



Dr. Chaden Djalali
Executive Vice President and Provost
Cutler Hall 008
Athens, Ohio 45701-2979

November 9, 2018

Dear Dr. Djalali,

A University Professional Ethics Committee (UPEC) was convened by Joseph McLaughlin, Chair of Faculty Senate, and tasked with making a recommendation on the case of Dr. Yusuf Kalyango, Professor of Journalism. An Equity and Civil Rights Compliance (ECRC) investigation had concluded 'that the preponderance of the evidence establishes that the Respondent (Dr. Kalyango) engaged in sexual harassment by *quid pro quo* and by having created a hostile work environment'.

The UPEC was comprised of the following members:

- Shelley Delaney, Professor of Theater, Committee Chair
- Qiuping Cao, Associate Professor, Early Childhood Education
- Berkeley Franz, Assistant Professor, HCOM-Social Medicine
- Cheryl Geng, Assistant Clinical Professor, Rehabilitation and Communication Sciences
- Neil Littell, Assistant Professor, Engineering Technology and Management
- Kevin Spiker, Associate Professor, Arts and Sciences

Prior to the first meeting, each member of the committee read all of the following documents:

- Memorandum of Findings (MOF)
 - Written and compiled by G. Antonio Anaya, Civil Rights Investigator
 - Dated August 24, 2018
- Response to the MOF by the Complainant
- Response to the MOF by the Respondent
- Evidence and Supplemental Evidence Packets including:
 - Interviews with sixteen witnesses
 - Evaluation Documents of YALI
 - Text and Email Documentation from the Complainant, the Respondent, and multiple witnesses

The UPEC met for seven hours total, over the course of three dates. Additional communication was accomplished through email and One Drive. The first meeting was from 10am – Noon, on Thursday, October 11 in Room 237 Baker Center. Three members were physically in attendance

and three members were in attendance via video conference. The Committee reviewed the ECRC Memorandum of Findings, point by point, and used the supplemental evidence packets to clarify and specify points and inconsistencies. We then reviewed the responses from the Complainant and from the Respondent. Questions emerged and we determined that we would interview the Complainant, the Respondent and the Investigator. The Committee determined that we would spend 45 minutes each with the Complainant and the Respondent: 30 minutes with questions, and 15 minutes for the interviewee to address anything else that they chose. We requested and received two additional documents from ECRC, and one from Dean Scott Titsworth. Before the next meeting, interview questions were drawn up and agreed upon by the Committee.

The Committee met for the second time on Thursday, October 18, from 9am – Noon in Grosvenor 113. All six Committee members were in attendance. Our interview with the Complainant went from 9am – 9:45am. The Complainant brought a friend along for support. Our interview with the Investigator went from 10am – 10:55am. Our interview with the Respondent went from 11am – 11:50am. On the evening prior to our interview, the Respondent sent the committee chair an email containing a letter to the committee as well as additional evidence. The Respondent also presented hard copies of the letter and the evidence at the interview. Committee member Berkeley Franz took verbatim notes of the interviews and added them to our One Drive file for committee review.

The third meeting of the committee was on Thursday, October 25 from 10am – Noon in Grosvenor 017. Three members were physically in attendance and three members were in attendance via video conference. In the course of the week between meetings, Committee members re-reviewed and considered all of the evidence packets, the MOF, the responses to the MOF from the Complainant and the Respondent, and the notes from the interviews. Each member of the Committee spoke individually about their response to the evidence and interviews and addressed what they believed would be the most appropriate recommendation. By 11:30, the Committee agreed unanimously on our recommendation. The Committee chair was charged to write a report that would be shared and edited on One Drive. The report draft would be shared early enough so that a meeting could be called if necessary. The first report draft was shared on Monday, 11/5. The Committee edited via One Drive, and the report and recommendation were approved by the Committee on Thursday, 11/8.

The Committee agrees with all of the ECRC findings. Taking into consideration the serious impact this report and recommendation may have on the futures of both the Respondent and the Complainant, the Committee identified and agreed upon the following key issues.

- There was a recurring discrepancy between the documented evidence and the answers given by the Respondent.
- The Respondent's lack of acknowledgement of the power dynamic inherent in his position of authority. The Respondent is in a position of power, while the Complainant is not. This power appeared to be used to intimidate and control the Complainant.
- The Committee found that the evidence points to a pattern of unprofessional and inappropriate behavior towards the Complainant.
- The Respondent engaged in grooming behaviors toward the Complainant.
- There are common sense standards regarding the boundaries between faculty and students that were overlooked time and time again by the Respondent.

- The Respondent didn't cooperate with the investigation – particularly as it related to turning over the YALI program evaluations.
- There are ethical challenges and conundrums we've not yet confronted (or been asked to confront) in the review of the documents, such as a safe access to education for all students.
- The Respondent called no student witnesses to support his claims.

Taking the aforementioned key issues and the seriousness of our charge into account, six out of six members of the Committee found *Adequate Cause to recommend initiation of loss of tenure proceedings*.

Please don't hesitate to let us know if we can be of any further assistance in this case.

Sincerely Yours,

A handwritten signature in black ink, reading "Shelley Delaney". The signature is written in a cursive, flowing style.

Shelley Delaney, Chair
Qiuping Cao
Berkeley Franz
Cheryl Geng
Neil Littell
Kevin Spiker