair enough.

3 You indicated something about you
4 knew the student. And just by initials, just so
5 the committee knows, you said you knew the student
6 and had no reason to disbelieve her or words to
7 that effect.

8 Can you give the initials of the
9 student you were talking about? I was confused on
10 that.

11 A. Yes. So -- so there were -- So I
12 was talking about [REDACTED], okay? So that --

13 Q. Just initials, if you don't mind.

14 A. Oh, sorry. [REDACTED].

15 Q. And you had indicated something
16 also, and I just want to make sure I heard you
17 clearly.

18 You suggested to Dr. Stewart that
19 perhaps the journalism -- that the department
20 should not be involved in the detenuring process,
21 or did I misunderstand you?

22 A. Yes. So I said that because the --
23 you know, because there were so many people
24 emotionally involved and the department was -- you
25 know, there were very strong feelings about it, it

1 shouldn't have come to the school. It should have
2 been done at the level of dean's office or maybe,
3 you know, at HR or the legal department, like some
4 other party other than the department itself.

5 Q. I gotcha.

6 You're familiar with the faculty
7 handbook, though.

8 A. Yes. So -- Yes.

9 Q. And that requires it to be done at
10 the department?

11 A. Yes.

12 Q. There's really nothing in your mind
13 do you think that Dr. Stewart could have done to
14 address that concern, is there?

15 A. No. But -- but, see, that's the
16 thing. What Dr. Stewart could do was ensure that
17 the process was interpreted correctly and conducted
18 correctly. And I think that -- And maybe he did
19 something about it. You know, I -- after I
20 reported this incident, you know, maybe he -- he
21 reported it and maybe he did something to address
22 that. I'm not -- I'm not aware of that.

23 And that's why I say that I'm here
24 to just talk about, you know, that incident. I
25 don't had -- Like, I didn't have any opinion

1 about -- you know, about detenuring. I didn't have
2 any opinion about any of the cases, because I
3 didn't really -- you know, like, I didn't really
4 discuss them. I didn't really understand very well
5 what were the factors involved.

6 Q. And that's all very fair and very
7 helpful.

8 We appreciate you coming in. The
9 committee might have a few questions; but I -- I
10 have asked you enough, and I appreciate your
11 patience.

12 A. Thank you.

13 HEARING COMMITTEE CHAIR MUHAMMAD:
14 Thank you. Thank you, Mr. Loukx.

15 For the hearing committee, are there
16 any questions you would like to pose to our
17 witness?

18 CHARLES LOWERY: Yeah, Robin, I
19 would like to ask just a of couple questions, if I
20 might.

21 HEARING COMMITTEE CHAIR MUHAMMAD:
22 Please do.

23 CHARLES LOWERY: Dr. Srivastava, you
24 mentioned Dr. Sweeney as a director in context
25 earlier, ah --

1 JATIN SRIVASTAVA: Of the graduate
2 program.

3 CHARLES LOWERY: -- of the
4 private -- or graduate program, and -- and you
5 mentioned the word "intimidation." And in my mind,
6 I'm -- I'm thinking of coercion, you know,
7 harassment, bullying.

8 Could you clarify what you meant by
9 that, and could you give an example of what that
10 might have looked like?

11 JATIN SRIVASTAVA: Hum. So -- And I
12 might -- You know, I might be, you know, using the
13 wrong word.

14 But what happened was that he
15 threatened people in a way which is very unusual in
16 academic settings.

17 CHARLES LOWERY: Okay. Also, just
18 out of curiosity, there was an investigation
19 that -- that went on into this process, and it was
20 conducted by a gentleman with the last name of
21 Annanya -- or Anaya. I'm sorry.

22 Did this individual ever speak to
23 you directly as a member of the faculty working
24 with Dr. Kalyango, or had -- did you hear of any of
25 your colleagues being interviewed by this

1 individual or -- or talked to by him.

2 JATIN SRIVASTAVA: No, not
3 physically. Never.

4 CHARLES LOWERY: Okay. All right.
5 Thank you.

6 VLADIMIR MARCHENKOV: Robin, I also
7 have a quick question.

8 HEARING COMMITTEE CHAIR MUHAMMAD:
9 Please.

10 VLADIMIR MARCHENKOV: Professor
11 Srivastava, my name is Vladimir Marchenkov. I am a
12 member of the hearing committee.

13 And I want your clarification on one
14 point we discussed previously with other -- with
15 other witnesses in this hearing.

16 We heard that there were 11 faculty
17 members at the meeting when the detenuring decision
18 was taken.

19 Were you in that meeting?

20 JATIN SRIVASTAVA: All right. So,
21 uhm, it was not -- All right. It's --

22 So it's a very interesting thing.

23 So these were individual meetings.

24 You know, so -- so if I was -- you know, or at
25 least the -- the way I presented my opinion, it was

1 individual conversations.

2 So I -- so if I remember right, the
3 way it happened was that there was this general
4 email to the faculty that, If you wish to talk
5 about this issue, please talk to -- please set up a
6 sometime with Dr. Stewart. So there -- so there
7 could have been 11 members; but I did not know that
8 there were 11 members, you know? I just knew that
9 I had a conversation, individual conversation with
10 Dr. Stewart, you know, at a time which we had set.

11 VLADIMIR MARCHENKOV: Forgive me if
12 I -- if I need to sort of ask the same question in
13 a somewhat different manner, but it's such an
14 important point of procedure here.

15 And this is utterly new to me, at
16 least, in this hearing, that there was no joint
17 faculty meeting at the Scripps School to discuss
18 the question of revocation of tenure from
19 Dr. Kalyango.

20 JATIN SRIVASTAVA: Yes.

21 VLADIMIR MARCHENKOV: Was there?
22 Was there or was there not?

23 A usual -- The normal faculty
24 meeting when people meet, faculty around the table,
25 everyone has a chance to exchange opinions and

1 voice their view.

2 And are you saying that you were not
3 part of that meeting and you were not aware of it,
4 or could you clarify this?

5 JATIN SRIVASTAVA: Yes. So I do not
6 think there was a meeting like that where -- you
7 know, where people would discuss things or where
8 people will meet together.

9 The -- the one where I, you know,
10 provided my feedback and which Dr. Kalyango got
11 through the FOIA request was an individual meeting.

12 So if there was a meeting where
13 people met -- and I'm pretty sure there was not --
14 you know, I don't know about that.

15 VLADIMIR MARCHENKOV: Could you
16 please just clarify your position in the
17 department?

18 JATIN SRIVASTAVA: I'm an associate
19 professor; [REDACTED] I was an associate
20 professor, too.

21 VLADIMIR MARCHENKOV: Thank you very
22 much.

23 YEHONG SHAO-LUCAS: Hey, Robin, I
24 have a quick question.

25 HEARING COMMITTEE CHAIR MUHAMMAD:

1 Yes, go right ahead.

2 YEHONG SHAO-LUCAS: Professor
3 Srivastava, my name is Yehong Shao. I'm a
4 committee member of the hearing committee.

5 So my question was, at the first
6 graduate admission meeting, committee meeting,
7 before Dr. K came over, what was the committee's
8 decision about the candidate [REDACTED]

9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]

15 JATIN SRIVASTAVA: [REDACTED]

16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED] So --

20 But then Dr. Kalyango said that, you
21 know, she had worked with him on [REDACTED]. So
22 that's -- you know, [REDACTED]

23 [REDACTED]

24 [REDACTED] And there -- during the
25 program, there were cases of subordination and, you

1 know -- I'm sorry -- insubordination; and, you
2 know, she challenged Dr. Kalyango in ways which
3 were very uncomfortable for him. So he -- he -- he
4 felt so strongly about it.

5 Now, remember, it's -- You know,
6 when we are sitting there, we are just looking
7 at -- at it as a -- as a faculty member who is
8 just, you know, very uncomfortable with a student;
9 and we didn't know, you know, what else was there
10 or was not there.

11 So he felt very strongly about it.

12 And, you know, in -- in the past,
13 there have been times when -- when we were -- you
14 know, when a faculty member would feel very
15 strongly about a candidate even --

16

17

18

19

20

21 but there's a faculty member who --

22 you know, who we trust and believe who feels very

23 strongly against -- against the candidate's

24 application. So, you know, so -- And we should,

25 you know, trust the judgment of our faculty member.

1 And so, you know, so that's what happened.

2 YEHONG SHAO-LUCAS: All right.

3 Thank you.

4 HEARING COMMITTEE CHAIR MUHAMMAD:

5 SHERYL HOUSE: Robin, this is

6 Sheryl House. I have a question.

7 HEARING COMMITTEE CHAIR MUHAMMAD:

8 Go right ahead.

9 SHERYL HOUSE: Do you interview
10 graduate students as part of your admission process
11 into the Ph.D. program?

12 JATIN SRIVASTAVA: No. Like, there
13 are -- So it's not -- You know, there are times
14 where I believe --

15 And remember, it's -- everything is
16 done by the graduate director, you know?

17 So -- so -- so during our admission
18 meeting, you know, before it or during it, the
19 documents or application documents are shared with
20 the committee; you know, the committee looks at it;
21 and then the committee comes to the meeting, and
22 then we discuss the candidates, and then we rank
23 the candidates; and that's, you know, the final.
24 Based on the final ranking, we decide who we are
25 going to offer, you know, admission, who are going

1 to be the individuals.

2 Now, to the best of my knowledge,
3 interviews are not a regular feature of the
4 admission process, not even at the graduate
5 director level. However, I think that there have
6 been cases where -- and -- and I'm not sure about
7 it, you know, because -- but there are times where,
8 you know, graduate directors said that, you know,
9 we have talked to them, or should we -- you know,
10 or maybe I can talk to them and clarify that. So
11 those kinds of things.

12 So -- so though it was not a regular
13 feature, you know, there might have been
14 interviews.

15 Now, I'm -- I've never been a
16 graduate director, so I really don't know if -- you
17 know, if -- anything, like, about the interview;
18 but I know it was not, you know, a regular part of
19 the process.

20 SHERYL HOUSE: And then one other
21 question.

22 Did Dr. Kalyango provide you
23 specific details on [REDACTED]'s behavior that had him
24 concerned and then any discussions that he had had
25 with [REDACTED] about remediating that behavior as her

1 supervisor?

2 JATIN SRIVASTAVA: Uhm, so not
3 outside the meeting, okay? In the meeting -- So
4 in -- in the meeting he said that, you know, This
5 is what happened, and I think she -- you know, she
6 challenged some of our decisions. And -- You know,
7 and then I think she incited -- like, you know, he
8 said that she provoked some of the --

9 So it's a training program, you
10 know, where international scholars kind of visit
11 the campus. So she incited some of the
12 international scholars when they were going for a
13 feedback session at the State Department.

14 But besides that, you know, there
15 was nothing else.

16 SHERYL HOUSE: Thank you very much.

17 HEARING COMMITTEE CHAIR MUHAMMAD:
18 Thank you, Dr. Srivastava. We very much appreciate
19 your time and testimony here today. That will
20 conclude it. And again, on behalf of the hearing
21 committee, many thanks, and best regards for the
22 remainder of the year.

23 JATIN SRIVASTAVA: Uh-huh. Thank
24 you.

25 HEARING COMMITTEE CHAIR MUHAMMAD:

1 Our next witness is available.

2 Duane and Angie, would you please
3 move the witness into the main room.

4 DUANE BRUCE: The witness is here.

5 HEARING COMMITTEE CHAIR MUHAMMAD:

6 Okay.

7 Good afternoon, Dr. Walcott.

8 CAROLYN WALCOTT: Good afternoon.

9 HEARING COMMITTEE CHAIR MUHAMMAD:

10 I'm Robin Mohamed. I'm the hearing committee
11 chair.

12 Thank you very much for being here
13 today. We've set aside about 30 minutes for your
14 testimony. And what we're looking at is
15 introductory remarks, any that you would like to
16 make at the beginning. And then what we'll do is
17 we'll shift for questioning to -- questions to come
18 from the faculty member counsel and then to -- from
19 the university legal counsel. That will roughly
20 give us about 30 minutes of testimony.

21 At the end of that, if you don't
22 mind, if the hearing committee has any particular
23 questions, we'll entertain them at that time.

24 CAROLYN WALCOTT: Okay.

25 HEARING COMMITTEE CHAIR MUHAMMAD:

1 Great. Well, with that, I'll turn it over to you.

2 CAROLYN WALCOTT: All right.

3 Good afternoon, everyone, and thank
4 you for the opportunity to give this testimony on
5 behalf of Professor Kalyango. He and I have been
6 acquainted for approximately I would say just about
7 11, years having met him for the first time in 2009
8 as I attempted to pursue a master's in
9 communication development at the Ohio University,
10 for which I am a proud, a very proud alumnus.

11 I first met Dr. Kalyango through
12 another guy, and he's a professor who is now
13 emeritus at Ohio University, because he felt that
14 our background, our similar background in terms of
15 being former journalists turn academics would be
16 well-suited for me to be a part of, number one, his
17 program at Scripps; number two, for him to be
18 committee (inaudible) process.

19 And so basically, we have continued
20 to be in close contact in terms of academic
21 advancement, in terms of collaboration, in terms of
22 even my navigating the Ph.D. process and getting
23 advice from him as to what programs there are.

24 So I've shared a very rich
25 professional relationship with him for a number of

1 years, and so I'm very happy to be a part of this
2 process with the whole (indiscernible) to shed
3 light on what I know to be a very solid,
4 professional background.

5 HEARING COMMITTEE CHAIR MUHAMMAD:

6 Thank you very much.

7 We'll turn now to legal counsel from
8 the faculty member's side. Would that be Mr. Lute?

9 MS. ZIARKO: That will be me again,
10 Andrea Ziarko.

11 HEARING COMMITTEE CHAIR MUHAMMAD:

12 Excellent. Ms. Ziarko, please go right ahead.

13 MS. ZIARKO: Thank you.

14 - - -

15 DIRECT EXAMINATION

16 BY MS. ZIARKO:

17 Q. Dr. Walcott, can you describe for
18 the committee members what your -- the nature of
19 your work was with Dr. Kalyango?

20 A. All right. So from the perspective
21 of the graduate work that I did at Ohio University,
22 he was on my committee. In fact, he served as my
23 de facto advisor, because at that time my advisor
24 was very busy in travel, Dalt Obregon (phonetic)
25 from the Center for International Studies there at

1 Ohio University. So he helped me to, like I said
2 in my introduction, to not give the master's
3 process. And it was not easy having come from a
4 developing setting in University of Guyana. At the
5 completion of that particular program in 2010,
6 because I was in an accelerated program, I returned
7 to Guyana, not just (indiscernible) United
8 States -- I returned to Guyana, and I took up the
9 position of the director of the Center for
10 Communication Studies at the University of Guyana.
11 And the -- I think from 2010 onwards, we started to
12 collaborate on international projects simply to
13 build local capacity in Guyana for local
14 journalists. And we have collaborated on two such
15 projects in collaboration with U.S. Embassy in
16 Guyana.

17 So our working relationship involved
18 international collaboration from the context of the
19 international (inaudible) journalism that he ran.
20 And so I wrote two projects, and he was able to
21 facilitate those two projects along with
22 Andy Alexander, another journalism professor in the
23 Scripps School of Journalism at the Ohio
24 University.

25 Q. All right. Very well. Thank you.

1 Can you explain to the committee why
2 it was important for you to testify before them
3 here today?

4 A. First of all, I found it quite
5 shocking when I read the initial account, the
6 allegations that were made, because the -- the
7 Professor Kalyango that I know, uhm, in my country
8 we say somebody cannot harm a fly. I would like to
9 describe him as someone who really does not
10 overreach when it comes to issues of a personal
11 nature with the opposite sex. So that's why I
12 found it quite alarming, shocking; and I found it a
13 little -- I -- I don't even have words to describe
14 at this point.

15 I found that it will be unfair on
16 his part for him to be detenured for -- for
17 something that is an allegation.

18 I don't have any reason or I haven't
19 seen anything to believe that his character is
20 tainted with respect to any personal relations with
21 the opposite sex, especially in a professional
22 setting. I have not had reason to believe that,
23 because I've sat in one of his classes, uhm,
24 broadcast seminar; I've also worked closely with
25 him; and I've never had reason to think or to

1 perceive him as someone who overreaches with the
2 op- -- with the opposite sex professionally. And
3 so that's the reason why I found it very important
4 to testify on his behalf.

5 Having spoke with him also on
6 publications, having seen how he was above and
7 beyond for students, I think these were also
8 considerations that I -- I bore in mind as I --
9 I -- as I was asked to do the testimony today;
10 because I felt that, as a minority myself --

11 I'm a triple minority,
12 (indiscernible) scholar. It's usually very
13 difficult to not get in spaces that are not
14 necessarily very, uhm, I would say kind sometimes
15 to minorities. And that's -- that's the reason
16 why, you know, I -- I felt it was important that my
17 voice be heard today on behalf of Dr. Kalyango.

18 Q. You spoke of Dr. Kalyango's
19 generosity. What do you mean by that?

20 A. I think he overextends sometimes for
21 students, uhm, in terms of just making sure that
22 your work is crisp. I can't tell you how many
23 iterations I've had of my master's thesis and in
24 terms of, Carolyn, you need to go over this again;
25 you know, uhm, You need to just redefine; You're

1 good at what you're doing; Just have faith in
2 yourself. That -- that level of encouragement that
3 is often absent in academia, he possesses that rare
4 sense of peer in terms of, I want to bring out your
5 best potential. You don't necessarily have to do
6 that as a professor; but because he's taken the
7 time to do that, that's the reason why I describe
8 to you he extends that academically just to make
9 sure that excellence is well thought out in the
10 work of (inaudible).

11 Q. Now, I think you touched on it, but
12 how did you find out about these allegations
13 against Dr. Kalyango?

14 A. Another alumnus sent me, you know,
15 something coming from the Athens Post; and I was
16 like, What is this? you know, in the press.

17 It was -- Like I said earlier, it
18 was quite shocking. It did not come directly from
19 him, because I felt how it was already a very
20 painful process for him to actually read about
21 himself in the press, having been somebody who has
22 worked in media. And so that's how I came to find
23 out. Another person who -- with whom I did the
24 program, the master's program said, Hey, check this
25 out; this is what is happening.

1 Q. Do you recall about when that was?

2 A. That would have been sometime in
3 maybe [REDACTED] I believe. Was it -- Yeah, I believe it
4 was [REDACTED] It was not -- Yeah.

5 Q. Now, you wrote a letter to the
6 provost. Is that correct?

7 A. I did.

8 Q. Okay. And -- and what was the
9 nature of that letter, and why did you write that?

10 A. I think that letter came not too
11 long after I first found out about the allegations;
12 and I believe that, not seeming to take sides, I
13 wrote about the fact that I believe that it's a bit
14 Draconian for them to remove to detenure Professor
15 Kalyango. I wrote about the fact that, you know,
16 how something lighter could have been considered,
17 such as, you know having him contribute to a fund
18 to sensitize people about male/female issues, and
19 some fund to work, you know, dealing with issues of
20 sexual harassment allegations and stuff like that.

21 So I just basically wrote asking for
22 his case to be reexamined, not to rule too quickly,
23 not to rush too quickly to judgment based on an
24 allegation; but to review with -- with a sense of
25 bringing justice to someone whose path was

1 basically being assassinated. And -- and so that
2 was the nature of that particular letter that I
3 wrote.

4 Q. And what was the response that you
5 received?

6 A. No response.

7 Q. Okay. And did you write a similar
8 appeal to the president of Ohio University?

9 A. Certainly.

10 Q. And the response to that letter?

11 A. No response.

12 Q. Okay. You -- you know, you sort of
13 put together a statement. And is there anything
14 that you would like to say, you know, just about
15 your experiences with Dr. Kalyango and either
16 before and/or during your time at O.U. with him
17 that you would just like the committee to consider
18 before they make their decision here following this
19 hearing?

20 A. Hum. So I've seen him operate on
21 behalf of the students and scholars that he
22 usually, I would say, that he chaperoned year after
23 year with specific reference to the study of the
24 U.S. Institutes. And like I said, overextension,
25 overcommitment. The time that it took him to

1 preparing for them to actually be physically in
2 Athens, and just going from state to state, the
3 hours that he has been putting in.

4 And the reason why I am saying that
5 is because during our collaboration, he was also
6 juggling with IIJ matters in terms of his other
7 travels.

8 And so I -- I just think this is
9 someone who has -- if there's anything that he has
10 done wrong, it's just basically just overextended
11 himself on behalf of Ohio University and the
12 Institute for International Journalism, which he's
13 put a lot of work into because he basically loves
14 what he does, and he's genuinely someone who
15 impacts the, I would say, awareness building of
16 journalists from around the world and brings them
17 to the United States. He is really dedicated to
18 human capacity building as I've never seen it
19 before with anyone else, even my own committee that
20 I just finished working with, having completed the
21 Ph.D. process early in this year.

22 So he is someone who overreaches.
23 And perhaps, like I said, that's probably one of
24 his greatest faults if there were to be
25 fault-finding.

1 And so that's what I would like to
2 put to the -- to the hearing committee. This is
3 not someone who does something and then he turns a
4 back on it. If he makes a commitment to see a
5 project through, he does that. He's thinks -- he's
6 thinks carefully. He's methodical in his thought
7 process. He's very deliberate. Uhm, and there's
8 no way that he is going to leave a project halfway.
9 He always sees things through.

10 Q. Thank you. Thank you for your
11 testimony.

12 I will go ahead and -- and give the
13 stage to Attorney Loukx here, who is representing
14 the university. Thank you.

15 MR. LOUKX: Thank you very much.

16 And good afternoon, Dr. Walcott.

17 I have no questions for you. As --
18 as you heard, the committee might. But I thank you
19 for appearing here today.

20 HEARING COMMITTEE CHAIR MUHAMMAD:

21 Thank you, Mr. Loukx.

22 Turning now to the hearing
23 committee, do you have -- do we have any questions
24 to pose at this time?

25 All right. Well, hearing none, I

1 want to again thank you, Dr. Walcott, for being
2 here, for providing this testimony, and for
3 responding to questions pertinent to these
4 proceedings. On behalf of the hearing committee,
5 our greatest thanks and best regards for the
6 remainder of the year.

7 CAROLYN WALCOTT: Thank you for
8 having me.

9 HEARING COMMITTEE CHAIR MUHAMMAD:
10 Absolutely. Take care. Bye-bye.

11 Thank you, Duane. I -- I see a note
12 from you that our next witness is here. We're a
13 little bit ahead of schedule, but I want to make
14 the most of that and move forward with the next
15 witness, if you would please usher them in.

16 DUANE BRUCE: The witness has
17 joined.

18 HEARING COMMITTEE CHAIR MUHAMMAD:
19 Good afternoon, Dr. Ferrier. I'm Robin Muhammad,
20 chair of the hearing committee.

21 MICHELLE FERRIER: Good afternoon,
22 everyone.

23 HEARING COMMITTEE CHAIR MUHAMMAD:
24 Thank you for being here today to provide testimony
25 for these proceedings.

1 To let you know how we've been
2 moving with each -- each witness, we have a
3 30-minute block of time, and this will start with
4 any initial remarks that you would like to make to
5 the committee, and then we will pivot to legal
6 counsel from the faculty member to pose questions,
7 and then to the university legal counsel to pose
8 questions.

9 MICHELLE FERRIER: Great.

10 HEARING COMMITTEE CHAIR MUHAMMAD:
11 Roughly at the end of that 30 minutes, if the
12 hearing committee members have any questions, we'll
13 entertain them at that time.

14 MICHELLE FERRIER: Great.

15 HEARING COMMITTEE CHAIR MUHAMMAD:
16 And with that, I'll turn it over to you to respond.

17 MICHELLE FERRIER: Great. Thank you
18 very much for having me today. Some of you I know
19 as colleagues, and some of you I do not know. So
20 I'm glad to be here today to, uhm, be here in
21 support of my colleague, Yusuf Kalyango, and also
22 to be able to explain to you my story as an
23 African-American woman and a professor at the
24 university and my experiences in doing my work as
25 an African-American woman and with vulnerable

1 populations of students of color at Ohio
2 University.

3 And so, uhm, you may or may not know
4 from the committee that I did not leave the
5 university on good terms with the university; in
6 fact, had sued them myself for discrimination, as
7 well as retaliation for the graduate abuses that I
8 was reporting as a result of the work that I did as
9 a director of graduate studies within the college.

10 And so I'm here today gladly to be
11 able to have, finally, a hearing and a day in court
12 really to talk about the hostile work environment
13 at Ohio University that persisted through my tenure
14 there and continued after I left with other
15 colleagues of color, including Dr. Kalyango.

16 So I am here. I'm prepared to
17 discuss and talk about some of those experiences,
18 as well as -- as well as provide my knowledge of
19 Dr. Kalyango and his conduct during foreign travel
20 where I was a partner with him, uhm, on several
21 trips, academic trips abroad, as well as worked
22 with him on other programatic activities related to
23 the university, as well as with graduate students
24 that he supervised as well.

25 So with that introduction, broad

1 introduction to who I am and I think the
2 perspective that I think I bring to today's
3 proceedings, I will step back and await some
4 questions from counsel.

5 HEARING COMMITTEE CHAIR MUHAMMAD:

6 Thank you, Dr. Ferrier.

7 Is Mr. Lute providing questions?

8 Yes.

9 MEL LUTE: Yes.

10 HEARING COMMITTEE CHAIR MUHAMMAD:

11 Please proceed.

12 MEL LUTE: Okay. Thank you.

13 - - -

14 DIRECT EXAMINATION

15 BY MR. LUTE:

16 Q. Dr. Ferrier, can you hear me?

17 A. Yes, I can hear you fine. Thank
18 you.

19 Q. Great.

20 All right. I want to start out and
21 maybe set the -- set the table here.

22 If you could explain to the panel
23 the position that you had in the dean's office at
24 the time that you began sort of giving voice to the
25 concerns of some of the minority students that --

1 that you were working with.

2 A. Sure. Uhm, just to put this into
3 context, I did not know, ah, Dr. Kalyango before my
4 arrival at Ohio University; so our relationship
5 began with the position that I accepted as an
6 associate dean for innovation, research, and
7 creative activity in graduate studies within the
8 Scripps College of Communication. In that role, I
9 was responsible not only for faculty development
10 and faculty research, but also to monitor the
11 health of our graduate programs across our schools.

12 Part of that work was working
13 directly with graduate directors and providing
14 supports to their enrollment and efforts to run
15 their programs, and also an assessment of those
16 programs by external bodies as well as internally.

17 Uhm, I conducted, as part of that
18 job, in early 2015, I began a more detailed
19 investigation into our graduate programs,
20 especially after I had had an opportunity to review
21 program reviews for two of our schools' programs,
22 the comms program from which Dr. Scott Titsworth
23 comes from, as well as the MDIA or media arts
24 program headed by Drew McDaniel; and as a part of
25 the program review for those two schools,

1 discovered some significant feedback from the
2 reviewers, from the faculty reviewers at Ohio
3 University, of abuses of graduate students.

4 And so following the review of those
5 two schools' programs, I made outreach to all of
6 our graduate students and solicited one-on-one
7 conversations with them about their experiences at
8 Ohio University, the trajectory of their academics,
9 their satisfaction with the instruction, their
10 professors. It really was an open-ended
11 solicitation to get deeper into the concerns that
12 had been raised in those program reviews.

13 During the course of what was
14 several months of an investigation, I met with
15 quite a few students, a handful of students from
16 across programs within the college and met and
17 worked with several students to report activities
18 of intimidation, verbal abuse, as well as sexual
19 assault, as -- and sexual harassment by graduate
20 students. And so during that time, I dealt with
21 several cases of graduate student abuses. Uhm,
22 and -- and it was everything from the story of a
23 terminally ill graduate student who was being
24 denied her degree by one of our faculty, as well as
25 stories, as I mentioned, of verbal abuse, lack of

1 accommodations for students with disabilities, and
2 inappropriate sexual relationships among graduate
3 students and our faculty.

4 Uhm, I was responsible in that role
5 for reporting as a mandatory reporter these types
6 of abuses, and I filed on behalf of one of my
7 students -- of the students of the school of an
8 ECRC internal complaint against the hostile
9 environment she was receiving from her dissertation
10 committee chair and her dissertation work. Uhm, I
11 worked alongside of that particular student through
12 over six months to -- while she was negotiating and
13 completing her final tasks on her dissertation,
14 uhm, and flying alongside of her and monitoring the
15 activity of the faculty as well as her committee
16 because of the abuses that she was experiencing,
17 everything from meetings being canceled, uhm, that
18 she needed to move forward, to verbal abuses that
19 she would receive during those meetings from her
20 faculty advisor and others, to the point where this
21 graduate student had -- uhm, had nearly committed
22 suicide and had lost, uhm, a significant amount of
23 weight and was, uhm, seeking mental healthcare as a
24 result of the experiences that she had had within
25 the MDIA program, the media arts program, one of

1 the very programs that had been cited in the
2 internal review. And so --

3 Q. Dr. Ferrier, not to interrupt
4 you, --

5 A. Sure.

6 Q. -- but we have sort of time limits?

7 A. Sure. Limited time, sure. I wanted
8 to describe that example.

9 Q. No. I understand. And that -- that
10 sets the table.

11 When you brought your concerns to
12 the ECRC, were you satisfied with the response on
13 the part of the university in addressing some of
14 these concerns?

15 A. No. Uhm, there were two ways in
16 which I attempt- -- there were several ways in
17 which I attempted to get the attention of not only
18 the administration, but faculty and others, so that
19 we could address these issues at the root.

20 Uhm, the ECRC investigation, uhm, I
21 filed based on my behalf with a student who was
22 highly at risk. She was very mentally anxious over
23 filing any kind of complaint because she felt that
24 she was going to be retaliated against; and, of
25 course, then saw me be retaliated against for

1 filing that report. So she ended up not complying
2 with ECRC and said they were not able to move
3 forward with that report.

4 The second way in which I addressed
5 it was through my own discrimination and
6 whistleblower complaint with ECRC, which was
7 pending at the university for 17 months, where I
8 did not get any notification of the investigation,
9 who had been spoken to, no results or anything
10 else; where I finally went to external counsel and
11 filed a lawsuit externally, because there was no
12 response from ECRC.

13 Q. Now, in -- Thank you.

14 And in that process, did
15 you ever deal with an investigator named
16 George Antonio Anaya?

17 A. No.

18 Q. And with regard to investigation
19 of reports of discrimination, Mr. Anaya,
20 Dean Titsworth, and Bob Stewart have all given
21 statements in this proceeding (inaudible) that Ohio
22 University takes these claims very seriously and
23 investigates them in a very prompt and orderly
24 fashion.

25 Was that your experience?

1 A. Not at all. 17 months is an
2 inordinate and abusive length of time for any kind
3 of investigation of this sort, whether we're
4 talking about sexual assault or the mental health
5 of our students or disabilities, uhm, or even of
6 faculty themselves. 17 months is -- is abusive in
7 and of itself.

8 Q. Okay.

9 A. Secondly, I went through multiple
10 channels beyond that.

11 After I was removed from my
12 position, and I was told by Dean Titsworth that a
13 senior faculty member in the -- his administration,
14 so a director, uhm, of -- of one of the schools of
15 Scripps College, uhm, had asked the dean to remove
16 me from my position. Uhm, it was because of my
17 investigations into the graduate studies and my
18 identification of that director as a potential
19 harasser of the graduate students that I was
20 working with.

21 And so Dean Titsworth took that onto
22 his -- onto his task and set up a plan to, quote,
23 unquote, reorganize the school to remove me from
24 the position where I was investigating and
25 directing these abuses after I was --

1 Q. This is the --

2 A. Sure. Go ahead.

3 Q. This is the retaliation that you
4 were talking about, --

5 A. Absolutely.

6 Q. -- the fact that you -- you
7 personally were removed from the position where you
8 were raising these concerns and trying to get
9 these -- these voices heard?

10 A. Absolutely.

11 Uhm, the semester before I was
12 removed, I had spoken to Dean Titsworth extensively
13 in my meetings with him regarding the graduate
14 assessment that I was working on. I had also
15 worked through Steven House and others at the
16 university all the way up to President Mick Davis
17 to have a conversation with him regarding the
18 abuses of myself as well as graduate students.

19 Even after I was removed from my
20 position -- and I was at the university for over a
21 year while we were working through this internal
22 investigation that was persisting for months and
23 years -- in that intervening year where I was on
24 the faculty, there were several actions that I
25 continued to take to try and raise the issue of the

1 problems of our graduate students.

2 I sought to have the program review
3 committee of the Graduate Council of which I was
4 formerly a member, review its guidelines for
5 programs to include stronger questions regarding
6 the academic environment for graduate students. I
7 discovered that our graduate college assessment
8 measure for academic climate is an exit survey that
9 is limited in how students can respond to the
10 questions of academic environment.

11 I asked the Graduate Council to
12 review protections for graduate students and safe
13 pathways for reporting abuses. I worked with the
14 Graduate Student Senate to bring the issue to the
15 fall 2016 Graduate Council agenda. I filed an
16 internal ECRC complaint that I mentioned earlier on
17 behalf of a graduate student who was on the verge
18 of suicide. I reviewed program reviews for both
19 comms and MDIA graduate programs where reviewers,
20 internal reviewers of the faculty, cited hostile
21 environments for graduate students. And I filed my
22 own ECRC complaint of discrimination and
23 retaliation for termination from my role.

24 Q. And --

25 A. So all of those I continued to do;

1 and in the 17-months-plus until I left the
2 university, nothing happened in the regard of any
3 changes to the infrastructure, processes,
4 assessment, or supports for graduate students or
5 faculty who were raising these issues.

6 Q. So -- so -- so Dr. Ferrier, there
7 was a handbook, I take it, in effect O.U. that laid
8 out all sorts of procedures and investigation
9 guidelines, and boards and UPEC committees and all
10 those types of things.

11 Did any of that ever come to pass?

12 A. Never.

13 Q. Interesting.

14 Doctor, and again, within the
15 constraints of this proceeding, I want to thank you
16 for your cogent presentation and -- and your
17 testimony.

18 I'm going to turn it over now to a
19 university counsel who may have some questions.

20 Thank you very much.

21 A. You're welcome.

22 - - -

23 CROSS-EXAMINATION

24 BY MR. LOUKX:

25 Q. Good afternoon, Dr. Ferrier. Thank

1 you so much for attending the hearing today and
2 giving us your very valuable testimony.

3 It sounds as though you -- you were
4 an advocate for the plight of graduate students and
5 the potential for them to be retaliated against.

6 Is that a fair statement?

7 A. Yes.

8 Q. And in -- in large part, graduate
9 students are particularly susceptible to this kind
10 of thing when dealing with tenured and -- or even
11 untenured professors, given the power differential
12 that exists between those students and the
13 professors.

14 Is that your observation from your
15 experience?

16 A. That the graduate students are
17 particularly at risk?

18 No. All students are at risk.

19 Q. Yes. And grad- --

20 A. All students are at risk, as well as
21 faculty, as well as staff. Graduate students, and
22 particularly the graduate students that I was
23 working with, primarily graduate students of color,
24 foreign graduate students --

25 Q. Uh-huh.

1 A. -- which that group were
2 particularly at risk because they were coming from
3 other countries, they were representing the history
4 and the future of their families in terms of
5 earning a degree; and the importance of their
6 education was being compromised regularly by the --
7 by the hostile work environment and academic
8 environment provided by Ohio University.

9 Q. Thank you.

10 And that's -- and that's -- that's
11 wrong regardless of who does it. Right? It's
12 wrong to retaliate against a graduate student
13 regardless if they're national or --

14 A. Oh, absolutely.

15 Q. And -- and that you've -- you've
16 stood as a watchdog against that, it sounds like?

17 A. Everywhere, not just at Ohio
18 University. So I'm very much consistent in my
19 behaviors in outing these types of infrastructures
20 that continue to allow the abuse of our students.

21 Q. And you would be particularly
22 offended by any substantiated allegation of any
23 sexual nature between a -- a student and a -- or
24 between a professor and a student. Right?

25 A. Oh, absolutely. If somebody --

1 Q. It would be -- it would be
2 appropriate, in your mind, for instance, if a
3 professor was shown to have asked to share a hotel
4 room with a graduate student or a graduate
5 assistant working under that professor. Would that
6 be fair to say?

7 A. Absolutely, which is why I reported
8 those types of things and the behaviors of those
9 faculty people who have abused students and seen
10 absolutely nothing happen from the university.

11 Q. Okay. Thank you.

12 You mentioned -- And this is the
13 final question. You mentioned that you had filed a
14 suit against the university.

15 You dismissed that suit voluntarily;
16 did you not?

17 A. I did.

18 Q. Okay. I have nothing else.

19 I do appreciate you coming in today,
20 and thank you very much.

21 The committee might have some
22 questions for you.

23 A. Sure.

24 HEARING COMMITTEE CHAIR MUHAMMAD:

25 Thank you, Mr. Loukx.

1 Are there questions from the hearing
2 committee?

3 VLADIMIR MARCHENKOV: I have a
4 question, a clarification, if I may.

5 HEARING COMMITTEE CHAIR MUHAMMAD:
6 Yes, please. Go ahead.

7 VLADIMIR MARCHENKOV: Dr. Ferrier,
8 my name is Vladimir Marchenkov. I'm a member of
9 the hearing committee.

10 And I just wanted to clarify.
11 You -- you have just said that you reported the
12 faculty who committed abuses against graduate
13 students and students.

14 Was Professor Kalyango among those
15 faculty?

16 MICHELLE FERRIER: No. I never
17 received any reports from any graduate students.
18 For the full year of the graduate assessment and
19 investigation that I was doing, I never received
20 any complaints about Dr. Yusuf Kalyango or his work
21 from any colleagues or any of the other
22 international colleagues that have worked with him.

23 VLADIMIR MARCHENKOV: Given your
24 experience and the nature of your participation in
25 higher education and your contribution to it, I

1 wonder if I may ask you to -- to tell us your
2 opinion. It is not as a matter of fact. It's just
3 your opinion.

4 MICHELLE FERRIER: Sure.

5 VLADIMIR MARCHENKOV: And I --
6 So the criterion that was used by the
7 university investigator who investigated
8 Professor Kalyango's -- allegations against
9 Professor Kalyango was whether it is more likely
10 than otherwise or more than -- whether it is more
11 likely than not.

12 In your opinion, as far as you know
13 Professor Kalyango, is he likely to have committed
14 the abuses of which he is accused or -- or -- or
15 not?

16 MICHELLE FERRIER: Let me put it to
17 you this way.

18 I have worked with Dr. Kalyango.
19 And, in fact, before I was hired at Ohio
20 University, I was brought in on a speaking
21 engagement to speak to the faculty and the board of
22 advisors before I was hired on at the university.
23 Uhm, I observed Dr. Kalyango in his presentation
24 before the faculty. I have also observed him in
25 his work with the international institute that he

1 headed prior to this, as well as worked with him
2 and traveled with him on two international trips in
3 the development of other programs.

4 During all of that time, I never
5 observed any inappropriate behavior from
6 Dr. Kalyango towards myself, towards my other
7 international colleagues, or towards any of the
8 other students or other folks on the trip. I have
9 never observed, in any of my behaviors, anything
10 that would lead me to believe that Dr. Kalyango
11 would act inappropriately in these behaviors.

12 Uhm, I also want to point to the
13 fact that Dr. Drew McDaniel, who was the other
14 target of my investigation as the director of MDIA,
15 was not subjected to any of this kind of
16 investigation, nor was any of the evidence or
17 investigation done on his behalf. And I feel that
18 the effort and attention has been targeted
19 specifically on Dr. Kalyango because of the stature
20 that he has internationally -- or had
21 internationally. I would have to say that the
22 activities over the past several years have done
23 significant damage to his reputation, as well as
24 his ability to be able to garner work and do
25 research in this area, and significant damage has

1 been done to his reputation.

2 I in no way believe that he is
3 guilty of any of what might be suggested --
4 suggested sexual harassment, when I have actual
5 sexual harassment and hostility that was never
6 investigated by the university because of the race
7 of the -- the race of the perpetrator.

8 Uhm, and I also experienced, uhm, as
9 I said, very targeted behaviors myself, not only by
10 Dean Titsworth and Heather Krugman, but by other
11 faculty within the Scripps College, uhm, showing me
12 that there was a deep hostile work environment
13 towards people of color.

14 And I think if you look at the staff
15 and faculty of the college today, you will find a
16 very limited number of people of color in positions
17 of authority on the faculty or even working on the
18 staff because of this environment.

19 I think if the uni- -- if the
20 university would look to Dean Titsworth's own
21 evaluations and the anonymous comments by faculty
22 that have been put in there that support my
23 contention, as well as the contention of
24 Dr. Kalyango, that this was a discriminatory and
25 hostile work environment.

1 Affirmative action, page 13, The
2 dean created a diversity committee for the college.
3 No one was aware of it until January 2015, but the
4 committee was constituted and in place a year
5 before that. The dean hired a diversity officer
6 for the college without any consultation of any of
7 the unit. A white guy head leads the college
8 diversity committee, and this person is not even a
9 GR.1 or GR.2 faculty member. This is an example of
10 the completely illogical planning and evidence that
11 the dean has no clue about how to manage
12 conversations about diversity. That was one
13 faculty comment.

14 The next one, the dean, page 13,
15 Dean has also failed to retain income-generating
16 faculty, particularly evident in his failure to
17 attempt to retain faculty of color; pulled
18 income-generating faculty away from
19 income-generating activity, including teaching, to
20 become Dean Litz (phonetic) and executive staff,
21 turning them into cost generators.

22 And again on page 13 and 14, The
23 dean plays favorites and is unsympathetic to the
24 minority faculty members. One of the strongest
25 assistant professors in comms has hired in many

1 years, a female minority member received an offer
2 elsewhere; and, instead of making any effort to
3 retain her, sought to stop her tenure evaluation in
4 process, pressured her to resign before she even
5 decided whether to accept the offer. These actions
6 struck me as shortsighted, barely legal, and
7 inconsistent with O.U.'s values of fair-mindedness
8 and pursuit of excellence.

9 I stand here before you today, as
10 I -- as I have had to review my own case and my own
11 actions and time at Ohio University; and I am angry
12 and disgusted that the university sits at this
13 point today, five years or more after I have been
14 there, and has done absolutely nothing to protect
15 the students of that university from these types of
16 abuses, uhm, and have gone so far as to use these
17 processes to bludgeon faculty who are producing
18 world-class work and providing value and
19 educational opportunity to students around the
20 globe.

21 And the university has done a very
22 good job of -- of retaliating against us, removing
23 us from our positions and making it very difficult
24 for us to be able to support our students in
25 getting the education that they've paid for and

1 deserve.

2 VLADIMIR MARCHENKOV: Thank you very
3 much.

4 MICHELLE FERRIER: You're welcome.

5 HEARING COMMITTEE CHAIR MUHAMMAD:

6 Other questions from the hearing committee.

7 CHARLES LOWERY: Yes, Robin, I have
8 one.

9 Dr. Ferrier, thank you so much.

10 I -- Being somebody from the south, I've seen
11 racism from its institutionalized subtleties to its
12 internalized absurdities; and so I appreciate the
13 work that you're doing.

14 Because I would say having moved
15 from the south to the Midwest, I was -- I have been
16 blatantly shocked, being brought up in the South,
17 you think of the South as being racist, but
18 you're -- but you're kind of cultured to think of
19 other places as not being so racist. And I -- I've
20 just been actually blown away at the -- at some of
21 the obviousness of -- of some of the things that
22 I've seen.

23 So -- so I ask this question with
24 that in mind.

25 You touched on something very, very

1 interesting, and it's been in the back of my mind
2 through this whole case. And that is percentages.

3 The -- the audit of individuals that
4 have had cases brought against them for sexual
5 misconduct, would you happen to know that data off
6 the top of your head here at the -- at the
7 university?

8 MICHELLE FERRIER: No, I wouldn't
9 know.

10 CHARLES LOWERY: So you -- so you
11 wouldn't be able to speak to if -- if there seems
12 to be a -- a higher number of individuals of -- of
13 color or minority or international faculty who have
14 had these allegations brought against them and
15 followed up on them, whereas others have not?
16 you --

17 MICHELLE FERRIER: No. I --

18 CHARLES LOWERY: -- wouldn't be able
19 to speak to that?

20 MICHELLE FERRIER: Dr. Lowery, I
21 would say that through my efforts, not only as an
22 administrator, but as a journalist, I attempted
23 through all means necessary, including these
24 filings, as well as through several Freedom of
25 Information Act requests that I made more during my

1 time to get more information and -- and conduct a
2 thorough investigation of this.

3 Uhm, I don't even know if those
4 numbers were really available at the time when I
5 was doing this investigation, as I said.

6 My own case wended through for
7 17 months, and I believe it was the actions of the
8 university counsel to slow these activities as much
9 as possible and bleed the defendants through --
10 bleed the plaintiffs dry in terms of being able to
11 get redress for the harms that the university
12 caused to them.

13 And so I believe the university used
14 these -- uses these processes as tools to be able
15 to slow investigation, to stifle investigation, and
16 to stifle the actual numbers of people abused.

17 I think one of the instructive
18 things might be to look at actually the faculty and
19 staff composition and look at the racial
20 composition and the changes to that even over the
21 past five years since -- since I've left the
22 university the past couple of years and declines in
23 that area, uhm, as well as understand the hostile
24 work environment that other faculty and staff of
25 color live in in not only on the campus itself, but

1 in the surrounding area of the Midwest, as you
2 mention.

3 I received, as well as my family
4 received, in my time at Ohio University and in
5 Athens County direct racialized incidents by just
6 walking down the street.

7 And so, yes, to -- to think that
8 just because we are not in the South that racism
9 doesn't exist, I would point you all to the
10 Southern Poverty Law Center white supremacist map
11 and see that they exist in every state, and
12 especially in Ohio.

13 CHARLES LOWERY: Okay. Well, thank
14 you very much for your response. I'm very curious
15 about that data myself, and I really can't find it
16 either. So I appreciate your time. Thank you.

17 MICHELLE FERRIER: You're welcome.

18 HEARING COMMITTEE CHAIR MUHAMMAD:
19 Thank you very much, Dr. Ferrier. We greatly
20 appreciate your testimony and willingness to
21 respond to the questions as a part of this process.
22 And on behalf of the hearing committee, again, our
23 thanks and very best regards.

24 MICHELLE FERRIER: Thank you very
25 much for the opportunity to be able to air my own

1 as well as the grievances of Dr. Kalyango.

2 And I hope and pray that this
3 committee hears my deeper concerns and, as people
4 who are still at the university, can please put in
5 place some processes to protect our students.

6 This is criminal, and the university
7 needs to be held to account to make sure that these
8 processes are in place to support our students and
9 get the -- the education that they deserve.

10 So thank you very much for having
11 me. I appreciate it.

12 HEARING COMMITTEE CHAIR MUHAMMAD:
13 You're very welcome, and thank you. Take care.

14 MICHELLE FERRIER: Thanks much.
15 Bye-bye.

16 HEARING COMMITTEE CHAIR MUHAMMAD:
17 Well, if the past arrival of witnesses is any
18 indication, we should be seeing our last witness
19 for this afternoon in a few moments. That witness
20 is scheduled to be here by 3 o'clock. All
21 witnesses were asked to be here about ten minutes
22 early.

23 So if we just, again, stand up and
24 stretch but don't go very far, we may be able to
25 proceed in about five or six minutes. So just

1 check in.

2 (Brief recess.)

3 HEARING COMMITTEE CHAIR MUHAMMAD:

4 With that, Duane, I ask you to please bring in our
5 next witness.

6 DUANE BRUCE: The witness is here.

7 HEARING COMMITTEE CHAIR MUHAMMAD:

8 Thank you.

9 Good afternoon, Dr. Hendrickson.

10 I'm Robin Muhammad. I'm the hearing committee
11 chair.

12 Thank you for being here today.

13 Can you hear me all right?

14 ELIZABETH HENDRICKSON: I can.

15 Can you hear me okay?

16 HEARING COMMITTEE CHAIR MUHAMMAD:

17 Equally. Thank you.

18 ELIZABETH HENDRICKSON: Good.

19 HEARING COMMITTEE CHAIR MUHAMMAD:

20 What we have for each witness is roughly a
21 30-minute block of time. You will initiate some
22 statement at the beginning, identifying yourself,
23 whatever remarks you would like to provide.

24 ELIZABETH HENDRICKSON: Uh-huh.

25 HEARING COMMITTEE CHAIR MUHAMMAD:

1 And then we'll turn to counsel for the faculty
2 member who will propose a couple of questions to
3 you and then shift to the university counsel who
4 will do the same.

5 ELIZABETH HENDRICKSON: Okay.

6 HEARING COMMITTEE CHAIR MUHAMMAD:
7 Roughly, at the end of that 30-minute period, we'll
8 entertain questions from the hearing committee
9 generally, --

10 ELIZABETH HENDRICKSON: Okay.

11 HEARING COMMITTEE CHAIR MUHAMMAD:
12 -- and that will conclude the testimony.

13 So with that, I turn it over to you.

14 ELIZABETH HENDRICKSON: Thank you,
15 Robin.

16 I have actually prepared a statement
17 that I would like to read, but I'll try to pretend
18 I'm not reading it. I just wanted to make sure
19 that I was able to articulate what I wanted to say.

20 HEARING COMMITTEE CHAIR MUHAMMAD: I
21 appreciate that. And I'll -- I should add --
22 excuse me for interrupting -- for the -- for the
23 benefit of the court reporter, reading is
24 absolutely, of course, fine.

25 ELIZABETH HENDRICKSON: Okay.

1 HEARING COMMITTEE CHAIR MUHAMMAD:
2 Just slowly for someone taking dictation.

3 ELIZABETH HENDRICKSON: I can do
4 that.

5 HEARING COMMITTEE CHAIR MUHAMMAD:
6 Thank you so much.

7 ELIZABETH HENDRICKSON: Or at least
8 I can attempt to that.

9 So -- And my statement should be
10 roughly ten minutes; so if not, a little under.

11 All right. So first of all, I know
12 everybody has dedicated a great amount of time and
13 energy to this hearing. I'm honored to be among
14 the last to speak about Yusuf Kalyango as a person
15 and colleague I know well.

16 My name is Elizabeth Hendrickson,
17 and I am an associate professor at the E.W. Scripps
18 School of Journalism where I have worked since
19 2014.

20 I first met Yusuf in 2003 while we
21 were both in the master's program at the University
22 of Missouri School of Journalism. What initially
23 caught my attention about him was his poise. He
24 was always prepared for class, respectful of both
25 professors and peers, and was always impeccably and

1 professionally dressed.

2 He and I both had just moved from
3 big cities; we had big jobs. And his demeanor was
4 super distinct and, frankly, it was refreshing from
5 that of what most other students, you know, were --
6 were -- I guess, come to the table with.

7 Yusuf meant business, and I also
8 meant business. So his conduct was one I tried to
9 emulate, as I had little knowledge about how to
10 actually be a grad student.

11 As time went on, I realized my
12 scholarly publishing could never resemble that
13 which Yusuf so seamlessly produced, and I was cool
14 with that. He and I were not competitors. We were
15 colleagues and we were friends.

16 The final month of our master's
17 program, Yusuf became a new father, and I learned
18 his son was having some medical issues and was back
19 in the hospital. Yusuf still came to class, and I
20 gave him a small gift for his son and a card for
21 his wife Jenny. I, myself, was five months
22 pregnant.

23 Yusuf's son overcame his medical
24 issues, and Yusuf and I received our master's
25 degree sitting next to each other.

1 We both started this Ph.D. program
2 that August, and then I had my son in October. I
3 don't recall much about that semester, but I do
4 remember he was the only classmate who really
5 seemed to empathize with my continuous state of
6 exhaustion.

7 By the following fall, our sons were
8 having play dates together. And I have to say
9 Yusuf was a spectacular father, as spectacular as
10 he was a researcher. And at this point I
11 considered him someone I could rely on for a
12 personal and professional perspective.

13 Yusuf was the first of our cohort to
14 get a job, and it was here at O.U.

15 I want to emphasize that at this
16 point he was already an established scholar who had
17 many notable institutions that were interested in
18 hiring him, yet he chose O.U. and the Athens
19 community as a place he wanted he and his family to
20 call home.

21 Yusuf and I sat with another member
22 of our cohort at graduation. We were the only
23 members of our group of 12 to graduate in three
24 years.

25 I took a position at the University

1 of Tennessee, and Yusuf and I continued to keep in
2 touch via email and conference socials. We both
3 had a second child the same year, 2010. He had
4 another boy. I had a girl. Today that same young
5 girl considers that same young boy to be one of her
6 best friends.

7 Yusuf was key to my taking a job at
8 O.U., as I wasn't on the job hunt and had just been
9 granted tenure at Tennessee. But Yusuf knew I grew
10 up in Ohio and that I wanted to live closer to my
11 aging parents since all my brothers lived in
12 New York City.

13 So Yusuf contacted me when a search
14 opened for a faculty position that focused on
15 magazine journalism, and he encouraged me to apply.
16 And frankly, his being here was proof enough to me
17 that this program was a better opportunity than
18 that given by my research one institution.

19 Today I can say without hesitation
20 that has indeed been the case for me.

21 I started at O.U. in 2014 and was
22 granted tenure a year later.

23 Yusuf continued to be a close
24 friend, and we often carpooled to our children's
25 soccer games or to a chap- -- chaperone a field

1 trip. During those drives, we chatted about
2 everything from politics to research and our former
3 professors and from our kids to travel. I enjoyed
4 our friendship and our children's friendship.

5 The last time Yusuf and his sons
6 visited my home was Easter Sunday 2018. As the
7 Kalyangos were leaving, my mother arrived after
8 driving the three hours to Athens. I remember
9 watching Yusuf and my mother chat briefly in the
10 driveway before hugging and going separate ways.
11 Less than two months later, my mother passed away
12 after a traumatic event left her in a weeklong
13 coma. I was emotionally wrecked, but I find a
14 semblance of peace by thinking how often we were
15 able to get together because of our proximity.

16 During the next year, Yusuf
17 regularly checked in on me via text, and his words
18 of encouragement and support and empathy were
19 really valuable to me. At a time when his own
20 world was falling apart, he provided me with
21 emotional support. And I believe in that person.
22 But I also really value Yusuf as a colleague.

23 You see, Yusuf as a graduate student
24 and Yusuf as a faculty member are all one in the
25 same. His integrity and decency both inside and

1 outside the classroom has remained constant. I
2 find such consistency to be tremendously
3 reassuring. I really believe other faculty felt
4 similarly.

5 When Yusuf spoke during our often
6 robust faculty meetings, the room would routinely
7 become silent for him. He was always so
8 thoughtful, so careful, and so judicious with his
9 words. We all knew when he was ready to comment on
10 a matter, it would be more than worthy of all of
11 our full attention and our consideration.

12 And I give you all this background
13 so you can understand why I have felt so internally
14 sickened by this endless investigation into my
15 friend's character.

16 I believe Yusuf was collateral
17 damage during a Trifecta of bad timing:
18 administrative and policy changes, colleagues with
19 nefarious motives, and a collective unwillingness
20 to believe a person could actually be innocent of
21 alleged misconduct. But the damage has been done,
22 and now it's time for that to stop.

23 Now, I understand why a bureaucratic
24 process is designed to be deliberate and judicious.
25 That only works effectively when the bureaucracy

1 adheres to protocols and established standards.

2 At every single level, this process
3 has been flawed and devoid of due process. But to
4 me, the most egregious aspect has been the shameful
5 indifference those in power seem to have for this
6 case.

7 Yusuf is not a predator or someone
8 who grooms others to instill their trust. That is
9 not him. He's an intellect and a loving father and
10 a consummate professional.

11 A person's character does not change
12 with the tides. It's something that's always with
13 us. It's inside of him. It's who we are. And
14 I -- I think Yusuf has so much character and
15 dignity.

16 I believe it's now time for us as an
17 institution to repair itself, and really it's time
18 to rectify the situation and allow Yusuf to rebuild
19 his reputation in good faith.

20 Thank you.

21 HEARING COMMITTEE CHAIR MUHAMMAD:
22 Thank you, Dr. Hendrickson.

23 With that, we can turn to counsel
24 for the faculty member's side for any questions.

25 MEL LUTE: Thank you.

- - -

DIRECT EXAMINATION

BY MR. LUTE:

Q. Good afternoon.

A. Good afternoon.

Q. I would like to -- I would like to pick up on a few words that you used regarding the flawed process. And you -- you -- you -- Really, your frustration is coming through about the indifference. You mentioned that you felt that the administration was indifferent.

What do you mean by that?

A. I mean that they -- the administration at different levels, meaning whether it was at the school level or higher up the chain, it just kept going on and on. And it wasn't abiding with any sort of deadlines that have been set in whatever policy. It just seemed like it wasn't a priority to get figured out; uhm, he wasn't a priority to be dealt with. And it just seems to me that, uhm -- I don't know if it was because of the subject matter or the allegations themselves or what, but it just kept being in this kind of precarious state of questionability, like where it was -- what was happening. We didn't talk

1 about it at work. Uhm, it was not something that
2 came up at fac- -- in faculty meetings unless it
3 was maybe two occasions where Director Stewart
4 said that we would have a chance to review material
5 and then tell him our thoughts in a private phone
6 call.

7 Q. Well, I'm going to ask you about
8 that. I'm going to ask you about that
9 specifically, because I think that the panel would
10 be very interested to know.

11 Was there ever a meeting of the
12 faculty -- and by "a meeting," I mean a -- an
13 assembly of individuals where there are numerous
14 people in the same room -- was there ever a meeting
15 of the faculty to deliberate over the tenure
16 revocation of Yusuf Kalyango?

17 A. No, because Director Stewart said
18 that he valued our input; but at the end of the
19 day, it would be his decision.

20 Q. So you had individual meetings
21 that -- to the extent that anybody wanted to
22 express an opinion, but there was no group meeting?

23 A. There was no group meeting. And
24 the -- the -- Because of the timing with the
25 virtual -- or with COVID, we were supposed to be

1 meeting with Director Stewart one on one in person;
2 but then it -- it just -- it wasn't even a virtual
3 meeting. It wasn't even face -- It was just on the
4 phone.

5 Q. Okay. And then you mentioned this
6 sort of Trifecta, as you put it, you mentioned
7 nefarious motives of colleagues; and I want to -- I
8 think I know where you're going with that. I want
9 to go to the meeting of the graduate studies
10 program, the committee where --

11 A. I was there.

12 Q. -- where Mike Sweeney made a
13 presentation regarding the -- or during the
14 reconsideration of a student -- I'll use her
15 initials -- [REDACTED] was being considered -- reconsidered
16 for admission to the Ph.D. program.

17 You were at that meeting?

18 A. No, sir. I at that point had -- I
19 had formally quit the committee in disgust, so I
20 had abstained from voting on that.

21 Dr. Sweeney came to my office prior
22 to the committee and sat down and gave me kind of a
23 personal view -- preview of what he was going to
24 present at the committee meeting; and I said that,
25 uhm, I -- I didn't want to continue with my

1 participation in that particular committee, because
2 I felt like it was wrought with problems, and it
3 was --

4 On -- on several occasions over the
5 course of the years, I -- I would leave those
6 meetings feeling incredibly agitated and frustrated
7 because the same thing would happen, ah --

8 Q. Had you voted against --

9 A. -- in terms of deciding --

10 Q. Had you voted against [REDACTED] being
11 admitted into the Ph.D. program in the [REDACTED]
12 meeting?

13 A. Yes.

14 Q. All right. And then after
15 Mr. Sweeney came and spoke to you, you resigned
16 from the committee; and therefore, you did not
17 participate in the subsequent vote. Is that
18 correct?

19 A. I think I abstained, and that was on
20 the record. And so what -- I think after he came
21 to my office --

22 It could have been that that meeting
23 maybe coincided with something I was teaching; but
24 I wasn't going to be going to that meeting, because
25 I had made it clear that I didn't want -- I -- I

1 just didn't want to be anymore, uhm, affiliated
2 with what was happening.

3 Q. And when Mr. Sweeney came to your
4 office for this one-on-one meeting before the --
5 the committee meeting, he was -- was reconsidered,
6 did he make disclosures to you about the
7 allegations against Yusuf Kalyango?

8 A. I believe he may have done some
9 hinting around. He made it clear that, uhm --
10 Hold on. Let -- let me think about
11 the meeting or when he came in.

12 I know that I started crying,
13 because -- Yeah, he must have, because I actually
14 got teary and said, I don't believe it. I know
15 him. I do not believe that. And --

16 Q. Now, you wrote --
17 And I don't want to upset you.

18 A. No, no, no. I just -- With my mom,
19 I get teary about my mom. I'm okay.

20 Q. You wrote letters to the provost and
21 to the president on behalf of Yusuf Kalyango and --
22 and the allegations and this whole situation. Is
23 that right?

24 A. I don't recall writing a letter.
25 Uhm --

1 Q. Yeah, my notes could be a little bit
2 off on that.

3 A. No, I didn't get involved, uhm, in
4 terms of visibly advocating for him.

5 I have been waiting and, uhm, hoping
6 the right thing would happen, and --

7 Q. Well, I think of all the -- I think
8 of all the witnesses who had have testified in this
9 inci- -- in this hearing, you've known him the
10 longest by -- by virtue of your explanation and
11 have really sort of grown up with him, if you will,
12 professionally --

13 A. I trust him, yeah.

14 Q. -- and academically.

15 And so with all of that, and knowing
16 that you're a tenured professor and you're at --
17 you're at that -- you know, it's a pretty rare
18 (inaudible) in the academic world where you can
19 sort of see how the machine operates. I mean,
20 you're high enough up in the bureaucracy that you
21 see how the machine operates.

22 A. Yes.

23 Q. And having seen that and knowing
24 Dr. Kalyango the way you do, do you feel that this
25 process has been fair? Do you think that

1 Dr. Kalyango has been treated fairly by the
2 university in this process?

3 A. No, not at all. He's been dismissed
4 without as many words with -- You know, I mean,
5 he's been -- As I said, he's been, uhm, just --
6 just that indifference. He has not been treated
7 fairly just by virtue of not even having a
8 protocol, not having a director of our program who
9 could speak to us as faculty and -- and also tell
10 us what was going on. I mean, it was just kind of
11 a cloud of, uhm, mystery, and --

12 Q. And -- and I'll finish the questions
13 with this, ma'am.

14 At the -- Here we are years after
15 the initiation of the investigation; and in these
16 last two days, it's the first time Dr. Kalyango, he
17 personally or through his representatives, have had
18 an opportunity to question any of this.

19 In terms of how that -- in terms of
20 how that works, the process, is that the basis of
21 the frustration that you've been telling us about?

22 A. Yes. And -- and -- and also the
23 process, as well as my own disgust with how these
24 allegations and everything else has played out.

25 I mean, in -- in addition to my

1 believing what I do about Yusuf as a person and a
2 character and my own huge doubts about the
3 allegations, I'm disgusted by the process or lack
4 thereof. Is that --

5 Q. Thank you, ma'am. I'll turn it over
6 to the university's legal counsel.

7 Thank you.

8 A. You're welcome. Thank you.

9 - - -

10 CROSS-EXAMINATION

11 BY MR. LOUKX:

12 Q. Thank you, and good afternoon.
13 Thanks for coming in and talking to us today.

14 I'm going to use initials only,
15 because this -- there could be observers on. So
16 for FERPA meetings, I'm going to refer to two
17 students. Hopefully the initials will give them
18 away.

19 But are you familiar or do you know

20 a 

21 A. I have met her. I met -- I had one,
22 uhm, kind of introduction meeting to her where I
23 think it was at a time where -- I don't know.
24 Should I use MF was trying to --

25 Q. You can talk -- I'm sorry. I'm

1 talking over you, and that's my fault. I
2 apologize, Mary.

3 A. Okay.

4 Q. You can speak of professors by name,
5 but not students.

6 A. Okay.

7 Q. Go ahead.

8 A. I believe it was a time when
9 Director -- Dr. Sweeney was trying to figure out
10 the pairing of grad- -- new graduate students with
11 professors and their, you know, interests and their
12 kind of chemistry or however it -- he assigned it
13 at that point.

14 And so I just had like a half an
15 hour meeting with that individual in my office just
16 to kind of chat and hear more about their
17 interests, their research interests, their
18 background, what they hoped to pursue, things like
19 that. But that was the only --

20 And I presented to the Intro to Grad
21 Studies class.

22 But aside from that, that -- that
23 was the extent. Uhm, obviously, I wasn't chosen to
24 be a, you know, mentor or anything.

25 Q. Okay. And how about [REDACTED]? Do you

1 know the student [REDACTED]?

2 A. Yes. Uh-huh. And it's almost an
3 exact same thing, --

4 Q. Okay.

5 A. -- almost exactly. And I -- I have
6 been seeing them out before just when I -- You
7 know, not socially, but I was in the Wal-Mart
8 parking lot and I saw them running around, so. But
9 I -- they didn't see me. That's it.

10 Q. Okay. Now, they went to school at
11 different times, I understand. So when you say you
12 saw them running around, did you see them together
13 running around, or was that you would see one or
14 the other at Wal-Mart? I just want to --

15 A. Ah, no. I -- I know that I saw one
16 of them. I don't know about the other one.

17 Q. Okay.

18 A. The [REDACTED] -- Well, it was with a
19 third -- it was with a different graduate
20 student --

21 Q. Okay.

22 A. -- who I had also had in class.

23 Anyway, I just identified that
24 person by virtue of the third person who I had had
25 in class and then thought, Oh, okay.

1 Q. Okay.

2 A. That's all.

3 Q. But you haven't talked to either

4 [REDACTED]

5 A. No.

6 Q. -- [REDACTED] about the allegations?

7 A. No.

8 Q. Now, fair to say that you're here
9 today to discuss kind of, I guess, what they call a
10 character witness?

11 A. Yes.

12 Q. And the other reason you're here is
13 because -- and I'm a little bit slow, but I -- I
14 think you had a problem with the process. So
15 character witness and some criticisms of the
16 process in this case.

17 Are you familiar with the -- the
18 process as it's laid out in the faculty handbook?

19 A. Now I am more familiar with it.
20 I -- I wasn't until the allegations and it became
21 public knowledge what was happening.

22 Q. Okay.

23 A. But also I'm on faculty senate, so.

24 Q. Okay.

25 A. I mean, I -- Thank goodness I wasn't

1 assigned to this committee.

2 Q. And you if you don't know, that's --
3 the question I'm about to ask --

4 A. I do now.

5 Q. Okay. But the specific question
6 I'm going to ask you is, do you know if
7 Director Stewart was required to have a group
8 meeting, or was he -- does the faculty handbook
9 just require him to consult with members of
10 faculty?

11 A. It was my understanding that it was
12 supposed to be a group meeting of tenured
13 professors.

14 Q. Okay. But is that in the handbook?

15 A. I need to look at the handbook.

16 Q. Okay.

17 A. It -- I believed it was.

18 Q. Okay.

19 A. I believed it was, because --

20 Q. So whatever --

21 I'm sorry. Go ahead. I interrupted
22 you. My apologies.

23 A. No. I -- You know, the only -- The
24 thing the -- about that aspect of it, I just found
25 it -- I found it indicative of how, then, our

1 school would -- just really discouraged any sort of
2 confrontation and -- or potential confrontation.

3 So let's say that we would have had
4 a faculty meeting with --

5 Q. Uh-huh.

6 A. -- with the tenured professors. I
7 believe our director was trying to avoid creating
8 crises.

9 Q. I see. And if that --

10 A. Uhm, at --

11 Q. Go ahead. Go ahead. I'm sorry.

12 A. I just know that historically, from
13 what I understand, our school, you know, it went
14 through some difficulties in terms of, uhm, whether
15 it was just different personalities, maybe not
16 aligning and --

17 Q. Uh-huh.

18 A. -- difficulties, and so I kind of
19 feel like our director was such a peacemaker at
20 heart that he really -- because of that, it made
21 him unable to actually exercise what demand -- what
22 was demanded of him to do.

23 Q. And are you familiar with a -- a
24 similar process in the English department?

25 A. Just what I --

1 I think if it's what --

2 Is it -- Something I read in the
3 paper. That's as much as I know, yes.

4 Q. Okay. If it's --

5 A. But I -- Yeah.

6 Q. If you're not more familiar than
7 that, I withdraw the question.

8 But you would agree with me in
9 regards to the faculty handbook that what it says,
10 it says. Right?

11 A. Yes.

12 Q. So if it requires a meeting, it says
13 that. If it says consultation, it says that.

14 A. Yes.

15 Q. Okay. And that's -- that's really
16 all I have, and I thank you for coming in late on
17 a --

18 Oh, I'm sorry. Go ahead.

19 A. May I -- May -- I mean, I would say,
20 though, that up until that point, there was
21 absolutely no visible protocol that -- I mean,
22 because process was so undervalued, that it
23 actually got to the point where, you know, I had
24 lost real respect for the whole process, uhm,
25 because it had dragged on for going on four years

1 or whatever at that point.

2 And I think what the faculty
3 handbook says is almost moot given, you know,
4 the -- the way that the university and other sort
5 of committees have -- have been treating this.

6 You know, I mean, if it came down to
7 whether or not it was stated as a consult or a
8 meeting, if -- if that's what it comes down to,
9 then I have a real problem with that being the
10 final sort of consideration, --

11 Q. But ultimately --

12 A. -- because it was so messed up.

13 Q. Ultimately, though, the handbook
14 provides that it's the director's decision in terms
15 of the recommendation, or do you know?

16 A. I believe it is --

17 God.

18 Q. If you don't know --

19 A. I feel like this is a test, because
20 I -- I read it. And, I mean, it's like the -- I --
21 I thought it was the director made the
22 recommendation as informed by the faculty. Right?

23 Q. Uh-huh.

24 A. It wasn't a, We're going to do all
25 of this in the dark and then spring it on the

1 faculty as the last thing that comes out of the
2 director before they retire.

3 Q. Uh-huh.

4 A. Like, he didn't even -- he wasn't
5 even the person who told us. At -- He had another
6 person at that last faculty meeting deliver that
7 information to the faculty. It was appalling.

8 Q. I see.

9 Well, again, I -- I thank you very
10 much for -- for coming here today and -- and
11 appreciate your time.

12 A. I hope it was helpful.

13 Q. Thank you.

14 A. Thank you for giving me the
15 opportunity, sir.

16 HEARING COMMITTEE CHAIR MUHAMMAD:
17 Thank you, Mr. Loukx.

18 Now turning to the hearing
19 committee, are there any questions for
20 Dr. Hendrickson?

21 SHERYL HOUSE: This is
22 Sheryl House. I have a question.

23 ELIZABETH HENDRICKSON: Hi.

24 SHERYL HOUSE: Hi.

25 Dr. Hendrickson, you made a

1 comment -- I don't know the exact words -- but you
2 had said that you had stepped down from the
3 graduate committee because you have left those
4 meetings, you indicated maybe on more than one
5 occasion, very frustrated.

6 Can you elaborate on what was
7 frustrating about those graduate committee --

8 And I'm -- and I'm talking about
9 really just when you're talking about admission of
10 Ph.D. students or students into the program.

11 ELIZABETH HENDRICKSON: Okay. Yes.
12 I had -- I mean, and I think Yusuf and I both -- We
13 didn't talk about this. We weren't gossiping about
14 any of this. It's just how we were raised at
15 Missouri, basically; is you wanted to create a
16 cohort that was diverse. You wanted to be able to
17 accept not just the people who had the most perfect
18 scores or, you know, the most interesting
19 backstories. I mean, it was really -- it was
20 really, you know, as you know, a delicate process
21 that was constantly dynamic, uhm, just by virtue of
22 who was applying.

23 And numerous -- numerous years, uhm,
24 I felt that the process was almost like, uhm, ah, a
25 formality in a sense, whereas it would be almost

1 assumed that, uhm, if a candidate might write that
2 they want to work with a particular -- a particular
3 person who might be heading up that committee, say,
4 then they would be moved to the front of the line;
5 and, uhm, those who might bring more to the
6 collective experience were then relegated behind.
7 And I saw that happen, uhm, on numerous occasions.

8 SHERYL HOUSE: Thank you.

9 ELIZABETH HENDRICKSON: Does that
10 make sense?

11 SHERYL HOUSE: (Nodded
12 affirmatively.)

13 ELIZABETH HENDRICKSON: Okay.

14 HEARING COMMITTEE CHAIR MUHAMMAD:
15 Thank you, Dr. House.

16 Other questions for our witness at
17 this time from the hearing committee?

18 Very good.

19 Hearing no others, I want to thank
20 Dr. Hendrickson for being here today, sharing
21 testimony and responding at length to the questions
22 posed by both sides and the hearing committee as
23 well.

24 On behalf of the hearing committee,
25 thank you again.

1 ELIZABETH HENDRICKSON: Thank you
2 for having me. I appreciate being part of the
3 process. Bye.

4 HEARING COMMITTEE CHAIR MUHAMMAD:
5 Thank you. Best regards. Bye-bye.

6 ELIZABETH HENDRICKSON: Thank you.

7 HEARING COMMITTEE CHAIR MUHAMMAD:
8 Very good. That brings us to just a few minutes
9 before our scheduled afternoon break. We will
10 break now and reconvene at -- please be back a few
11 minutes before 3:45. At that point, Dr. Kalyango
12 will address the body from 3:45 to 4:15.

13 I'll mute my mic and be on camera if
14 needed.

15 (Brief recess.)

16 HEARING COMMITTEE CHAIR MUHAMMAD:
17 Welcome back, everyone. It's just before 3:45.
18 We're now going to hear from Dr. Yusuf Kalyango.
19 He will be addressing the hearing committee for the
20 next 30 minutes. And that will essentially rest
21 the case on Dr. Kalyango's side.

22 Following that, we'll have a brief
23 recess of -- of about 15 minutes and then commence
24 with summations at 4:30.

25 So with that, I turn to

1 Dr. Kalyango. Thank you for being here. We are
2 ready to hear from you directly today. And what I
3 explained in terms of the process for the next
4 30 minutes, is that your understanding as well,
5 that you will be speaking to us for 30 minutes?

6 YUSUF KALYANGO: Yes. Thank you.

7 HEARING COMMITTEE CHAIR MUHAMMAD:
8 Excellent. Thank you. The floor is yours.

9 YUSUF KALYANGO: All right. Before
10 I ask Counsel Beck to join me in this, I want to
11 first of all thank you, Dr. Robin Muhammad. You --
12 you've done a fantastic job.

13 This is a very difficult moment for
14 you, too, to go through this process, you know,
15 virtually and then managing people from all over
16 the world. And I would like to submit to you that,
17 you know, I'm very grateful and -- for all that
18 you've done.

19 And first of all, I would like to
20 thank the university administrators, the president,
21 the provost, of course, legal counsel, all
22 administrators, for this opportunity to finally be
23 heard, although my opportunity actually to be heard
24 comes at the tail end of this three-year,
25 protracted investigation in the detenuring process.

1 As for my colleagues on the -- on
2 the hearing committee, you know, I'm the subject
3 of -- I'm the subject in all of this; uhm, and I
4 speak before you now with a -- a big heart of
5 gratitude for the service you are rendering in the
6 protection of our tenure rights and due process
7 rights.

8 I will proceed to request my
9 attorney at this time to ask me questions to fill
10 in the gaps; and I want him to take only 20 minutes
11 of questioning just to fill in the gaps, you know,
12 for this hearing.

13 And at the end of the 20 minutes,
14 then I want to request to hear from each committee
15 member, please, to ask me a question or questions.
16 I will be honored if -- I would like to -- if I
17 would hear from each member of the -- the
18 committee, hearing committee, to ask me a question.

19 So, Counsel Beck, I will take
20 questions for 20 minutes to ask me any questions to
21 fill in the gap. And immediately after that, maybe
22 about eight minutes with the -- the committee
23 hearing to hear from each member to ask me a
24 question. And then after that, I will take only
25 two minutes to rest the case. That's my request.

1 And with that, I request
2 Counsel Beck to take over and fill in the gaps.
3 I'm ready to answer any questions that you have and
4 any questions that the hearing committee members I
5 will have to receive.

6 So I think the -- the university has
7 done a lot of investigations, and they already have
8 their case. So it's now time for my legal counsel
9 and the hearing committee.

10 Thank you very much.

11 - - -

12 DIRECT EXAMINATION

13 BY MR. BECK:

14 Q. Dr. Kalyango, --

15 A. Yeah.

16 Q. -- there has been a lot of
17 discussion about your history and so forth and all
18 of the wonderful things you've done, but maybe I
19 think it would be helpful if you could share with
20 us, what -- what do you see as your role as an
21 educator and a professor at Ohio University?

22 A. Ah, just only in the last ten -- ten
23 years?

24 Q. Sure.

25 A. Okay. Yeah. My role is I conduct

1 both empirical research and global comparative
2 applied research. And my role really is to create
3 knowledge with all of you, including the hearing --
4 hearing committee members; and then I disseminate
5 this new knowledge for our students and to other
6 O.U. constituents based on my deep expertise based
7 on my experiences and -- and scholarship, and --
8 and my uniqueness, you know, and all these
9 contribution to the university and to my role as an
10 educator is that I do this around the world: South
11 America, Asia, Europe, Africa, the Middle East;
12 and -- and I have connections all over the world.
13 And I did that through this university, so I'm
14 grateful for that.

15 Q. I would like to turn, then, Doctor,
16 if we could to the specific allegations. I think
17 we've heard so many things, and I think it would be
18 helpful for the committee to hear your thoughts on
19 these allegations.

20 Now, you've heard claims by [REDACTED] and
21 then by [REDACTED] regarding inappropriate conduct. So,
22 first of all, are their allegations -- are the
23 allegations that they presented against you true?

24 A. Not at all true. Uhm, and -- and
25 you had heard some of that in -- in the hearing

1 in -- in the last two days.

2 But the fact of the matter is that
3 everything that I have done for these students,
4 I've done it in good faith in support of our
5 students. I've done it to mentor, help our
6 students. I've been a mentor for so many students.
7 I've done this to educate our students, to create
8 opportunities for you -- for them.

9 And even the students who have
10 accused me of these allegations do not deny the
11 fact that I have provided them these opportunities
12 and -- and I provided them a wealth of knowledge in
13 doing so.

14 Uhm, I cared about them. I think
15 they were all good students. And I have no hard
16 feelings despite all of this. I -- I feel bad and
17 I regret this, and -- and it's been treacherous to
18 me; but I never intended to hurt a student. I
19 cared for them. And I still wish good for them,
20 because I don't think, you know, they know what --
21 I don't know -- I didn't think they knew how -- you
22 know, what their -- what they were trying to do
23 would do to a person like me. And -- and I wish
24 there was a way I could tell them this and to even
25 apologize to them if I ever wronged them in any

1 way. But I never intended to hurt anyone, and the
2 allegations are not true.

3 Q. I want to talk a little bit, because
4 we -- at sort of the tail end of some of the
5 testimony that came from some of the witnesses that
6 supported you: Dr. Ferrier, Dr. Hendrickson, they
7 talked about the process.

8 So just so the committee members
9 know and it's in this record, what did you see as
10 the policy violations or the failure on the part of
11 the university with respect to how they actually
12 even applied the policy to you?

13 A. I don't think 15 minutes are enough
14 for that.

15 The good thing, though,
16 Counsel Beck, is that the committee has -- the
17 committee has a statement that outlines a lot of
18 this.

19 But I'll just outline a few things,
20 you know.

21 I did not appear before the second
22 UPEC at all. And that committee that looked at the
23 [REDACTED] matter did not even contact me at all. That
24 committee was supposed to conclude its report
25 within 49 -- 45 days. The MOFs that were released

1 os May 30th, 2019, yet I had from UPEC for the very
2 first time ever on November 14th; and the letter
3 they sent me was originally on November 11th. That
4 is six and a half month later. So that's a policy
5 violation just there; I mean, just on UPEC, you
6 know.

7 I can go on and on, you know. I --
8 I had given my statement to the investigator there.

9 But you know what? I'm not even --
10 I'm not even talking about the issue with that, ah,
11 George Anaya. They -- they -- and, you know, they
12 investigated -- Mr. Anaya had, you know, all these
13 investigations take more than a year, all three of
14 them.

15 The way these two other
16 investigations came in -- in all in March following
17 that graduate committee meeting, that's when they
18 all popped up. That was eight month, you know,
19 into the [REDACTED] investigation.

20 So all these are policy violations.

21 And by the way, there's one thing I
22 need the hearing committee to know this.

23 I understand if you are going to
24 delay beyond 90 days. The policy guiding an
25 investigator, because they should know this, is

1 that you need to notify the parties why you are
2 delaying.

3 In all three cases, which all took
4 up a whole year or more than a year, the
5 investigator never explained to me why these --
6 after the 90-day there was this delay and all of
7 that. So -- so there are so many policy
8 violations.

9 But -- but here is a classic
10 example, and I'm done with this question. The
11 classic example of this is the fact that, and the
12 hearing committee should know this -- it is already
13 in my statement -- the ECRC the (indiscernible)
14 office is investigating two administrators: the
15 school director of (indiscernible) and the dean of
16 the Scripps College of Communication for violation
17 of university policy. Let this sink in. Violation
18 of university policy, the same policy on which I am
19 being detenured. And why? Because of the
20 procedural flaws that happened in the original
21 process at the school level and the college level.

22 So if the -- if the university
23 itself is the investigating administrators, of
24 course there were policy invest- -- violations.

25 So I think -- I think it's very

1 correct for the committee to know this.

2 But, yeah, they are policy
3 violations, and the evidence is with the
4 university.

5 Q. Now, we heard some discussion about
6 the fact that Dr. Stewart did not consult the
7 whole faculty. And that's also a policy violation?

8 A. Yes. It's a vital policy violation.

9 But let's put it in perspective.
10 Dr. Stewart did not, and I repeat, never met with
11 me regarding the auto mandated personal conference
12 with me. He had only met with me, and an email
13 confirms that, to discuss the proceedings based on
14 his consultations with the legal affairs to allow
15 him to -- to secretly, privately with individual
16 faculty members instead of allowing a P and T
17 committee to deliberate revocation of tenure.

18 Like we are agreeing right now, the
19 hearing committee, this committee is going to
20 deliberate the proceedings, you know, what has
21 happened in this hearing.

22 He promised me three times in a
23 recording that is now with the university, a
24 recording of that initial meeting, that -- that
25 now -- not only the discussion by ECRC, in which he

1 said there will be a personal conference meeting.
2 ECRC now have evidence -- have -- has evidence of
3 that in its investigation of Dr. Stewart, but that
4 meeting never took place. I wasn't -- I was denied
5 basic due process rights that have been according
6 to -- accorded to other faculty members in other
7 departments who has -- who have faced similar
8 situations.

9 So I was treated differently, in
10 addition to violating the faculty handbook for a
11 possible meeting with the school director. That
12 investigation is going on in the ECRC as we speak.

13 Q. Well, my last question on this issue
14 with Dr. Stewart is, is that you were able to
15 determine who he actually consulted with. Is that
16 correct?

17 A. Yes. Yes.

18 Q. And just so the -- the panel knows,
19 of the 11 people with whom he consulted, what was
20 that constit- -- (inaudible)?

21 A. Yeah. I think -- I think the
22 biggest flaw in that that I see is, out of those 11
23 committee members that privately, separately --
24 separately met with the school director to
25 determine my fate, my future, in the department

1 that I served so well, was that two of those were
2 not even tenured. One of them was a new
3 probationary faculty member who joined after my
4 suspension. I never met her. She's never met me.
5 I've nev- --

6 You know I've been banished from the
7 university. Like, I can't even go to my office on
8 a Monday or Tuesday or Wednesday without asking for
9 permission. So she's never even met me.

10 Anyway, nine of those were tenured
11 faculty. Two of those were -- Actually, one of
12 these Group 2. I mean, it's not bad for a Group 2
13 to -- I -- I believe in diversity. I believe in
14 inclusiveness. I'm okay with that. The problem
15 was they -- the school directors later stated that,
16 you know, the -- after meeting -- you know,
17 after -- he puts in the P and T committee in his
18 determination for detenuring me, and that was
19 misleading. His letter to detenure me is very,
20 very misleading; and that is very unfortunate.

21 And all I was asking for is for
22 fairness and due process, you know. And if yet all
23 those things have been done, we wouldn't be here.

24 Q. Thank you for that, Doctor.

25 And sort of in the interest of time,

1 I want to move quickly to --

2 You've said that the allegations of
3 [REDACTED] are -- are just not true. But can you
4 just tell the panel, then, after this trip to
5 [REDACTED] that was the subject of her discussion, [REDACTED]
6 you continue to work with her and mentor her?

7 A. Absolutely. Uhm, I -- I continued
8 to provide her with, you know, recommendation
9 letters, you know, any support she wanted. She
10 continued to work with my institute even beyond
11 graduation; because when she graduated, she
12 continued to work that summer, and she worked in
13 [REDACTED] So -- so
14 Professor Mary Rogus actually also knew her,
15 because she worked with us throughout that period.
16 Then she stayed in Athens to -- ah, because she was
17 dating her current husband, because that was
18 a (indiscernible). So she continued to work with
19 me until the end.

20 And at that point, even in [REDACTED], she
21 sent to me a thank-you card for all I had done for
22 her. And I've held that thank-you card from early
23 [REDACTED] here like it's handwritten in -- in school
24 note. If you go to my office, I can show you a
25 [REDACTED] thank-you note card.

1 Q. Now, one of the issues I want to
2 talk to you about that's somewhat frustrating is
3 this issue with Dr. Sweeney.

4 A. Yeah.

5 Q. Were you aware that Dr. Sweeney had
6 given advice to [REDACTED] the day she resigned [REDACTED]

7 A. Ah, I didn't know. There were so
8 many things that were done behind my back that I
9 had no idea about. Uhm --

10 Q. Well, let me ask.

11 Did you have a problem with Dr. --
12 Did you and Dr. Sweeney -- Was there some issue
13 between you and him that was ongoing during this
14 period of time?

15 A. Yes. But may I request you that I
16 don't talk about everything that happened in [REDACTED]
17 [REDACTED] that -- that involves diversity and
18 inclusiveness and all these things that I was
19 advocating for. Because of the investigation going
20 on with Professor Stewart, all those things are
21 under investigation, and I would rather not talk
22 about those. I know they are very important for
23 this committee to determine whether I
24 (indiscernible) or not, but I would rather not go
25 there. Let -- let ECRC do its job and -- and --

1 and help me (indiscernible), things will be fine.

2 But -- but I have no problem with
3 Professor Sweeney. He's -- he's going through a
4 lot. And -- and -- and I really wish him well.
5 And -- and -- and I believe he's a good man. He's
6 doing what he feel he's doing. But, you know, he's
7 going through a lot, so -- so -- so I really wish
8 him well. I just don't want to go into an
9 investigation that is going on with the ECRC.

10 Q. So we'll leave that. I think
11 there's evidence in the record of what Dr. Sweeney
12 involved himself in.

13 So now let's move to this issue. I
14 want to talk about [REDACTED]

15 A. Yes.

16 Q. And there's been a lot of -- there's
17 been a lot of discussions and so forth about the
18 evolution of this relationship.

19 A. Yes.

20 Q. And she basically makes three
21 allegations. Supposedly the events occurred
22 between the time you met her in early February
23 until this [REDACTED]

24 A. Yes.

25 Q. And there was the conference on

1 [REDACTED] and then there's the time between that
2 conference and the [REDACTED] email.

3 A. Yeah.

4 Q. So first of all, did you have any
5 romantic interest in her whatsoever during this
6 time, at any of this time that we're talking about?

7 A. Absolutely not. Not at all. Uhm, I
8 vehemently denied this.

9 You see, what is so painful about a
10 question like that, because it pains me for you to
11 use the word "romantic relationship" with a
12 student. It pains me a lot. It hurts me,
13 because -- because I don't do those kind of things,
14 honestly. But what pains me most in all of this
15 is, you know, Prof- -- Investigator Anaya, who I
16 believe is a very good man and -- and he loves his
17 job and, you know, he's a good lawyer --

18 That's why he's done that for
19 20 years.

20 -- I think it was -- you know, for
21 him to spend 13 month investigating and then
22 putting in the Memorandum of Findings that text
23 messages, having coffee, you know, having lunch
24 with a student, that amounts to sexual harassment.
25 As he views his case, he lists these things, and

1 none of those actually mention anything sexual.
2 That -- that was -- that was really surprising to
3 me, because I could ask each hearing committee
4 member here if they have graduate program in their
5 department, have they ever had coffee with a
6 student? Have they ever had lunch with a student?
7 If they've advised Ph.D. a student, have they ever,
8 you know, texted their student? If they are
9 parents and have young kids that they have to take
10 care of, pick up from school and give dinner and --
11 and give showers and take to bed until they sleep,
12 read them books and sleep, have they have been in
13 that experience; and then have a lot of work
14 waiting for them, and the only time they can do it
15 is after 9; and then after that, start replying to
16 emails. You review dissertations at night. And
17 then if you have a question, text the colleague,
18 a -- a Ph.D. student. And to end that, that's why
19 these MOFs are problematic; because I wish if
20 Mr. Anaya had worked in the university for longer,
21 because I was his first case, he should have known
22 this. But let me end -- end this question on this.
23 If --

24 I've lost my thought, but go ahead
25 with another question.

1 Q. Well, I -- I just want to move
2 forward a little bit on this.

3 A. Yes.

4 Q. The -- You know, there's these
5 allegations about --

6 Was [REDACTED] accurate in his description
7 about he arranged the [REDACTED] and that the
8 itinerary and the events that occurred in [REDACTED]
9 had been revealed to [REDACTED] and she knew what the
10 schedule was going to be and that there was no way
11 that you were going to be able to physically be in
12 the same city with her [REDACTED]

13 A. Yes, because there was a schedule,
14 she received that schedule. We started talking
15 about this with her from March. You know, we -- we
16 discussed some of these things in April. There was
17 a tentative schedule that we -- she first looked at
18 in -- in April. And I believe that's the one she
19 gave to Mr. Anaya, by the way. There was a revised
20 schedule she received in May. She talked to
21 Dr. Beth Kaplan.

22 Professor Beth Kaplan is an American
23 professor who retired from New Hampshire University
24 and is a distinguished professor at the [REDACTED]

25 [REDACTED] She was Dr. -- Professor Kaplan was

1 part and parcel of planning these -- these
2 workshops, all right? so and talked to her on Skype
3 for an hour. That was in early May. So this idea
4 that she did not know --

5 You see, I don't know what she
6 wanted to know. She was organizing the [REDACTED]
7 [REDACTED] -- I mean the [REDACTED] program. Ange
8 and I was were organizing the [REDACTED] program, which
9 comes later. So she had work to do while I was
10 organizing a hundred things in probably 30
11 countries at that time.

12 Q. Now, just -- just briefly, while you
13 were in [REDACTED] there were a couple episodes
14 involving [REDACTED] I think, regarding a
15 laundry incident and a money issue.

16 A. Yeah.

17 Q. Just tell us briefly about that --

18 A. Yeah.

19 Q. -- because she denies this, and I'm
20 just curious about that.

21 A. Actually, I -- I briefly even talked
22 to my colleague, Mary Rogus while I was in [REDACTED]
23 [REDACTED] when it was happening; because remember,
24 we -- we hired her together, we interviewed her
25 together, we hired her; and she was working on [REDACTED]

1 [REDACTED] concurrently. So -- so -- so she, you
2 know -- Like, in every [REDACTED] program, we give out
3 dollars to -- to participants, because they're from
4 different countries all coming to work in one
5 country -- I mean to -- to be trained in one
6 country for two or three weeks. And -- and the
7 only unifying currency for all of them are the U.S.
8 dollars, because they save that and take it back to
9 their countries.

10 By the way, [REDACTED] attended the
11 orientation of participants when we talked to them
12 who will be handling their money to be exchanged,
13 and that was the local coordinator.

14 But she walked out of there because
15 she received one inquiry. And because she did not
16 have an answer to that, she felt like maybe
17 frustrated; and then she just stormed out and
18 called me and said, How could you do this? And,
19 you know, This was fake money. And -- and I said,
20 Please calm down; and, you know, I have somebody
21 who handles the exchange. Your job is to do the
22 bookkeeping and give them money. If they ask you a
23 question you don't -- maybe you don't know, come
24 ask me or tell them to talk to me. That's --
25 that's why I'm here. And -- But -- but she had

1 already, I think, got frustrated out --

2 You know, I don't blame her. I
3 actually forgive her.

4 But the good thing, she came two
5 days later and apologized to me; and in apologizing
6 to me, she gave me a hug. And she said, I'm so
7 sorry. I said, Don't worry.

8 Q. Let me ask you this.

9 When she got angry with you, did she
10 curse at you?

11 A. Of course, yeah, yeah, she did.
12 But, you know, I've gone through a lot in my life.
13 Cursing me doesn't -- wouldn't doing something. I
14 wouldn't -- I don't -- You know, --

15 Q. And did you also --

16 A. -- she -- she cursed me, but I don't
17 mind, you know, that; because, you know, she -- she
18 works for me. I took her in Africa, and she can
19 get frustrated. And -- and my job is to calm her
20 down, and I did.

21 Q. All right. So also with the
22 laundry, she also got upset about that and --

23 A. Yeah.

24 Q. -- was mad because you decided to
25 pay the bill?

1 A. Yeah.

2 Q. Was that an embarrassment --

3 A. I think for that -- I think for
4 that, for me the biggest problem was not that she
5 refused to paid them the money and I paid it, and
6 I -- I didn't mind paying it. For me the biggest
7 problem was that, you know, the managers and
8 everybody knew that this was a -- a U.S. Embassy
9 event and an Ohio university event. Because in --
10 in the lobby and on the floor in which we do these
11 workshops, we have these posters and banners that
12 have State Department, American flag, Ohio
13 University's, our logo. Everybody knows that this
14 is Ohio University, and here we are as
15 representatives of Ohio University causing a scene.
16 So for me that was a bigger problem to me than her
17 refusing to pay, because I paid. And she got angry
18 that I paid it when she -- she found out that I --
19 Because she thought, when she told them, I'll only
20 pay half and they agreed, she thought it would be
21 the end.

22 But my -- my room is the master room
23 to the whole workshop, so this bill was stuck onto
24 the university bill. So I had to tell them, Take
25 this out, and I paid out of my pocket, because I

1 don't want the university -- because I go through
2 audits almost every year. I didn't want the
3 university to see laundry and then say,
4 Professor Kalyango, you should know better; this
5 is a -- a federal grant. So -- [REDACTED]

6 [REDACTED]

7 Q. Let me ask you one final area, and
8 then I'll abdicate my time.

9 You sent an email on [REDACTED] --

10 A. Yeah.

11 Q. -- [REDACTED]

12 A. Yeah.

13 Q. And that email set forth actually
14 six specific sort of bullet points. Three had to
15 do with the financials, --

16 A. Uh-huh.

17 Q. -- and one had to do with the reason
18 that you and she couldn't connect toward the end of
19 [REDACTED] and then one had to do with a few errors in
20 the evaluation.

21 A. Yeah.

22 Q. So my first ques- --

23 And the last point had to do with
24 sort of the learning -- the lessons-learned part
25 where you essentially accepted responsibility for

1 her failings.

2 A. Uh-huh.

3 Q. But with respect to the financials,
4 there has -- there has been evidence and so forth,
5 and there has been testimony about it through
6 Professor Rogus about what she was required to do.
7 And one of the questions was, Did you give her
8 training on how to actually do this requirement of
9 logging these receipts into the Excel.

10 A. Yeah, very good question.

11 Uhm, we give these students -- Like,
12 for -- for example, for the [REDACTED],
13 both Jeanette Moumakwe, who is [REDACTED] --
14 because I have three employees [REDACTED] and
15 then the two employees in the U.S., and one of them
16 goes with me.

17 TH got what we call a work plan.

18 They get three work plans. Mr. Anaya has this.

19 Three work plans. One is a [REDACTED]

20 [REDACTED],
21 and the other one is the other responsibility of

22 how I report when I come back, and -- and then what
23 the program assistant does. So she had a
24 preplanning, which is the logistics of planning
25 the -- the program, and one during the program.

1 And in both of those, we talk about this. So we
2 talk about it before we go. We even talked about
3 it in Brussels during transit, and then we also
4 talk about it there. And when I get there, every
5 single day I have to keep a momentum to see if
6 somebody is doing their -- what they are supposed
7 to do and -- and whether they are putting things in
8 place. And for me one of the frustrations I had,
9 although, you know, like, and I understand, you
10 know, [REDACTED] was -- was a different program assistant.
11 I have worked with more than a hundred female
12 students in the course of ten years; hired and paid
13 by the university, over a hundred female students.
14 And overall, with all of those, more than two dozen
15 actually worked with me abroad. So I'm -- [REDACTED] --
16 Sorry. [REDACTED] is not the first graduate student to
17 travel with me. I have traveled with more than two
18 dozen, and so --

19 Q. My question was did she have
20 training on how to input this?

21 A. Yes. Prior and during and -- and --
22 (indiscernible).

23 Q. And -- and so when you came back,
24 there's been testimony in the record that there
25 were statements that the financial information that

1 she gave you was a disaster.

2 A. Yes.

3 Q. Is that, sir, accurate?

4 A. Yes. And it's -- and it's because
5 she never would like me to kind of like go into
6 very details; because every time I tried to talk to
7 [REDACTED] about, So how are you with this, she says, I'm
8 handling this; you told me what to do. So it's --
9 so I was like I kind of back off a little bit. And
10 it's frustrating, because you want to make sure
11 that things are moving right; but then when a
12 student tells you that, you have to respect that.
13 And I think that was -- that was one of my
14 problems. You know, I apologized to her. I say
15 this is partly my fault. Check that email. You
16 will see. I say --

17 Q. Well, this is your statement in the
18 email, am I correct: It is entirely my fault that
19 I placed so much confidence in your independent --

20 A. Thank you.

21 Q. -- ability to handle things without
22 me micromanaging.

23 A. Thank you very much.

24 Q. That is what you --

25 A. That's what I mean. Thank you.

1 Because my point was if she told me not to bother
2 her all the time, you have to give her space.
3 And -- and then at the end when you see things are
4 messed up, you say, Wait a minute, I have to tell
5 you that we shouldn't do things like this moving
6 forward.

7 Remember, she was working with us in
8 [REDACTED] and she was going to work with me in -- in
9 [REDACTED] later that year on [REDACTED] again.

10 So my point to her is that as -- as
11 we moving forward doing these things, please be
12 mindful of how you do these things. Let -- let
13 this be a teachable moment, not just for you, but
14 also for me.

15 But I take responsibility for this.
16 So -- so, you know, that's -- that was the gist of
17 the email.

18 Q. Was it your intention in the email
19 to terminate her?

20 A. There is no termination whatsoever.
21 She was working with us already. She -- she was
22 working in [REDACTED], and she had started working in
23 [REDACTED] So why would I tell her --

24 Do you know that Professor Mary
25 Rogus was asking me whether we -- we should remove

1 her from [REDACTED] and I said no? You should
2 have asked her that.

3 Q. And -- and that was after you had
4 referred to Professor Rogus these outbursts that
5 she had [REDACTED]

6 A. [REDACTED] And she said,
7 Maybe we don't need this person.

8 And I told her, You know what?
9 Let's -- let's just -- She will not work on
10 finances. Let me put her in other things.

11 We put her in transportation for
12 [REDACTED] and then she resigned. And then the -- the
13 one of the outbursts that she worked in [REDACTED] Mary
14 had to -- to deal --

15 I shouldn't laugh. This is a very
16 serious matter. But, you know, I -- I've been
17 dealing with this for three years, and I hope I
18 deserve two seconds of smiling like this, because,
19 you know.

20 But -- but the fact of the matter is
21 that I feel sorry for -- for Mary, and -- and she
22 is my friend. But, yes, she went through the same
23 thing, you know?

24 Q. All right. My last question is,
25 just so I can button this up, the evaluations

1 you -- we heard from [REDACTED] do
2 those -- those -- that match-up. Is that correct?

3 A. Yeah. You see, you have to
4 understand that as we do the money, you know, one
5 of the reasons that I do this -- this transparency
6 thing where we take a lot of cash, and then the
7 cash -- the cash is -- is handled by both
8 Judy Millesen and Mary when we go to Africa. Then
9 a third person has to be the one to give out money.
10 This is taxpayers' money. I am responsible -- I'm
11 the reporting agent to the federal government, to
12 the university finance and accounting, to the State
13 of Ohio, because this is taxpayers' money.

14 For transparency, I make sure this
15 money is given to me, I am not the one who carries
16 it, and it's other professors, my colleagues who
17 travel with me that put it in envelopes for who
18 we -- we pay. And it's the student that
19 distributes it and collects receipts. That's
20 accountability. That is transparency. That's why
21 we do that.

22 The same thing with evaluations.
23 One student does it based on the original stop of
24 evaluations. Then I have to give them to another
25 assistant to ensure that they are correct before

1 they are distributed to [REDACTED] and
2 before they are distributed to everybody.

3 So -- so that's -- that's the kind
4 of transparency that I had put in place, and I had
5 done it for ten years.

6 So he did that. He did two, and
7 other students were also auditing others. So every
8 evaluation has to be audited by somebody else
9 and --

10 Q. By the way, did you tell --

11 A. -- and not me.

12 Q. Did you tell Mr. Anaya that
13 [REDACTED] had actually done the evaluations?

14 A. I -- Mr. Anaya has an email that was
15 sent to him either in [REDACTED] or [REDACTED]
16 that tells him that. There is an email to that
17 effect.

18 And you know who else was told? I
19 told [REDACTED] that, Expect a call or an email from
20 your student email from an investigator who wants
21 to know what you're doing.

22 Do you know how many times
23 [REDACTED] asked me how come nobody did ever called me?
24 Like, maybe six times.

25 So, yeah, there is an email that

1 explains what happened; but [REDACTED] in the
2 evidence packet. [REDACTED] never a witness. And this
3 is why I'm in these problems.

4 This investigation took 13-month,
5 but there's small flaws in the report, and it
6 looks lopsided, despite the fact [REDACTED] took 13 --
7 13 month to -- to investigate.

8 Q. That's all I have. Thank you.

9 A. Thank you.

10 YUSUF KALYANGO: I would like to
11 give -- I would like to hear at least a question
12 from each of the hearing committee, please.

13 HEARING COMMITTEE CHAIR MUHAMMAD:
14 We will open it up to the hearing committee
15 members.

16 YUSUF KALYANGO: Thank you.

17 HEARING COMMITTEE CHAIR MUHAMMAD:
18 Any questions?

19 VLADIMIR MARCHENKOV: I'm -- I'm
20 ready to ask mine, if I may.

21 HEARING COMMITTEE CHAIR MUHAMMAD:
22 Please.

23 VLADIMIR MARCHENKOV: Professor
24 Kalyango, my name is Vladimir Marchenkov. I'm a
25 member of the hearing committee.

1 And my question, please don't regard
2 it as hostile in any way, but --

3 YUSUF KALYANGO: Yeah. No problem.

4 VLADIMIR MARCHENKOV: -- I -- I
5 wonder, I wonder if you're --

6 Well, I'm trying to put myself in
7 your shoes, and -- and I'm -- and I'm -- one thing
8 I'm thinking about is, you know, with all the
9 children that I'm responsible for with other
10 responsibilities that I bear, what kind of plans
11 for the future can I be thinking of?

12 YUSUF KALYANGO: Yeah. That's a
13 very good question. And don't feel bad asking me
14 those type of questions, because I've gone through
15 a lot in my life, and -- and -- and I'm -- and I am
16 power tested in so many ways. And I am here to
17 fight for my academic life.

18 This is a -- this is like a
19 professional death sentence in addition to all the
20 disciplinary action I've already faced. I'm -- I'm
21 being disciplined as we speak for -- for the last
22 two years. This one will be like a death nail. So
23 it's not like I've not been disciplined. I'm going
24 through a disciplinary action.

25 Now, to answer your question, I'll

1 answer it in -- in two ways.

2 The first way is this. About six
3 month ago, my -- my son who is in high school, by
4 the way, recently told me that, Dad, if you are
5 going through all this and you are a teacher at
6 Ohio University and -- and you are -- and this is
7 happening to you, why should I go to a university
8 if this is how they treat people?

9 And -- and -- and can -- can you
10 imagine how many sleepless nights I had? If your
11 own child thinks a universi- -- a university is a
12 bad place because they treat people badly, I mean,
13 imagine how, you know, my family going through
14 that.

15 But here's another problem, okay?
16 Here is a situation. Here is another situation.

17 As a faculty member, you're right
18 that, you know, you know, we live in difficult
19 times, because all of you on the panel, if you've
20 been teaching for more than 15 years, some of the
21 things you used to say as teachers 15 years ago,
22 you probably do not say them now in the -- in the
23 classroom, because times change. So we have to
24 change with the times for -- I mean, every five
25 years these days, because a phrase you use today

1 could not be used maybe tomorrow. Like, that's
2 why -- that's how the world is changing. So -- so
3 we have to be on the guard.

4 And to be honest with you, uhm, what
5 is happening to me here could happen to you as a --
6 as a colleague, whether you are a reporter of an
7 issue or you did report an issue or you are -- you
8 know, you've been accused of something. It could
9 be anything. And -- and -- and we are teaching
10 students these days that are so empowered that --
11 that we have to walk a -- a fine line.

12 But the good thing is that I have
13 learned a lot from this experience. It has taught
14 me a lot. We -- we all learn from some of --
15 from -- from challenges that we face in life,
16 and -- and that's what emboldens us and teaches us
17 how -- how to act differently.

18 I think I'll act differently, you
19 know, you know, if I'm given an opportunity by the
20 hearing committee to -- to return to the
21 (indiscernible), and I think I will have a lot to
22 offer to even juror faculty member that -- maybe
23 minority junior faculty members that come to -- to
24 teach at O.U., what they need to do and -- and how
25 they need to be on top of mi- -- to have

1 mindfulness and -- and -- and to be aware so that
2 they get into this.

3 But you're right. You know, it's --
4 it's a tough time.

5 And administrators are -- are
6 becoming more powerful than faculty members. There
7 are so many policy changes that affect faculty
8 members, and -- and faculty members are
9 increasingly losing their power. Tenure is being
10 crushed in so many states either by legislators or
11 within the investor (phonetic) institutions.

12 This is a good experiment for you as
13 faculty members. And -- and we have to figure out
14 how to -- to make sure that at least we are also
15 protected as the university protects students.

16 VLADIMIR MARCHENKOV: Thank you very
17 much for your answer.

18 YUSUF KALYANGO: Uh-huh. Thank you.

19 HEARING COMMITTEE CHAIR MUHAMMAD:
20 Dr. House, you're on video. I think you have a
21 question as well.

22 SHERYL HOUSE: I do. Thank you.

23 Dr. Kalyango, thank you for
24 answering our questions.

25 I have a question related to your

1 stay in Kigali while [REDACTED]

2 Did you provide Mr. Anaya with a
3 email receipt of a hotel -- for a hotel that you
4 stayed at in [REDACTED]?

5 YUSUF KALYANGO: Did I provide what?

6 SHERYL HOUSE: An email receipt for
7 a hotel that you booked. Like, the date that you
8 booked a hotel in [REDACTED], do you have a -- did you
9 provide Mr. Anaya --

10 YUSUF KALYANGO: Yes. You have --

11 SHERYL HOUSE: -- like a receipt
12 with the date that you booked that hotel room in
13 [REDACTED]?

14 YUSUF KALYANGO: Yes. You have --
15 you have in the evidence packet all the receipts of
16 the bookings in -- in all of those places. And I
17 don't know whether evidence packet two or evidence
18 packet one.

19 And, please, I know you have a lot
20 of documents, and -- and --

21 SHERYL HOUSE: Yes.

22 YUSUF KALYANGO: -- and you can tell
23 I've been writing a lot.

24 SHERYL HOUSE: Yes.

25 YUSUF KALYANGO: And, you know, I

1 feel -- You know, I know you're doing a great
2 service for you to do this, but you can find those
3 documents in -- in your -- in the evidence packet
4 definitely.

5 SHERYL HOUSE: Okay. And then a
6 second question is --

7 YUSUF KALYANGO: Yes.

8 SHERYL HOUSE: -- you had -- we
9 heard from your Graduate Student [REDACTED] who dealt
10 with the evaluations.

11 YUSUF KALYANGO: Yes.

12 SHERYL HOUSE: [REDACTED]
13 job was to make sure that they matched
14 the original --

15 YUSUF KALYANGO: Yes.

16 SHERYL HOUSE: -- matched what was
17 entered into the computer a hundred percent, that
18 they -- those should be the same. Is that correct?

19 YUSUF KALYANGO: Yes, that's
20 correct.

21 SHERYL HOUSE: And then in your
22 statement to the committee, you had a statement in
23 there about your graduate students would revise and
24 do corrections to the evaluations.

25 Could you provide or enlighten us a

1 little bit on why there would be revisions or
2 corrections?

3 YUSUF KALYANGO: Uhm, because you
4 have to make sure that -- Because when you send the
5 State Department a report, you have a --

6 I send four types of reports to the
7 State Department, because one of them goes to the
8 Office of Management and Budget, OMB, and then the
9 other ones go to the actual State Department, the
10 graduate is responsible. Because I was managing
11 three different grants for the State Department,
12 all bringing in, by the way, half a million dollars
13 every single year for the investing. So I was
14 managing a lot of money.

15 But one of the things that we do is,
16 they require you to write a budget report, a
17 descriptive report, a summary report of the
18 evaluations, and a copy of the originals.

19 So my goal is to ensure that I don't
20 misrepresent what is in the summary report with
21 what the originals say, because the state would
22 audit me with one of the grants every year.
23 Because none of these grants were given to me like
24 ten year. No. Every year I had to apply for these
25 grants, and every year I brought them back to the

1 university.

2 So -- so for me to ensure that it
3 was bulletproof, I make sure that when -- when a
4 student like [REDACTED] provided these things, then she
5 gives them to me, and then I give them to whatever.
6 Because these were not audited in the -- in the
7 college, like, say, finance. Because finance goes
8 through the school, the college; then it goes to
9 finance itself; and then it ends up with grants
10 accounting. So there is a lot of scrutiny that
11 goes with money.

12 With these, it is from me to the
13 college as a report, and then everything else goes
14 to the federal government. So I have to make sure
15 that there is a second person to look at it.

16 And the problem --

17 And -- and the other thing is,
18 because I am one of those who are evaluated, I
19 can't make the corrections myself. It will be -- I
20 will find that to be unethical, honestly. So -- so
21 I have to give it to another person other than
22 myself to make sure that this happens.

23 SHERYL HOUSE: But that grad student
24 is not told to change those evaluations in any way.

25 [REDACTED] -- That grad student was told just to make

1 sure they matched.

2 YUSUF KALYANGO: They matched.

3 SHERYL HOUSE: Okay.

4 YUSUF KALYANGO: And if they didn't
5 match, to -- to write the correct one in these
6 according to -- to that. And then there was a -- a
7 separate file where they would say, This is where
8 he changed. And if I see that, then I -- I have to
9 inform the previous -- the original person, like
10 the assistant, that, By the way, there was a -- a
11 little problem with this; Let's make sure that we
12 don't repeat that next time.

13 And it was one of the -- the six
14 issues that I raised with [REDACTED] in that email, because
15 I have -- You have to give feedback to somebody who
16 has worked for you out- -- outside of the country.
17 So that was a report that I was giving to a student
18 who is working with me to know the status of how
19 that person performs. And it was not in any way a
20 bad thing. I also took responsibility in it, and
21 it was to make sure that we work better moving
22 forward. And we continued to work better -- I
23 mean, to work together for another ten days before
24 she sent submitted the -- her resignation. Yes.

25 SHERYL HOUSE: Thank you.

1 YUSUF KALYANGO: Thank you. I
2 appreciate it.

3 HEARING COMMITTEE CHAIR MUHAMMAD:
4 Are there other questions from the committee?

5 YUSUF KALYANGO: Yes. I wish I
6 could hear from every committee member. I would
7 love a question from each committee member. Thank
8 you.

9 HEARING COMMITTEE CHAIR MUHAMMAD: I
10 cannot compel, but I can merely invite.

11 YUSUF KALYANGO: Okay. I -- I wish.
12 I am requesting. I'm sorry. I shouldn't laugh.

13 CHARLES LOWERY: No. We appreciate
14 it. Thank you.

15 Dr. Kalyango, my name is
16 Charles Lowery. I'm on this committee as well.

17 Just out of you're curiosity,
18 just -- just to clarify some, I guess, time lines
19 maybe in my head, how long -- how long have you
20 been in service as a -- as a faculty member
21 altogether?

22 YUSUF KALYANGO: Right now, 12 years
23 at the university; and in -- and in -- in 12 of
24 those years, I've published more than 50 academic
25 research papers, and I've done a lot of stuff for

1 the university. But it's 12 years.

2 And -- and I've enjoyed working with
3 the university. I love this community. And even
4 during this process, I've been here; I love it
5 here.

6 CHARLES LOWERY: So -- so what -- so
7 did you -- did you have a professional career prior
8 to that?

9 YUSUF KALYANGO: Yes. I worked --
10 Yes. I worked with Reuters International. I -- I
11 was head of news and current affairs in Uganda in
12 Africa. I covered the genocide in Rwanda.

13 You know how I became international?
14 I was the only --

15 And -- and this has been written
16 about, by the way. You can find this. But the
17 problem right now is if you Google me, you see
18 sexual harassment. But you -- if you could Google
19 information and find that, the -- I was the only
20 journalist; and there was a very ignorant African
21 person who was fishing out the genocide tapes
22 through the Red Cross; and then the Red Cross would
23 ship my tapes. We were using what we called super
24 VHS by then. And it would go to London, and they
25 would show what was happening in Rwanda through

1 genocide, and it was being provided by me and my
2 cameraman, Ebra (phonetic). And we had no idea we
3 were reporting for the world in -- during the
4 genocide.

5 But anyway, I -- I covered the
6 genocide. I worked for Reuters, and they worked
7 for CNN International.

8 Ah, that's one of the reasons why,
9 you know, you had Dr. Aimee Edmondson -- sorry --
10 Elizabeth Hendrickson when she said four
11 universities give me an offer, and then I chose
12 Ohio University. It's because of that. It's
13 because I had done all these global --

14 There are very few Ph.D.s in
15 broadcast in this country. A lot of broadcast
16 people don't Ph.D.s and become academics.

17 CHARLES LOWERY: Well --

18 YUSUF KALYANGO: We are very few.

19 CHARLES LOWERY. Yeah. So my
20 question is, you -- you've had a very
21 high-profile --

22 YUSUF KALYANGO: Yes.

23 CHARLES LOWERY: -- career --

24 YUSUF KALYANGO: Yes.

25 CHARLES LOWERY: -- both prior to

1 coming into Ohio University and here.

2 YUSUF KALYANGO: Yes.

3 CHARLES LOWERY: Have you -- have
4 you ever had any other subordinates or students in
5 the context of being at the university become upset
6 with you and -- and make any kind of allegation
7 before other than this that we're investigating
8 now?

9 YUSUF KALYANGO: No. [REDACTED]

10 [REDACTED] denied these allegations, I
11 was cleared of any wrongdoing. And then I --

12 Even after that, I ended up to have
13 a stellar program, at which two universities at
14 different years did an opportunity to hire -- to
15 try take me away from Ohio University; and on both
16 occasions --

17 I can tell you who the universities.
18 Miami and the University of Texas, UT
19 (indiscernible). They tried to hire me out of this
20 university. On both occasions, this university
21 convinced me to stay.

22 CHARLES LOWERY: Yeah, I saw that in
23 the evidence.

24 YUSUF KALYANGO: Yeah, yeah.

25 It -- it's -- So I -- I have.

1 CHARLES LOWERY: So my -- my
2 question -- my question, then, to you, then --

3 And again, like -- like my colleague
4 mentioned earlier, I'm not trying to create a
5 hostile environment or ask you tough questions.

6 YUSUF KALYANGO: Yeah.

7 CHARLES LOWERY: I'm trying to
8 understand the -- what the motive of these -- these
9 students might have -- might have been.

10 Why would they --

11 You're -- you're claiming your
12 innocence here, --

13 YUSUF KALYANGO: Yeah.

14 CHARLES LOWERY: -- and that's not
15 my question.

16 My question for you is if -- if we
17 establish that you're -- you're innocent, why would
18 these -- why would these individuals bring such
19 allegations against you, in your mind? What would
20 you -- How would you explain that?

21 YUSUF KALYANGO: Okay. Let me first
22 start with [REDACTED].

23 Thank you so much for that question.
24 And I think all these are very important questions;
25 and this is a very, very important question. And

1 I -- and I'm so glad I have the opportunity to
2 discuss this.

3 Let it be clear now that in [REDACTED]
4 when this matter -- when I ended up being
5 investigated by the university, it is not the
6 student who filed a complaint against me. The
7 student had filed a complaint against a professor
8 in [REDACTED] about a -- a professor in [REDACTED] who you
9 had speak today. And that professor, I didn't know
10 that he was not invest- -- interviewed until today,
11 but I was interviewed twice.

12 The first time I interviewed, I
13 interviewed with (indiscernible) then was to deny
14 that I ever saw him drink or do any of the stuff
15 that were being alleged. I -- I defended.

16 I don't know whether the university
17 then gave a summary report like they're doing now
18 to the student and the student found out that I had
19 denied that. That's when now the student brings me
20 into the picture and says, Well, this professor was
21 being friendly to [REDACTED]; and then they start that
22 investigation as well. And then the student denies
23 it.

24 I -- I -- I -- I -- I resist from
25 this idea of placing motivation, because I'm not in

1 somebody else's head. Back then --

2 CHARLES LOWERY: Oh, no. I'm just
3 trying to understand.

4 YUSUF KALYANGO: Yeah.

5 CHARLES LOWERY: I'm just trying to
6 understand.

7 YUSUF KALYANGO: The events -- Yeah,
8 the events of [REDACTED] explain how I may have ended up
9 being investigated in that one, because of my --
10 what I said to defend Professor Makungu. And at
11 the same time, the student who was in my class at
12 that time even resigned. Then the student whom
13 they had alleged that I had caused all these issues
14 denied these allegations.

15 Now, [REDACTED]. Why does
16 [REDACTED] come back? I think you already know that
17 answer, don't you?

18 Professor Mike Sweeney said it
19 yesterday. What did he say? He said, I called the
20 [REDACTED] -- to say this. He -- he said that.
21 And you have that documentary evidence of a
22 statement that the same professor read to a
23 graduate committee stating that I have consulted
24 Mr. Anaya -- or I want legal affairs; but I have
25 concern with Mr. Anaya who said -- I don't want to

1 misquote directly, but he was given authorization
2 that he can go ahead and do that, although, you
3 know, the -- that wasn't his preferred thing.

4 So he reads all these sexual things
5 and -- and damages my reputation in the grad
6 committee and then goes and talks to the student;
7 and then within two weeks, I have two other
8 investigations. I don't know if it's a motive, but
9 you see how the events unfold.

10 CHARLES LOWERY: Yeah, yeah. I'm
11 not asking you to try to get into someone's head;
12 but there are behaviors and -- and a process -- a
13 progress of events that happened and incidents that
14 happened that could -- could tell us as a committee
15 a little bit about -- about that.

16 One final thing just for
17 clarification. And this might have come out
18 earlier, and I apologize if I missed it.

19 But how much time did -- did
20 Mr. Anaya actually spend interviewing you and --
21 and getting your story in -- in this?

22 YUSUF KALYANGO: Uhm, I will say
23 maybe he interviewed me maybe three or four times.
24 Each of those times took an hour. Maybe that was
25 four hours or more. And I have a lopsided MOFs; I

1 reviewed it all. Just as the investigator
2 interviewed Professor Mary Rogus for a total of six
3 hours, and -- and that M- -- and those MOFs are
4 lopsided. And -- and you can go on and on.

5 It's a very unfortunate situation.
6 And -- and, you know, these things happen in life.
7 It happened to me.

8 My goal was and -- and -- and my
9 hope was that I believe so much in this university
10 and -- and -- and I -- and I thought that somebody
11 will see through this. But nobody gave me the
12 benefit of the doubt. Nobody gave me the benefit
13 of the doubt.

14 And you know what? You know, one of
15 the things you have to recognize here -- and then
16 I'll be done answering this question -- is when an
17 ECRC and an investigator issues the Memorandum of
18 Findings, it looks like these Memorandum of
19 Findings are taken as if they are Holy Scriptures
20 in the Bible, because everybody requested it.
21 ECRC's report only refers to the Memorandum of
22 Findings. But the administrators have an
23 advantage. What they do, they say, Well, the
24 MO- -- MOF say this. But also your peers in UPEC
25 say the same thing, but they don't consider the

1 fact that I asked them for a fast UPEC. They said
2 in UPEC was, Oh, wait, you know, faculty members,
3 none of them had ever even been to Africa or,
4 according to their profiles, done any international
5 work. You know, and -- and then the language they
6 use in their report tells you my -- And then they
7 never met with me. But then they produce reports
8 that only talk about the Memorandum of Finding. So
9 they're like Holy Scriptures.

10 If you get a bad MOF from ECRC, you
11 are done. But then the administration can find a
12 way of defending itself and covering up, because
13 then they have these processes that are all
14 centralized in the provost's office.

15 Remember, UPEC is -- Everything goes
16 back to the provost's office. So the provost's
17 office can do whatever they want.

18 Everything that is done up to this
19 process in nonbinding.

20 So if UPEC has said whatever they
21 want, that if the investigator doesn't like it,
22 it's nonbinding. If the investigator likes it,
23 then they use it to say, Well, UPEC say this.

24 It is a very difficult and
25 challenging situation.

1 I was a foreign correspondent and an
2 investigator. I can do investigations. That's why
3 I've been able to crack this. Of course, I've had
4 help; but I've cracked this because of who I was
5 and what I've gone through as a -- as a
6 correspondent and as an investigator, and there are
7 so many wrong things that have happened.

8 But here is a hearing committee that
9 is going to be asked to give the administrators yet
10 another justification despite all these procedural
11 flaws. And it's not fair, because what you do
12 there is going to be used by the administration to
13 say, We didn't do this; it's your colleagues.
14 So -- so -- so it -- it's very challenging.

15 CHARLES LOWERY: Okay. Thank you
16 very much.

17 YEHONG SHAO-LUCAS: All right. Oh,
18 I'm sorry.

19 HEARING COMMITTEE CHAIR MUHAMMAD:
20 Please do.

21 YEHONG SHAO-LUCAS: Hi,
22 Dr. Kalyango. My name is --

23 YUSUF KALYANGO: Hi. Ni hoa.

24 YEHONG SHAO-LUCAS: Ni hoa.

25 My name is Yehong Shao. I'm also a

1 member on the committee. I just -- I have a few
2 questions. These were mentioned before and also
3 in the memorandum or evidence package. I just kind
4 of want to hear your explanation or your side of
5 the story.

6 YUSUF KALYANGO: Okay.

7 YEHONG SHAO-LUCAS: The first one is
8 about the evaluation packet (inaudible) --

9 YUSUF KALYANGO: Yes.

10 YEHONG SHAO-LUCAS: -- one of the
11 participants had.

12 So the investigator, Mr. Anaya, he
13 mentioned in his MOF that he confirmed some of the
14 discreps- -- discrepancies.

15 YUSUF KALYANGO: Yes.

16 YEHONG SHAO-LUCAS: One of them -- A
17 few of them. Did you -- do you -- do you realize
18 that some of them --

19 YUSUF KAYLANGO: Yes. So -- so I'll
20 tell you exactly how that happened.

21 Did you finish your question, or do
22 you want to finish it first?

23 YEHONG SHAO-LUCAS: Oh, no. I have
24 other questions, but this is the first one.

25 YUSUF KALYANGO: Okay. Okay. The

1 reason that happened is because there was one
2 document that the student produced. Then there is
3 another document that [REDACTED] another student,
4 produced to correct this document. So that
5 produces two documents.

6 Mr. Anaya, after taking a -- a year
7 and a half of dealing with this, has these two
8 documents and then starts talking to that -- starts
9 talking about these as if I created this document
10 myself and these discrepancies are because of me.

11 But do you realize that both of
12 these documents were created by students?

13 I will take responsibility and say
14 it is my fault that there are two dis- --
15 discrepancies in the documents, because I am
16 responsible for the program.

17 Did I produce both of these
18 documents? No.

19 Did Mr. Anaya say I created the
20 discrepancies? Yes.

21 Was he right? Un- -- unfortunately,
22 no.

23 And that's where the bias comes in.

24 YEHONG SHAO-LUCAS: Okay. So you --
25 Yeah. In his MOF, he said this from the

1 respondent, who is you; and the other one comes
2 from the complainant, who is [REDACTED]

3 YUSUF KALYANGO: Yes.

4 YEHONG SHAO-LUCAS: "Respondent"
5 refers to you.

6 YUSUF KALYANGO: Yes.

7 YEHONG SHAO-LUCAS: But you're
8 saying it's not really you. It's the other
9 student.

10 YUSUF KALYANGO: [REDACTED] Yes,
11 yes.

12 YEHONG SHAO-LUCAS: Okay.

13 YUSUF KALYANGO: And -- Yes. I'm
14 responsible for all these documents. Anything that
15 go wrongs with a -- with a project, it all ends up
16 to me. The -- the buck stops with me.

17 Uhm, I am sorry that he
18 misunderstood and -- and never got a chance to talk
19 to [REDACTED] I mean, [REDACTED] available and
20 waiting [REDACTED]

21 So -- so that is my responsibility.
22 But -- but did I actually produce any of these
23 documents? No, I did not.

24 YEHONG SHAO-LUCAS: Okay.

25 YUSUF KALYANGO: And -- and the

1 students who produced them do not say they didn't
2 produce them. [REDACTED] says she produced this. [REDACTED]
3 says he produced this. And they are both my
4 documents. One is right. One is wrong. The thing
5 is, the person who did produce them, the
6 investigator chose how he wanted to report his
7 report, and -- and it -- it's unfortunate.

8 YEHONG SHAO-LUCAS: Okay. Thank
9 you.

10 The second question. The
11 investigator, Mr. Anaya mentioned yesterday --

12 YUSUF KALYANGO: Yes.

13 YEHONG SHAO-LUCAS: -- that you did
14 not provide documents he requested until
15 January 2018.

16 YUSUF KALYANGO: Uh-huh.

17 YEHONG SHAO-LUCAS: Is that true?

18 YUSUF KALYANGO: Yes.

19 See, the investigator could take a
20 couple of weeks waiting. And I don't know what --
21 what he was waiting for. But not communicating
22 with me whether he wanted something or not. You
23 know, he was new. You know, you have to understand
24 that this is an investigator who had just got a
25 job.

1 And by the way, ECRC says it itself
2 that they were so understaffed and overwhelmed.
3 That's a problem for -- it's a -- it's a university
4 problem. That office was overwhelmed, but yet --

5 So -- so I don't know how many cases
6 he was handling at that time. I was one of his --
7 probably the first person he ever investigated in
8 his (indiscernible). But he took long. So I would
9 find out later that he wants these; and then by the
10 time he asks me for it, it's already a month later.
11 I'm in this country. I traveled to different
12 countries probably -- I traveled out of the country
13 probably six or seven times a year at this
14 university. So I was traveling. He was delaying,
15 and then delaying and delaying and delaying.

16 So -- so -- But he say this is my
17 fault. He -- he put all the blame on me. And who
18 am I to -- I -- I -- I've lost any voice in any of
19 this. You know, nobody has given me a benefit of
20 the doubt. And -- and then here we are, you know?

21 YEHONG SHAO-LUCAS: All right. The
22 next question is, [REDACTED] [sic], ah, I -- I believe
23 it -- I don't remember clearly, but I remember she
24 mentioned that she -- after you -- was that before
25 or after you send her that email criticizing her

1 work on the expense report, she tried to reach you.
2 Was that true? She tried to wait for you outside
3 the office or all that? She --

4 YUSUF KALYANGO: No. No. I -- I
5 was also looking for her.

6 And -- and -- and as a matter of
7 fact, the way all other program assistants have
8 worked with me, by the time we step on the tarmac
9 in Columbus, Ohio, all the reports with program
10 assistants are done.

11 It just worked differently with her,
12 that we were not together in transit and whatever.

13 It's a long story.

14 But the fact of the matter is I
15 really wanted everything to be completed. I was
16 discouraged. So there is no way I would not have
17 met with her. Uhm, we -- we made appointments, and
18 sometimes she was not there. And then she went to
19 see her family, and she doesn't deny that. So --

20 YEHONG SHAO-LUCAS: All right.

21 YUSUF KALYANGO: -- the facts are
22 there.

23 YEHONG SHAO-LUCAS: And in that
24 email about you're going to -- back to visit her
25 family, she let you know in the email, you -- you

1 said, Driving ten hours at night can be fun. That,
2 You don't have to fly. I know a driver for real
3 who -- one who doesn't mind driving ten hours back
4 and forth. Seriously.

5 Can you kind of explain why you said
6 that to her or what you --

7 YUSUF KALYANGO: Yes. Uhm, I said
8 it, but then it was put into -- out of context a
9 little bit. But I really did say that to her.
10 What I said to her was -- Because she was telling
11 me that she's -- you know, she has to drive at
12 night and she's frustrated and all of that stuff.
13 And I said, Well, drive safe and make sure that you
14 get there, you know, safely. If you -- if you
15 think you need a -- a driver, I can get you a
16 driver. It's sort of like a nice hospitality
17 gesture making somebody feel like you care about
18 them.

19 Uhm, I know Mr. Anaya would not
20 believe with me. He looks at everything in the
21 lenses of sexual harassment. That's his trigger
22 point. And I understand that. And I respect the
23 perspective he comes from, because that's his work.

24 But in my perspective, in the world
25 I live in, in the culture I grew up in, in the way

1 I treat my students and everybody I work with, that
2 is not sexual harassment. But if that's how he
3 looked at it, ah, then it's very unfortunate. But
4 I did not say it in that context.

5 YEHONG SHAO-LUCAS: Okay.

6 YUSUF KALYANGO: He twisted it to
7 just make it look like, This guy's so nasty; how
8 can he do this.

9 YEHONG SHAO-LUCAS: Okay. One final
10 question.

11 YUSUF KALYANGO: Yes. Thank you.

12 YEHONG SHAO-LUCAS: So I want to
13 know why you thought [REDACTED] is not -- was not suitable
14 for the Ph.D. program.

15 YUSUF KALYANGO: The -- First of
16 all, the reason why [REDACTED] I say what I said in --
17 you know, about [REDACTED] is because actually
18 Professor Mary Rogus came to me and said, You
19 better go in there and say something. I'm not part
20 of that graduate committee. Go there and say
21 something, because everybody needs to know what --
22 what happened. She was -- It was insubordination.
23 It was all of that.

24 And I didn't know where it was
25 coming from, because I didn't even know -- I had no

1 idea she was a friend of [REDACTED] So I didn't know
2 where all this was coming from to antagonize the
3 program and talk about the SUSI scholars.

4 And -- and my colleague, Mary, said,
5 You are on that graduate committee. You better go
6 and tell something to them so that they know who
7 they are admitting.

8 I was just doing my duty as a
9 committee member of the graduate committee to
10 report about students and -- and who -- what they
11 do.

12 It is why we have these committee
13 members. If you're on a graduate committee, isn't
14 it your responsibility to report what's going on?
15 Isn't that why you meet? That was it.

16 YEHONG SHAO-LUCAS: All right.
17 Well, thank you.

18 YUSUF KALYANGO: Xiexie.

19 YEHONG SHAO-LUCAS: Xiexie.

20 HEARING COMMITTEE CHAIR MUHAMMAD:

21 Thank you.

22 Other questions?

23 LAUREN MCMILLS: Yes.

24 Hi. I'm Lauren McMills. I have two
25 questions.

1 Can you please clarify that of the
2 members of the faculty who discussed with the
3 director about the tenure proceeding, that eight
4 were tenured, not -- two were tenure probationary,
5 and one was an instructional faculty member?

6 YUSUF KALYANGO: No. Nine were.
7 Nine were tenured and two were not. But one of
8 those --

9 LAUREN MCMILLS: Okay.

10 YUSUF KALYANGO: Yeah, one of those
11 was Group 2.

12 LAUREN MCMILLS: Oh. So one of the
13 nontenured you were talking about was an instructor
14 (inaudible)?

15 YUSUF KALAYANGO: Yes.

16 LAUREN MCMILLS: Okay.

17 YUSUF KALYANGO: Yeah. And then the
18 other one was only a year a half into this school.

19 LAUREN MCMILLS: Got it. Okay.

20 YUSUF KALYANGO: Yeah.

21 And I don't mind whatever they say,
22 because I have their notes, by the way.

23 One of the things I need to say, and
24 I know that legal affairs is listening, I have to
25 send a shout out and -- and to say I am so, so

1 grateful to Miss Shirley Bean (phonetic) in the
2 office legal affairs, because she's been very good
3 at providing me with all of the grade cards when --
4 when I do request them. So I'm very grateful to
5 the public records office of the office of legal
6 affairs, because they -- because they've been
7 exceptional and in a way, and Shirley Bean has been
8 wonderful and -- And, you know, I've never met her,
9 but I'm so grateful for what she did.

10 I have the notes from
11 Professor Stewart that he jotted. That's how I
12 know that there are 11.

13 But because ECRC is investigating
14 this matter of discrimination and retaliation from
15 the school director and another investigation of
16 the dean, I will just leave it at that. But to
17 tell you that his is true, his notes are there; and
18 that there were nine faculty members out of 27,
19 although the school director said there were only
20 25. But even if it's 25, that's less than half.
21 And even with that less than half, out of those 11,
22 five did not support detenuring. This is official.

23 There was no overwhelming --

24 And these were individual secretive
25 meetings done during an extended emergency spring

1 break in March. You all know about when the
2 university extended the spring break. That's when
3 the school (indiscernible) and decided, I want to
4 meet with you. When people are stressed out about
5 COVID, classes are suspended, everything is crazy;
6 and then you are asking the members to detainure
7 somebody over a phone on a serious matter.

8 I got tenure through P and T.
9 People discuss, they deliberate it to -- to
10 untenure.

11 How would you feel if your tenure
12 was stripped from you this way? Is this what you
13 want the -- the future of the university to look?
14 You don't want that.

15 You have to send a clear statement
16 to this university that things have to change. You
17 know, we -- we can't leave the faculty handbook so
18 vague and -- and -- and nonspecific that faculty
19 members are treated like this. This is a
20 constitutionally protected right. It's not fair.
21 And I don't think any of the faculty members on
22 this committee would like to be treated like this.

23 And I am the only one who was being
24 detenured in such a way in any other department of
25 the university. They can say that it's not what

1 the faculty handbook says, but why are other
2 departments doing it the right way and assuring
3 that somebody gets due process as the policy of
4 that school says you untenure through deliberation
5 and looking at every aspect of your contribution to
6 the university and then you untenure.

7 But for people to take my tenure
8 away in a closed-door, secretive meeting and only
9 inviting those people with extreme passions about
10 the matter, that's not right.

11 LAUREN MCMILLS: So my second
12 question is, during the course of the
13 investigations, when those investigations went past
14 the so-called 90-day time, you never received any
15 notification of delay in writing?

16 YUSUF KALYANGO: No. No, not with
17 Miss -- with Mr. Anaya. The investigator of my
18 cases never gave me any notices that, This is where
19 we stand; the 90 days have passed, and we are not
20 doing a -- the right thing.

21 But I want to say this is --

22 I don't want to -- to sound as if
23 like I'm blaming ECRC. No.

24 This is an investigator, Mr. Anaya,
25 who violated university policy on that matter; and

1 it is him as an individual.

2 Because I have to give credit to --
3 and I -- I won't disclose the name -- another
4 investigator of the ECRC who actually, after we
5 passed 90 days of the Professor Stewart and
6 Professor Titsworth investigations that are ongoing
7 right now, she told me where she stands, and she
8 told me why -- where we are.

9 And I actually have an idea. I have
10 a roadmap of where we are going with that
11 investigation. That's how ECRC should do things.

12 With Mr. Anaya, that was not the
13 case.

14 So I am not saying ECRC is doing a
15 bad job. Actually, I need ECRC as a minority. I
16 think ECRC should be there for people like me. You
17 know, I'm -- I'm one of those underprivileged class
18 of citizens of the United States. I need ECRC. I
19 need protections. So I'm not blaming ECRC. I'm
20 just saying an individual did not do the right
21 thing.

22 LAUREN MCMILLS: Thank you.

23 YUSUF KALYANGO: Yes.

24 I think we have one more. I don't
25 know. I wish.

1 HEARING COMMITTEE CHAIR MUHAMMAD:

2 Oh, I think we have to bring it to a close.

3 YUSUF KALYANGO: Yes.

4 HEARING COMMITTEE CHAIR MUHAMMAD: I
5 did want to ask a -- and offer a correction.

6 And I'm sorry. Dr. Franz, you have
7 a question?

8 YUSUF KALYANGO: Please.

9 MARK FRANZ: I was going to say I --
10 all of my questions have been answered through this
11 process, and I just wanted to say thank you for
12 your thoroughness, and thanks for the opportunity
13 to ask questions.

14 HEARING COMMITTEE CHAIR MUHAMMAD:
15 Excellent. Thank you.

16 I wanted to offer a correction,
17 Dr. Kalyango, with regards to the university of
18 professional ethics committee. Those committees
19 come out of faculty senate in conjunction with work
20 of deans of colleges. So there was something in
21 your statement about it, it -- it being something
22 of the -- of the provost's making.

23 YUSUF KALYANGO: Okay. Uh-huh.

24 HEARING COMMITTEE CHAIR MUHAMMAD:
25 And I just -- procedurally, I wanted to offer up

1 that correction.

2 I also wanted to clarify that the
3 UPEC process, as you experienced it, at -- at -- on
4 the issue of timeliness of completing things within
5 45 days, that was your experience.

6 You did raise issues of not being
7 able to appear before one -- one of them.

8 YUSUF KALYANGO: Yeah, the last one.

9 HEARING COMMITTEE CHAIR MUHAMMAD:
10 But in terms of timeliness, it was -- it was
11 correct.

12 YUSUF KALYANGO: No, no, it wasn't.

13 HEARING COMMITTEE CHAIR MUHAMMAD:
14 Okay.

15 YUSUF KALYANGO: Because I was never
16 informed when it was -- Yeah. Yes. Yeah.

17 HEARING COMMITTEE CHAIR MUHAMMAD:
18 Okay. Thank you.

19 YUSUF KALYANGO: Yeah. Yeah. But
20 you know, I understand the provost was in
21 transition. It was a new provost. And -- and I
22 also understand that it -- they -- it was a -- this
23 was a new chief of staff.

24 I have no ill feelings for any of
25 these kind of things. All I want is this to be

1 over, and -- and -- and I really wish I can go back
2 to my work. And I -- I don't care about if this --

3 You know, it was -- the process was
4 wrong, but all this can be resolved. Any of these
5 things can be resolved.

6 I'm -- I'm not here to have any
7 problem with the university. I want at least to --
8 to have a fair hearing and -- and for somebody to
9 hear me. That's all I'm asking for.

10 I know we're running out of time, so
11 let me just take 30 seconds to say to all of you
12 that, thank you so much and -- you know, you know,
13 for this opportunity.

14 And as I said in my statement that
15 you have, I strongly believe that, in all fairness,
16 this committee should not recommend that I lose
17 tenure while two ECRC investigations against the
18 E.W. Scripps School of Journalism and the Scripps
19 College of Communication dean are facing matters
20 that are directly related to this revocation of
21 tenure. Those investigations are ongoing. That
22 alone makes your decision easy, a (indiscernible);
23 beside the fact that I did not harass any student,
24 not [REDACTED] not anyone else at the university.

25 And finally, in less than

1 20 seconds, I remain committed to Ohio University.
2 I have invested a lot of time into this university
3 and this community. I have excelled in all the
4 missions and visions of this university. I am the
5 only full tenured professor in the 120-year history
6 of the School of Journalism, the first one on full
7 tenure. This not how you want to kick me out of
8 the university considering the fact that I was also
9 the -- the first one to get to that level as a
10 black person, as a black male professor for the
11 university (indiscernible) teacher. I have done my
12 work. I'm a very hard-working professor.

13 And despite this devastating setback
14 and destroying my hard-earned tenured career, I
15 have no hard feelings for anybody. I have no
16 animosity towards my school or college or anybody.
17 And I'm eager to go back to continue advancing the
18 mission and vision of the university, and our
19 universities with great sense of humility.

20 And I have learned from this. I
21 have learned a lot from this experience.

22 If students feel that I wronged
23 them, I apologize. I am so sorry. But I never
24 harassed them. I am extremely sorry.

25 (Yusuf Kalyango crying.)

1 (Indiscernible) .

2 YUSUF KALYANGO: Thank you very
3 much. I'm sorry. Thank you. I'm sorry. Thank
4 you very much.

5 HEARING COMMITTEE CHAIR MUHAMMAD:
6 Thank you, Dr. Kalyango, for providing --

7 YUSUF KALYANGO: I'm sorry. Sorry.

8 HEARING COMMITTEE CHAIR MUHAMMAD:
9 -- (inaudible) for us and answering our questions.

10 We have moved to just a few minutes
11 after 5 o'clock. We can take a brief recess of
12 approximately let's call it eight minutes and
13 reconvene so that we can hear the summation by the
14 university representatives, followed by a summation
15 by the faculty member's legal counsel.

16 I remind both -- both sets of legal
17 counsel that if you want to reserve a period of
18 your 30-minute block of time for summation for
19 rebuttal of the other -- to the other side, please
20 let us know that at the beginning of those
21 summations. We'll reconvene at 5:10.

22 (Brief recess.)

23 HEARING COMMITTEE CHAIR MUHAMMAD:
24 And, Mr. Loukx, will you be presenting the
25 summation on behalf of the university?

1 ADAM LOUKX: Thank you. Yes. And
2 I'll try to be as brief as possible.

3 We would reserve -- I think you said
4 it was a half an hour each, so why don't I reserve
5 ten minutes for rebuttal.

6 HEARING COMMITTEE CHAIR MUHAMMAD:
7 All right. So you'll give a summation of
8 20 minutes.

9 For the faculty member's legal
10 counsel, will you also be reserving time at the end
11 for rebuttal?

12 Mr. Beck?

13 GREGORY BECK: I'll just reserve
14 five minutes, and that would -- that would be it.
15 So --

16 HEARING COMMITTEE CHAIR MUHAMMAD:
17 I'm sorry?

18 GREGORY BECK: Just five minutes.

19 HEARING COMMITTEE CHAIR MUHAMMAD:
20 For possible rebuttal -- rebuttal?

21 GREGORY BECK: Possibly.

22 HEARING COMMITTEE CHAIR MUHAMMAD:
23 Okay. Very good. Thank you. So that gives you at
24 least a balance of 25.

25 HEARING COMMITTEE CHAIR MUHAMMAD:

1 And with that, Mr. Loukx, please proceed with
2 summation.

3 ADAM LOUKX: Thank you very much.
4 And thank you, members of the committee, counsel,
5 Dr. Kalyango. I know it's been a long two days.

6 Well, when one's accustomed to
7 talking to jurors that come from all walks of life,
8 I'd say you make a -- very much a different panel,
9 because I know that much of what I say may sound
10 pedantic. You've probably thought through a lot of
11 this stuff that I'm going to talk about. I -- I
12 feel almost pre- -- presumptuous to explain in a --
13 in a summation format what I know you already know.

14 Nevertheless, I guess I have a job
15 to do. I'll try to keep it short.

16 The way I see it, you really have
17 two questions here. One is the question of whether
18 or not the polic- -- or the policies was fol- --
19 were followed per the handbook. The second is
20 whether or not Dr. Kalyango violated, in one or
21 both of these case raised by two separate
22 complainants, the policies of the university.

23 Let's start with that, the second
24 question first.

25 We've heard a lot of testimony. And

1 maybe it's just me, but it seemed to be weighted
2 heavily toward arguments over [REDACTED] So I think I'm
3 going to start chronologically and go back in time
4 a little ways. We're going to talk about [REDACTED]'s
5 case.

6 From the statements of Dr. Kalyango,
7 both in writing and in the statements that he just
8 made to this committee, it's very simple.
9 Dr. Kalyango denies the allegations made by [REDACTED]

10 Let's take a look at those
11 allegations. We heard from her. In my view, she
12 seemed to be a very credible person. My view
13 doesn't matter. You saw her, too. You've gotten a
14 chance to see her testimony. She recounted three
15 instances where she alleges that she was the
16 subject of improper treatment by Dr. Kalyango.

17 Now, we've heard a lot about
18 Dr. Kalyango and his impressive credentials. And
19 as I stated in my opening, there's no question.
20 I -- I -- I truly admire, and I think that the
21 university never questioned the academic
22 credentials of Dr. Kalyango.

23 But let's look at the allegations.
24 She tells us, [REDACTED], that when she was a student on an
25 international trip miles from home, a young student

1 at this university, an undergraduate student, that
2 a professor, Dr. Kalyango, who did not himself
3 drink, bought her drinks. And she tells us that he
4 grabbed her and kissed her. In fact, according to
5 her, stuck his tongue in her mouth.

6 What did she do? She reported that
7 to other students. She went and she saw -- I got
8 to get my initials straight there with me -- [REDACTED].
9 She went -- She was upset about it. She went and
10 she talked to [REDACTED] and [REDACTED]'s roommate. She was upset.
11 They saw that. [REDACTED] testified as to her reactions.
12 But unfortunately, there's no witnesses; there's no
13 video footage showing this incident with
14 Dr. Kalyango happening. But is there -- there is
15 the corroboration, at least, of the fact that there
16 was a contemporaneous reporting to a fellow.

17 No, [REDACTED] didn't see it, but [REDACTED] was
18 concerned enough where she raised it through an
19 evaluation. Not directly. She raised it in the
20 evaluation a concern for Kenny, who is
21 Yusuf Kalyango's main witness as to the [REDACTED] incident
22 in Africa. Kenny had been drinking. Kenny
23 had had -- had, according to [REDACTED] invited her to his
24 room even in the presence of other students.

25 Now, the ECRC, the -- the

1 predecessor to the ECRC, Institutional Equity,
2 looked at [REDACTED]'s complaint; and they did an inquiry,
3 not an investigation. You have the MOF in --
4 amongst all the evidence. And they asked [REDACTED] did
5 this happen.

6 [REDACTED] told us that she denied it. She
7 told [REDACTED] that she would deny it. And why did she
8 deny it? She denied it because, according to [REDACTED],
9 the night that this happened or shortly there
10 before, she had been offered a job. [REDACTED] had no
11 money. She made a -- Dr. Kalyango knew that. She
12 told us about how she was -- even going to [REDACTED]
13 set her back. So she could not, in her mind,
14 report her concerns about -- at that time about
15 what happened [REDACTED] -- or in, excuse me,
16 [REDACTED], because of the power differential. She
17 would not have a job. She feared she would be shut
18 out not only academically here at O.U., but when
19 she went out into the job market. So she denied
20 it.

21 Sure enough, she took the job. She
22 tells us that she confronted Dr. Kalyango, and
23 Dr. Kalyango -- told him, This can't happen any
24 more. All that, we heard.

25 And all that's kind of hard to

1 figure out who's telling the truth. But there's
2 more. There's more that didn't make it in the
3 earlier MOF, and it's far easier to tell who is
4 telling the truth.

5 Washington, D.C. We heard from [REDACTED]
6 that she drove with the gracious offer of \$15 an
7 hour. She drove Yusuf Kalyango to Washington,
8 D.C., for a conference. She drove his car. She
9 described the car. They arrived at a hotel. Here
10 she is again miles from home. She discovers one
11 hotel suite. She describes the suite.

12 And let's talk about that a little
13 bit. In his written statement, Yusuf Kalyango
14 invites you to call the hotel and ask them about
15 that. Let's think of her description. It was a
16 bedroom and a room with a fold-out couch. Call
17 them.

18 While in Washington, D.C., through
19 the use of stuff I barely understand that the
20 youngsters use all the time, geolocating devices,
21 Foursquare, I believe she testified, she can show
22 on that day in [REDACTED] she was at the Renaissance
23 Hotel. She can show she was at the Spy Museum in
24 Washington, D.C. A coincidence? Probably not.
25 Yusuf Kalyango says she didn't even go to

1 Washington, D.C., didn't even go.

2 We can tell that she was there. We
3 can tell by her testimony she drove his car. We
4 can tell by the Foursquare that she was in the
5 Renaissance Hotel. And despite Yusuf Kalyango's
6 denial, the hotel does, in fact, have two-room
7 suites with a bedroom and fold-out couches.

8 These are incompatible stories. It
9 is easy. You have to believe one or the other.
10 There is really no in-between.

11 If, in fact, you believe her, you
12 necessarily misbelieve him, and the converse is
13 true.

14 So granted, while [REDACTED] it's hard
15 to tell. You can -- you could arguably say, Well,
16 you know, there's really not much evidence here.
17 But two times far from home, we have a student with
18 a professor, with a power imbalance, and both times
19 he denies it. But the mistake is denying the
20 second time, because it doesn't make sense. And
21 frankly, it makes even less to suggest that in
22 [REDACTED] Mike Sweeney, a professor at the university
23 was behind it at the same time that he is
24 supporting Yusuf Kalyango and raises and full
25 professorships and other endeavors. We heard

1 testimony along those lines.

2 But it doesn't end there.

3 [REDACTED] testifies, in a trip that
4 Yusuf Kalyango denies she was even at, that he
5 walked into this room and put his arm around her
6 while she was in bed. And she tells him, What did
7 we talk about before?

8 And then he invites her to a trip to
9 Chili. Now, admittedly that trip didn't happen;
10 but we hear, well, there's no evidence of it. In
11 your evidence pack, there is a ticket itinerary for
12 the airline ticket to go there.

13 It's beyond dispute, I think, that
14 [REDACTED] had no money. It was an 1,800-dollar ticket.
15 No, sure, it didn't happen; but it sure seems
16 credible that there was the invite there. But
17 since he denies it altogether, it also seems
18 somewhat reasonable to infer that, in fact, it
19 happened.

20 And there isn't a middle ground.
21 And it doesn't matter if it's reasonable doubt or
22 preponderance. If you -- if you have two
23 diametrically opposed stories and one of them is
24 right and one of them is wrong, no matter what
25 the -- the burden is, it is shown. [REDACTED] happened.

1 It happened, and it's demonstrable. Sure, you can
2 say, I didn't believe [REDACTED]. You can say, Gee, she
3 lied once; why isn't she lying again.

4 But who amongst this committee
5 cannot understand a young female graduate student
6 in [REDACTED] who is dependent upon a professor for a
7 job, who is dependent upon that professor for her
8 career; and in a time that predates Me Too, to
9 rationally say, I don't want to make a big deal out
10 of this.

11 The fact that she came forward,
12 whether or not Mike Sweeney had anything to do with
13 it, which is a little bit hazy, doesn't escape the
14 inescapable conclusion that it happened.

15 Mr. -- Dr. Kalyango asked about a
16 question that his son had, Why should I go to O.U.?
17 And I've wondered. If we do not give hearing to
18 [REDACTED], what will the daughters of people say about
19 O.U.? Because we can pretend, we can say, Well, it
20 didn't happen; it was Professor Sweeney's fault;
21 but that doesn't survive any rational, hard
22 scrutiny.

23 Let's move on.

24 We hear from [REDACTED], and a lot more was
25 talked about [REDACTED] And we've heard about a winking

1 emoji and how a winking is --

2 And, of course, of course a winking
3 emoji in and of itself is not evidence of any
4 wrongdoing. But if you look at the whole picture,
5 the evidence package that is before you, the
6 testimony you have heard, we would have to believe
7 that [REDACTED] expected that she would be criticized in
8 July when she told her neighbor, a professor here
9 at this institution, that she had concerns because
10 a pro- -- a -- she was going on a trip the next day
11 with somebody who was going to cohabit. We have
12 to believe that she had the foresight, a great
13 genius that she would have to be to be texting --
14 and this is in the evidence pack, as well -- to be
15 texting the friends of hers in the first week she
16 was in Africa and mentioning these concerns. True,
17 maybe she was that smart. Maybe she was that
18 conniving, but it doesn't make sense; and it
19 doesn't make sense especially when you start to
20 chip away at Dr. Kalyango's defense.

21 Now, if I had had an opportunity to
22 cross-examine Dr. Kalyango, I would have asked him
23 about the dates on the receipts at [REDACTED] Those
24 are in the evidence packet. It's very interesting,
25 because you look at the date of the receipt at

1 [REDACTED] and there are different dates on it. I ask
2 you to look at those.

3 We heard him in his written
4 statement tell us, Ange made the [REDACTED]
5 Hotel reservations.

6 Ange didn't seem to say that, and
7 the email didn't seem to say. We don't know.
8 There -- there's a lot of things going on there
9 that just don't make sense. But the denial is
10 outright.

11 Again, I respect enormously the
12 professional accomplishments of Dr. Kalyango, but
13 something here is not right.

14 We see throughout this case the
15 concern that was raised by not only [REDACTED] but
16 [REDACTED] over -- over things that occurred either
17 on these trips or at the university. We
18 recognize -- And as professors --

19 I don't recognize it as much as I
20 suspect you do, that there is this power disparity.
21 Even Michelle Ferrier, who testified on behalf of
22 Dr. Kalyango, recognizes the -- and -- and
23 testified as to the recognition of the
24 vulnerability of students to this sort of thing.

25 We have to take it seriously, which

1 gets into process.

2 Now, the investigation took a long
3 time. Going through all these records, we can tell
4 why. We can tell that this was not an easy
5 incident that happened over at Baker (phonetic) in
6 the course of an hour. But this is two -- this is
7 an incident that occurred miles away over
8 international borders. This is -- involved
9 Dr. Kalyango. And I don't intend to blame him
10 in any way. But to make sure you gave him a
11 fair process and gave him time to get records to
12 accom- -- and accommodate the many travels that he
13 did on behalf of the university and perhaps even
14 personally, it is only natural that, to get this
15 right, investigate it thoroughly, it's going to
16 take more than 90 days.

17 Now, we've heard -- we've heard that
18 90 days is this -- this rule in federal court in
19 the Sixth Circuit. And, no, that's not -- that's
20 not the case. 90 days is aspirational.

21 We've heard from Dr. Kalyango that,
22 well, he should have been advised; but he was part
23 of the process. And had I been able to
24 cross-examine him, we would have explored a little
25 bit more of the -- of the communications between

1 him and Tony Anaya.

2 We get into the process as it
3 moves up the ladder. It goes to UPEC. As
4 Chairman Muhammad pointed out, that is in -- a part
5 of the process in the handbook.

6 In the handbook which I rely on --
7 and I know you know better than I do -- look at
8 those processes and compare them with what
9 happened. The handbook was substantially and
10 always complied with.

11 There is disagreement as to whether
12 or not Director Stewart should have had a
13 roundtable meeting or whether or not he could
14 consult or whether or not the handbook just merely
15 says "consult." The handbook speaks for itself.
16 Look, it says "consult."

17 He consulted the best that he could
18 do there to try -- in his role as director, to try
19 to avoid, as he testified, the types of problems
20 that occurred in the English department under
21 similar circumstances. But the real question is,
22 was that compliant with the handbook. And, yes.
23 Look at the handbook. It does comply with the
24 handbook.

25 It goes to the dean. The dean tries

1 on four occasions --

2 Oh, by -- before that,
3 Professor Stewart testified that he did, in fact,
4 talk to Dr. Kalyango in compliance with the
5 handbook.

6 So then it goes to the dean. It
7 goes to the dean. The dean tries on four
8 occasions, as you heard him testify. We heard no
9 rebuttal in the hour-long speech by Dr. Kalyango
10 that -- that he -- that he was not offered a chance
11 to talk to the dean. But what we see in the
12 handbook is normally the dean will consult. Four
13 times he tried.

14 For a person who is complaining
15 about delay, how much more times should he have
16 tried?

17 It goes to -- to the provost. The
18 provost complied with the handbook. There is no
19 evidence to the contrary.

20 Goes to the president, and now it is
21 here.

22 This case is really that simple.

23 Sure. You could plausibly say,
24 Well, there's a whole lot of balls in the air with

25  Maybe that's a close call.

1 But [REDACTED] Washington? Geo- --
2 Geolocated showing her there on a trip that -- that
3 Yusuf Kalyango denies she even went on? It's not
4 even close.

5 I ask you then to consider the
6 appropriateness of the sanction.

7 Can you rehabilitate those who have
8 no remorse or responsibility? Is there a
9 greater -- is there a greater offense that you
10 could commit in the role of a leader, of a
11 professor over a student, than to violate that
12 sacred trust toward the student, to actually stick
13 your tongue in the mouth of a student, to actually
14 sit back and go and book a hotel room without her
15 knowing until she gets there. There is no more
16 offensive thing than that.

17 Sure. Could there have -- could
18 there have been a lesser sanction? Not without
19 remorse. To this day, there is a complete denial
20 not only that he did it, but that she was even in
21 Washington, D.C.

22 The sanction's appropriate, the
23 policies were followed, and the evidence of one or
24 both of these cases is so compelling as to make it
25 indisputable.

1 That's all I have, and I thank you
2 for indulging me. I get a little passionate
3 sometimes.

4 I'll reserve the ten minutes.

5 HEARING COMMITTEE CHAIR MUHAMMAD:

6 Thank you, Mr. Loukx.

7 Mr. Beck. Mic, turn on your mic.

8 GREGORY BECK: Well, may it please
9 the committee and you, Dr. Muhammad, and Mr. Loukx,
10 of course.

11 First of all, on behalf of
12 Dr. Kalyango and Mel and Andrea, we certainly
13 appreciate your willingness to listen to us and to
14 allow Yusuf really for the first time to have the
15 due process to which he has been asking for since
16 the very beginning.

17 I cannot express to you how
18 important this concept of due process is. I've
19 been in many courtrooms, and I never go into the
20 courtroom without my pocket Constitution. It's
21 worn and tattered from all the times that we've had
22 to refer -- refer to it.

23 But, you know, the due process
24 clause within the Constitution actually only
25 reached it through the Bill of Rights. I mean, you

1 know that. That came through the Fifth Amendment.

2 And what's interesting was when the
3 Fourteen Amendment was passed about 80 years later,
4 it also incorporated a due process clause. And the
5 due process cause in the Fifth Amendment and the
6 due process clause in the Fourteen Amendment are
7 the only times in the Constitution where you have
8 two standards that are imposed.

9 The first standard in the Fifth
10 Amendment prohibited and was a shield to protect us
11 from federal action.

12 The Fourteen Amendment brought those
13 same protections within the Bill of Rights down to
14 the state level. And so the Fourteen Amendment
15 says that no state -- and Ohio University is a
16 state actor -- can deprive you of life or liberty
17 or property without due process of law. And it is
18 probably one of our most sacred rights. And it is
19 the most sacred shield we have. And an ownership
20 right in a -- in a tenured position is a property
21 right under Constitutional law, and it cannot be
22 revoked from you and it should not be revoked with
23 you -- from you without due process.

24 And so what is this due process? It
25 is fundamental fairness. That's what it is. It

1 goes to the heart of how we want to live amongst
2 ourselves.

3 Yusuf has been asking for due
4 process and fundamental fairness from the very,
5 very beginning; and this is -- this process is
6 completely reversed. He has been tarred,
7 feathered, found guilty; and now the university can
8 just simply call him a liar. They're sort of
9 afraid to say it that way, but that's what they're
10 doing.

11 And it's almost like if you decide
12 to stand up for your rights, if you decide to say,
13 I -- I didn't do these things, you are now
14 subjected to all kinds of problems.

15 The university has obligations when
16 it does its own investigations; and the university
17 knows what those are, but they simply chose to
18 ignore them.

19 And if the process is wrong and
20 flawed, then those conclusions that are reached are
21 flawed and wrong. And when we look at this process
22 and these problems, before we even get to the
23 merits that my colleague spent so much time and
24 energy spending his time on, if the process is
25 wrong, if the -- if the university doesn't even

1 follow its own policies, then how in the world can
2 they enforce any policy against anybody? I mean,
3 there's nothing, for instance, in this policy that
4 says when you have a closed investigation that
5 closed in 2012, that you can, like, reopen it just
6 to prove something supposedly that happened in

7

8 And, of course, in a court of law,
9 my colleague knows that this allegation of
10 something that may have happened in [REDACTED], even if
11 it could even be a part of it, can't be used to
12 show that you did something wrong in [REDACTED] because
13 if that were the case, then all of those witnesses
14 that we heard from all over the world that came in
15 to support Dr. Kalyango and said he did all these
16 great things and wonderful things, and he would
17 never do the things he's being accused of,
18 overwhelm and completely crush the argument that
19 they're making.

20 And I would say that there were a
21 couple things that evolved in this whole concept of
22 the process that should be very offensive to you.

23 And I -- I think this concept with
24 Dr. Sweeney's involvement is something that we
25 cannot ignore.

1 What Mr. Anaya didn't know, because
2 no one bothered to tell him, because he didn't know
3 how to ask the right question, was that Dr. Sweeney
4 was involved in this case from day-one.

5 There is an email that's in your
6 packet that was actually authored by Dr. Sweeney to
7 [REDACTED] I'm sorry, on [REDACTED].
8 That is the date she resigned [REDACTED] And you
9 see these email strings or these text strings that
10 are happening as she receives this [REDACTED] letter
11 from [REDACTED] And he -- she tells
12 Dr. Sweeney that she is now somehow working with
13 Dr. Kalyango and has reached the point where, I do
14 not feel safe.

15 And his response to her is, Well,
16 part of building a strong case against a
17 perpetrator involves establishing a pattern of
18 misconduct. The bigger the pattern, the tighter
19 the case.

20 So from the very beginning,
21 Dr. Sweeney is now behind this whole notion that,
22 We are going to build this strong case.

23 And so that's why [REDACTED] and Mr. Anaya,
24 who bought into this, went all the way back and did
25 talk about these silly things like asking for

1 coffee and winking emojis and all this stuff,
2 and -- because they were strap -- grasping at
3 straws trying to figure out what to do.

4 But that wasn't enough for
5 Dr. Sweeney.

6 Then, of course, we know that he
7 decides to call -- when he decides that the
8 investigation isn't going the way he wants or it's
9 not happening as fast, he decides to call [REDACTED]'s
10 [REDACTED].

11 And I agree that [REDACTED]
12 seemed like an impressive witness, but why would
13 she prevaricate on why she called? She completely
14 unbundled at a point when the questions were asked,
15 Well, why did you call, and -- and so forth. And
16 that's because she knew in her heart of hearts that
17 this was the wrong for her to try to do this. She
18 knows what she said before, and she also knows how
19 her life was not negatively impacted by this, no
20 matter what we believe happened or didn't happen.

21 And when you look at a -- a
22 discrimination case and you look at sexual
23 harassment, one of the things you're trying to look
24 at also is what was happening in realtime and how
25 that really changed and affected their life.

1 We know from [REDACTED]'s standpoint that
2 not only did she continue to work with Dr. -- with
3 Dr. Kalyango, but she flourished after that. And
4 he was a source and a reference for her all the way
5 up to [REDACTED]

6 I don't know how to explain exactly
7 what she said and how she said it.

8 Dr. Kalyango has continuously denied
9 that.

10 Remember that your burden here is
11 not just this logical argument, Well, gee, we have
12 this situation here, so it's undeniable.

13 The burden here that they have to
14 establish is by clear and convincing evidence.
15 This is overwhelming evidence. In fact, the way
16 the case law reads on that, that you must have an
17 abiding conviction that the truth is highly
18 probable. That's not just the preponderance where
19 the scales are merely tipped. It is highly
20 probable that this happened.

21 And so I suggest to you that all of
22 the issues surrounding [REDACTED] and all those things in
23 the past that they drug out at the behest of
24 Dr. Sweeney should be categorized as something that
25 you shouldn't even consider, because that process

1 should have never occurred.

2 And Mr. Anaya should have figured it
3 out, and he should have stopped Dr. Sweeney. But
4 he didn't stop there. Because the investigator did
5 not enforce the rules of confidentiality --

6 And I'm sorry. I'm sorry. I don't
7 care what he says. He is dead-flat wrong. When
8 you do these investigations, you encourage people
9 to be -- to keep these things confidential.

10 Goodness gracious. When [REDACTED] talked
11 to Professor Rogus, she said, I can't talk to you
12 about it because it's -- it's ongoing right now.

13 But the truth is, right after that,
14 she put no lid on anything that she said. And, in
15 fact, it was not very long after that that the
16 whole campus knew about that, the visiting scholars
17 knew about this. The grad students became
18 irreparably disrespectful to Dr. Kalyango, because
19 they were all spreading these terrible rumors about
20 things that were never proven.

21 And that goes right back to the
22 investigation, because the investigator should have
23 had them sign confidentiality agreements saying
24 that they would keep things confidential; and a
25 failure to do that would interfere with the

1 investigation. And that's how you protect people.

2 And, by the way, that is why the
3 Supreme Court of the United States has said
4 repeatedly that these must be done promptly. And
5 90 days, quite frankly, if you look at the EEOC
6 guidelines, is like a maximum.

7 And I'm sorry. I know that there
8 were some people overseas, and I know that these
9 fact patterns may be complicated; but there is no
10 excuse for this not to be done within 90 days,
11 zero, none.

12 And the -- the blame that they're
13 trying to put on Dr. Kalyango on these evaluations
14 is just another fabrication. I mean, my goodness,
15 Mr. Anaya spent his first eight minutes trying to
16 justify why this thing took more than 90 days. I
17 mean, that's ridiculous. He should have just
18 fessed up because he just didn't get to it, and it
19 wasn't that complicated. With communications we
20 have right now, the fact that people are over in
21 Africa means nothing, and we've proven that these
22 last two days.

23 But the reason that you want these
24 done promptly is so these things do not linger and
25 people's minds don't change.

1 You will see emails in [REDACTED]
2 [REDACTED] tells people she was fired, which was not
3 true. And she's telling the investigator, calling
4 him Tony, saying, Tony, you know, I was fired,
5 which is not true; and Dr. Kalyango was committing
6 fraud on these -- on the evaluations and the
7 financials. And that is absolutely false.

8 And what is Anaya's excuse for not
9 getting this done, like, promptly? It was because
10 he didn't get these evaluations in time.

11 But you know what? If you really
12 look at Dr. Kalyango's [REDACTED] letter, as I
13 talked to him about, it had those six bullet
14 points, the first three points were about the
15 financials; and those were a disaster, and those
16 were the things that he had to spend time fixing
17 with the budget manager. He has one comment about
18 the evaluations. He says there are a few errors in
19 the data entered on the financials. That's it. On
20 the evaluations. I'm sorry. On the final
21 evaluations. So the -- the letter, the email of
22 [REDACTED] was valid, because the financials were not
23 completed and they were a mess and he had to fix
24 them. Evaluations meant nothing.

25 And when you look at Anaya's MOF, he

1 spends eight pages talking about the evaluations,
2 which were not really the reason for the email.
3 And he says nothing about the financials other than
4 the fact that these two cannot connect up.

5 But why is that --

6 But when you look at his report
7 about the financial issues, you see how tainted his
8 problem really is. I mean, he completely lost his
9 way. And I'll just give you one example.

10 He says that -- in his report that
11 the reason that -- that Dr. Kalyango didn't meet
12 with [REDACTED] was because he wanted her to fail. That's
13 what he says. He makes an inferential leap that is
14 completely false.

15 Actually, if you're going to make an
16 inference from this effort in the end of [REDACTED]
17 to meet with Dr. Kalyango at a time where she
18 claims she's under a severe and pervasive hostile
19 work environment and she claims, I was waiting at
20 his office till like 9:30 at night to meet him by
21 myself, those are two completely incompatible
22 statements.

23 In fact, when you look at an
24 investigation and when you look at claims of sexual
25 harassment, you must do it in real time. And the

1 real time that you have to look at is from [REDACTED]

2 [REDACTED] That's the real time.

3 Now, of course, a severe and hos- --
4 For a hostile work environment to -- environment to
5 exist, there must be severe and pervasive conduct
6 so that the job itself has changed. There is no
7 evidence of that. We heard nothing from [REDACTED] that
8 said that from the time she met Dr. Kalyango till
9 [REDACTED] she couldn't do her studies, she missed a
10 term paper, her relationships with her family were
11 interfered with, [REDACTED] In fact,
12 it's exactly the opposite.

13 And then from [REDACTED] until
14 [REDACTED] the same thing happens. There is nothing
15 in real time that demonstrates that she was
16 subjected to a severe or pervasive hostile work
17 environment. I mean, those are very specific terms
18 from the United States Supreme Court, and they are
19 actually in your policy. So if you choose to put
20 that language in your policy, you are obligated to
21 follow -- follow binding federal law. And Ohio
22 follows the law of the federal circuits.

23 Remember, Mr. Anaya tried to argue
24 with -- with Mel a little bit about that; but the
25 truth is if you claim that there was a hostile work

1 environment but nothing happened in real time to
2 establish that, there is no hostile work
3 environment.

4 So what does that mean?

5 That means that a discussion
6 occurred on [REDACTED] Dr. Kalyango denies the
7 substance of that conversation. He also says that
8 the itinerary and everything that he handled and
9 everything that was delivered to her demonstrated
10 that he was not going to be in this [REDACTED] place
11 that night, on the nights in question, [REDACTED]

12 [REDACTED] Ange verifies that as well.

13 And what's interesting is that after
14 that conversation occurred on [REDACTED] says it
15 was never brought up again; there was never any
16 issue.

17 She talks to Judy Millesen in early
18 June in [REDACTED]. Doesn't raise with her -- Talks
19 to her about everything else, but does not raise it
20 with her.

21 So what we see here is that nothing
22 happened. Nothing happened. So even if you were
23 to believe by clear and convincing evidence that
24 this conversation happened just the way she
25 described it, which was, We have to stay together,

1 I'll stay out of your way, but that's just the way
2 we have to do it, if you believe that happened but
3 then there was no subsequent conversation, no
4 touching, no sexting, no inappropriate conduct
5 whatsoever, then it isn't a hostile work
6 environment. And the best thing and their best
7 day, their best case is that he said something
8 inappropriate. That's it. Because it didn't
9 create a hostile work environment by her own
10 admission. I mean, there was no way she would not
11 have turned around and blamed her inability to do
12 these financials on him because she didn't want to
13 be around him. That is not what she's saying.
14 She's saying, I couldn't do those financials
15 because I couldn't get together with you, which is
16 completely opposite of someone that says, My life
17 is being dreadful because I've been subjected to
18 this sexual harassment.

19 And then, of course, we know that in
20 the texts that she has from her friends that Andrea
21 brought up on her cross-examination, I mean, what
22 does she say? She says, I'm angry about the email
23 I received today. I feel like he's punishing me
24 for going [REDACTED] which he def- --
25 definitely is.

1 She's not saying he's punishing me
2 for something that I said to him back at some
3 conversation we had in May. She's blaming it on
4 the fact that they could not get together. And she
5 actually probably knew that she had made a mistake.

6 So what does this mean?

7 This means that the [REDACTED] email
8 was a valid mentoring email. And, in fact, when
9 you look at it -- and I -- and I read a little bit
10 of it -- after spending three paragraphs critiquing
11 her on her failure to handle the financials
12 appropriately, one paragraph talking about why they
13 couldn't get together, and one paragraph saying
14 there were a few errors in the evaluations, he then
15 devotes a whole paragraph to his responsibility.
16 And he says, as I quoted, It is entirely my fault
17 that I placed so much confidence in your
18 independent ability to handle things without me
19 micromanaging your work. I therefor squarely blame
20 myself for not being vigilant.

21 And the reason that that's important
22 is that when [REDACTED] responds to this email, and his
23 response back to her it, I get it, it's my fault,
24 Mr. Anaya doesn't connect that email to the
25 [REDACTED] one. He says the inference is he's being

1 sarcastic and he doesn't really care.

2 So from our perspective, there is --
3 they have not established by clear and convincing
4 evidence that there's any connection between the
5 [REDACTED] email and anything that he may have said
6 to her on [REDACTED] There is no clear and
7 convincing evidence that she was subjected to a
8 hostile work environment after [REDACTED] based
9 on her own conduct and everything that happened in
10 the real time. There is no evidence at all that
11 Dr. Kalyango had any communication after [REDACTED]
12 There's no communication, there's no evidence that
13 she suffered any diminishment of anything at Ohio U
14 after she resigned. And, of course, she did
15 resign.

16 But what we do know about [REDACTED] is, is
17 that if we're talking about credibility and we're
18 talking about people not saying things that are
19 appropriate, we do know that she misrepresented her
20 conversation with Dr. Millesen, which Dr. Millesen
21 corrected the minute she had the opportunity. You
22 will recall that was a situation where [REDACTED] wanted
23 her to be a reference and then tried to suggest
24 that the conversation they had briefly in [REDACTED]
25 was somehow a -- a reference to the problem she was

1 having with Dr. K. And, of course, that never
2 happened, because that was not true. And so she
3 corrected that.

4 But then, of course, you remember
5 Professor Rogus saying that she absolutely lied
6 about the fact that, I didn't try to talk her out
7 of making any claim against Dr. K. In fact, she
8 wouldn't even tell me what the substance was. And
9 I didn't even know who she was talking about. And
10 instead, I offered her my help, because I would do
11 that, because I, myself, has been -- have been
12 subjected to sexual harassment in my career. So
13 that's the type of person that we're dealing with
14 in this situation.

15 And believe me, I -- I am sensitive,
16 and I -- I respect any person's right who is in
17 protected status, whether it's race or it's their
18 age or it's their gender, to stand up and make
19 complaints. But, you know, you have to look at
20 these things in real time as they really are.

21 But -- but then as this process
22 evolved, we can't really escape what happened with
23 Dr. Stewart. I mean, not only is this
24 investigation flawed for all the reasons that we
25 brought up, and Mr. Anaya just completely lost

1 his way; but you recall when I talked to
2 Dean Titsworth. It took me a little bit of energy,
3 but I finally got him to say what everybody
4 logically concluded was; and that it doesn't matter
5 what the handbook says as to whether it says you --
6 you are to meet as a group. When it says, You must
7 consult with the faculty, the dean, who is the
8 voice of the college, when the dean says, that
9 means meet with everybody. That's exactly what it
10 means. And so it was completely inadequate on
11 Dr. Stewart's part to just talk to essentially nine
12 tenured professors. And if -- and if -- Of course,
13 as I got him to grudgingly admit that if you only
14 really heard from ten and only six were voting for
15 detenuring, you were one vote away from a
16 stalemate; and, of course, that would be only 25
17 percent of the entire faculty, which clearly is
18 wrong. What you would really want in that
19 situation is a super majority, which would be like
20 70 percent. He doesn't have that.

21 So obviously, when he decides that
22 he is just going to rubber-stamp everything up the
23 way and then he doesn't really consult with the --
24 the faculty, that would -- should be very troubling
25 to you, that should be very troubling to you.

1 And then, of course, you heard from
2 all of the witnesses that were supportive of
3 Dr. Kalyango talking about the problems that exist
4 at the university, talking about the fact that
5 there are, you know, ongoing systemic issues that
6 are ignored. I mean, there are people, professors,
7 some of your colleagues, unfortunately, who have
8 done much graver, much horrible things than
9 anything alleged in this case, and they're still
10 there.

11 And is this a racial case? Is this
12 just one of those cases which we can't also ignore
13 where you have a white woman making a claim against
14 a black man? That is what's in this case, and you
15 can't just walk away from it.

16 Why is it that this process
17 completely failed this professor? I mean, what is
18 the explanation for that? There is none. And it
19 is, in fact, inexcusable.

20 And all of these witnesses that came
21 in and spoke to you this afternoon were trying to
22 talk about the character of the man, which are
23 credit -- which are character witnesses. And
24 character goes to the issue of credibility.

25 There was no character witness for

1 [REDACTED] There was none. There was no character
2 witness for [REDACTED]. There was none.

3 The people that came in to speak
4 with Dr. Kalyango, educated, professional, and some
5 of them would have done everything to bring him
6 down if they actually believed that he had engaged
7 in any of this conduct.

8 What I suggest to you is, and what
9 would ask you to consider is that you have the
10 ability to resolve all of this. And you have to
11 ask yourself what side of the ledger do you really
12 want to be on?

13 I mean, you have a pol- -- a policy
14 that wasn't followed by the university. You have a
15 policy that was enforced against Dr. Kalyango with
16 legal terms that the investigator didn't even
17 understand, he is completely inaccurate, and should
18 be completely rejected.

19 But let's say you believe that by
20 clear and convincing evidence that there was
21 something amiss that happened all those years ago.
22 And even as my colleague suggests, the issues with
23 [REDACTED] are really, really sketchy at the -- at best.
24 But -- but let's say you think that, Oh, my
25 goodness, something may have happened, we don't

1 know, the death sentence is not the solution.

2 The solution is right in front of
3 you. What really needs to happen is that there
4 needs to be a clear message to the
5 administration --

6 And this is what Dr. Ferrier was
7 trying to say.

8 There needs to be a clear, clear
9 message to the administration and to the university
10 that there are certain rules that you have to
11 enforce and in place. There should be clarity on
12 the -- on the -- the responsibility of the faculty;
13 and -- and there should be to -- to meet on
14 the detenuring piece. There should be clarity
15 about these issues of graduate students traveling
16 with professors, and so forth.

17 I mean, no one brought out a
18 handbook rule that said that you have to have an
19 itinerary in place five days before you leave. No
20 one said that -- that some of these things -- They
21 need to be clearer.

22 You know in employment law and in
23 police law, which we do a lot of, every time there
24 is an event, you use it as a training mechanism.
25 If a police officer makes a bad shoot or they

1 arrest the person for the wrong reason or they use
2 too much force or the detention is wrong, we use
3 that as a training mechanism going forward. This
4 is a great opportunity to say, Look, things
5 happened. Some were inappropriate. We're going to
6 make corrections so these sort of things don't
7 happen again. And in the sanction that you would
8 have normally given to Dr. Kalyango back -- way
9 back then for the things with [REDACTED] and if anything
10 would have happened back in [REDACTED] there would have
11 been a very stern warning in his -- his file,
12 probably even a last-chance agreement, he would
13 have been given remedial training, and the policy
14 would have changed; but you would not have
15 terminated him.

16 As Mel brought up in his
17 cross-examination of Mr. Anaya, I mean, the Sixth
18 Circuit of the United States Supreme Court doesn't
19 support this notion that a single event --
20 Single-event episode standing alone is insufficient
21 to create -- to cause a hostile work environment or
22 even lead determination; and the reason is is
23 because this single event was benign in the grand
24 scheme of things when you look at these things.

25 So my wish is that you consider the

1 evidence in real time as to what really happened
2 and understand that Dr. Kalyango is a very good
3 man. He -- he -- he is not only humble, but he's
4 gracious. And you saw him testify today.

5 I mean, I don't know how UPEC got
6 this notion that he wasn't someone that didn't
7 understand power. He is humble and pious, and he's
8 always been that way. All of my conversations with
9 him, my encounters with him were the man that you
10 saw today.

11 How this got off the rails, I have
12 no idea. He is much kinder in his comments than I
13 would be in that situation, I can tell you.

14 I am asking you on his behalf, as he
15 said, to allow him to do the thing that he's
16 tremendous at. And if you find that there should
17 be some sort of sanction, it definitely should not
18 be termination. And quite frankly, he has already
19 suffered enough. His name has -- His reputation
20 has been destroyed. His name has been blasted all
21 over the internet. He's right. Google him, and
22 you get sexual harassment. His ability to find
23 another job has been crippled. And he was an
24 international rock star and was very, very humble
25 about it.

1 I can tell you myself I didn't
2 understand the magnitude of his attributes until I
3 started hearing from all of these witnesses.

4 So again, I implore you -- implore
5 you to use fundamental fairness in this case
6 finally on his behalf.

7 Thank you.

8 HEARING COMMITTEE CHAIR MUHAMMAD:
9 Thank you, Mr. Beck.

10 Time remaining, Mr. Loukx, for
11 rebuttal.

12 And I should say, also, Mr. Beck,
13 that pretty much took up your -- all of your time,
14 correct, including rebuttal? 27. You are timing
15 in digital.

16 Your mic's not on.

17 GREGORY BECK: Sorry. I had it at
18 27:59, but I'm not going to quibble to you with you
19 on that.

20 HEARING COMMITTEE CHAIR MUHAMMAD:
21 That's -- We will return to you, then.

22 Mr. Loukx, rebuttal.

23 ADAM LOUKX: Thank you. I'll be
24 very, very brief; and I thank you for the
25 opportunity.

1 In a case of this nature, it's easy
2 to lose track or fail to see the forest for the
3 trees. And my colleague points out, and he's
4 actually raised some interesting points, and as --
5 as one would expect a person of his abilities.

6 We've heard a lot about Sixth
7 Circuit. Yes, Ohio is in the Sixth Circuit.

8 We've heard about what is a hostile
9 work environment according to Sixth Circuit. Well,
10 of course, that is in the context of the cases that
11 are before the Sixth Circuit.

12 It's axiomatic in the law that an
13 employer, whether it be a university or a used car
14 lot, can have policies that are different in their
15 definition of what constitutes harassment.

16 In a case where single incident --
17 and this is not a single incident, I point out --
18 is before the Sixth Circuit, this is where a
19 claimant sues an employer over a single instance.
20 This has not got to do with policy. And what we
21 deal with here is we are conflating Sixth Circuit
22 law, which I can talk about for hours. And on a
23 Friday afternoon, no one wants that. And I'm sure
24 Mr. Beck could talk about it for hours as well.
25 But this is about the policies of the university,

1 policies that are there to protect students,
2 faculty, employees from some of the most odious
3 types of misconduct that is around.

4 What side of the ledger do we want
5 to be on? That's a great question.

6 And I notice in the chat --

7 And I don't recall this coming into
8 evidence, and maybe I missed it somewhere in all
9 the volumes.

10 -- that there's posted a tweet by

11 [REDACTED] Are we to judge [REDACTED] by this
12 tweet that didn't come into evidence?

13 It's interesting in the sense that
14 one of Professor Kalyango's defenses was, [REDACTED]

15 [REDACTED] This kind of calls that into question.

16 The fact that she drinks was never in doubt. We
17 heard about her being passed out in Dr. Kalyango's
18 hotel room.

19 But since when is an institution
20 like this with enlightened minds, with people who
21 understand the challenges that have traditionally
22 faced young females and the whole idea that has
23 driven the recent Me Too movement -- and this isn't
24 about the Me Too movement. The idea, however, is
25 something you ponder. Do we actually sit back and

1 want to say, Let's look at this tweet that didn't
2 come into evidence and judge [REDACTED]
3 credibility by that?

4 Which side of the ledger do we want
5 to be on?

6 I have nothing more, and I thank you
7 again for all of your time.

8 HEARING COMMITTEE CHAIR MUHAMMAD:
9 Thank you, Mr. Loukx.

10 Mr. Beck?

11 GREGORY BECK: Thank you.

12 I think the side of the ledger that
13 we want to be on is the one of fairness and to
14 support everyone if we can. And you can actually
15 accomplish that by refusing to detain
16 Dr. Kalyango.

17 Remedial action means just that,
18 that you caused someone to change their policy,
19 change their way, and fix the problem. None of
20 these, even after this alleged en- -- these alleged
21 encounters, were in any danger; and the university
22 took positions to essentially make sure that could
23 never happen again. They took some remedial
24 action, but the action that you can take and the
25 best action you can take is to send a clear

1 message; and that message should be that we are
2 going to do the right thing and follow the law.

3 And if you choose to put in your
4 policy specific legal language like "hostile work
5 environment" and define it just as the Supreme
6 Court defines it in the EEOC, then you are bound by
7 the law that applies to that.

8 And what we are asking is that
9 fundamental fairness requires that you -- if you
10 find that Dr. Kalyango engaged in some of this
11 activity, that you call him out on that, because it
12 would be wrong. But it does not require
13 termination. And I think that is so excessive.
14 The side of the ledger you would be on at that
15 point would be devastating to the university; and
16 it should be devastating to you as faculty members,
17 because, quite frankly, this means that none of you
18 are safe. The minute you fail to give a student
19 the grade that they want, the minute you make a
20 mistake with a student, they can come back and
21 literally burn you to the ground, not only because
22 of the way this has been handled here, but by the
23 processes that right in front of you were all
24 wrong.

25 Thank you very much.

1 HEARING COMMITTEE CHAIR MUHAMMAD:

2 Thank you, Mr. Beck.

3 That concludes both summations with
4 rebuttals.

5 My thanks to all parties involved
6 for the past two days, including our technical
7 support and our court reporter; and definitely my
8 thanks to the entire hearing committee. And on
9 behalf of them, our thanks to all of you.

10 At this time, the committee shall
11 recess for closed deliberations on the case. The
12 committee shall make explicit findings with respect
13 to each ground -- to each of the grounds for
14 removal as presented in the hearings. And its
15 findings shall be based only on the evidence
16 submitted at the hearing.

17 Based on the committee's findings
18 the fact and determination of whether the facts
19 sustain any or all of the reasons for removal, the
20 committee shall submit to the president a written
21 decision containing a report of the findings of
22 facts relative to each and every reason and a
23 recommendation or recommendations.

24 That's an excerpt from our
25 procedures that I wanted to quote to you that has

1 been circulated among both parties.

2 The meeting is now adjourned.

3 Duane and Angie, please close out as
4 we did yesterday the observer circle. The court
5 reporter and hearing committee members would still
6 remain on the line for procedural instructions.

7 Thank you.

8 **ADAM LOUKX: Thank you all, and
9 have a good weekend.

10 HEARING COMMITTEE CHAIR MUHAMMAD:
11 Thank you, Mr. Loukx.

12 DUANE BRUCE: The attendees have
13 been removed.

14 HEARING COMMITTEE CHAIR MUHAMMAD:
15 So I'm -- I'm starting with the observers, so that
16 room is shut out?

17 DUANE BRUCE: I'm sorry. The
18 observers have been removed.

19 HEARING COMMITTEE CHAIR MUHAMMAD:
20 Okay. Thank you.

21 Time ending at 6:06.

22 All right. Okay. Again, I'm going
23 to first say thank you very much, Beth, for
24 everything. We'll be in touch in the -- in the
25 days ahead to sort out files and transcription.

1 Thank you for everything. It's been a long two
2 days, and we're very much going to be relying on
3 your transcription and just appreciate your
4 patience and expertise through the whole process.

5 Take care.

6 - - -

7 Thereupon, the hearing concluded at
8 approximately 6:06 p.m.

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C E R T I F I C A T E

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THE STATE OF OHIO:

SS:

COUNTY OF FRANKLIN:

I, Beth A. Higgins, a Professional Reporter and Notary Public in and for the State of Ohio, do hereby certify that the foregoing is a true, correct, and complete written transcript of the proceedings in this matter to the best of my ability;

That the foregoing was a remote videoconference hearing taken by me stenographically and transcribed by me with computer-aided transcription;

That the foregoing occurred at the aforementioned time and place;

That I am not an attorney for or relative of either party and have no interest whatsoever in the event of this litigation.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal of office at Columbus, Ohio, this 16th of January, 2021.

/s/Beth A. Higgins
Notary Public, State of Ohio

My Commission Expires: July 16, 2025.

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