


CASE A




A LEADING AMERICAN UNIVERSITY WITH INTERNATIONAL REACH

**MEMORANDUM**

To: Mr. Kenneth Johnson, Assistant Director  
Student Activities and Organizations

From: Ms. Huda Melky, Director and Title IX Coordinator   
Equal Employment Opportunity/Affirmative Action/University ADA Services

Mr. Joshua Hayes, Assistant to the Director and Title IX Deputy  
Equal Employment Opportunity/Affirmative Action/University ADA Services 

Date: April 29, 2014 (Tuesday)

Re: Summary: Results of the Title IX Sexual Harassment Investigation

Attached please find a report summarizing the Equal Employment Opportunity (EEO) office's investigation of a complaint brought forward by [REDACTED] alleging you engaged in conduct that is in violation of Western Kentucky University (WKU) policies.

In accordance with WKU's Standards of Conduct Policy (#4.800), Discrimination and Harassment Policy (#0.2040), and Employee Relationships/Employment of Relatives Policy (#4.2302), in determining whether the alleged conduct constitutes a violation of these policies, this office considered the record as a whole, as well as the totality of circumstances. The nature of the alleged conduct and the context in which the alleged conduct occurred was examined and evaluated to determine whether the totality of the evidence creates a violation of University policies and Title IX of the Educational Amendments of 1972. This office has concluded that a violation of each of the above policies has occurred.

The policies, specifically #0.2040, provide that your department/unit head and immediate supervisor "shall consider the severity, persistence and pervasiveness of the conduct in determining the corrective action to be taken." The department/unit head and supervisor is to consult with his/her successive levels of administration to determine what action, if any, is to be taken against the offending party in accordance with University disciplinary policies/procedures.

The determination concerning corrective action shall occur and be implemented as soon as possible. The EEO and the Director of Human Resources shall be informed of the disciplinary action. This office will then communicate with the complainant that a violation of the policies has occurred, and the action(s) to be taken by the University in response to the determination.

Finally, be advised that retaliation is prohibited against anyone making or participating in the investigation of a complaint. You should not contact or attempt to contact the complainant or any

*The Spirit Makes the Master*

Equal Opportunity/504/ADA Compliance | Western Kentucky University | 1906 College Heights Blvd. #11009 | Bowling Green, KY 42101-1009  
phone: 270.745.5121 | fax: 270.745.3199 | web: [www.wku.edu/Dept/Support/Legal/EEO/](http://www.wku.edu/Dept/Support/Legal/EEO/)

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person you believe may be a witness in this matter. If retaliation is found to have occurred, that may be grounds for immediate termination of employment from the university, with or without a finding of discrimination.

Attachment

Cc: Dr. Charley Pride

Mr. Howard Bailey

Dr. Richard C. Miller

Mr. Tony Glisson



A LEADING AMERICAN UNIVERSITY WITH INTERNATIONAL REACH

**MEMORANDUM**

To: [REDACTED]  
Western Kentucky University

From: Ms. Huda Melky, Director and Title IX Coordinator *Huda Melky*  
Equal Employment Opportunity/Affirmative Action/University ADA Services

Mr. Joshua Hayes, Assistant to the Director and Title IX Deputy  
Equal Employment Opportunity/Affirmative Action/University ADA Services *Joshua D. Hayes*

Date: April 29, 2014 (Tuesday)

Re: Summary: Results of the Title IX Sexual Harassment Investigation

On March 26, 2014 you brought forward a formal complaint of sexual harassment against Mr. Kenneth Johnson, Assistant Director of Student Activities. The circumstances of the complaint were communicated to Ms. Huda Melky, Equal Employment Opportunity (EEO) Director and Title IX Coordinator, and Mr. Joshua Hayes, EEO Assistant to the Director and Title IX Deputy.

A thorough investigation, regarding the issues raised, was completed. As a result of this investigation, appropriate action has been taken to stop any further similar behavior. Also, let us remind you that the contents of this investigation are confidential and will be disclosed only to those individuals who have a legitimate business need to know. Thank you for raising your concerns. If you have any questions now or in the future regarding this investigation, please let us know.

Cc: Dr. Charley Pride

Mr. Howard Bailey

Dr. Richard C. Miller

Mr. Tony Glisson

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**CONFIDENTIAL**

Date: April 29, 2014 (Tuesday)

Prepared by:

Ms. Huda Melky, Director and Title IX Coordinator  
Equal Employment Opportunity/Affirmative Action/University ADA Services

Mr. Joshua Hayes, Assistant to the Director and Title IX Deputy  
Equal Employment Opportunity/Affirmative Action/University ADA Services

Re: Summary: Results of the Title IX Sexual Harassment Investigation

**Investigation Background**

A formal complaint of sexual harassment was brought forward by [REDACTED], Western Kentucky University (WKU) Student, against Mr. Kenneth Johnson, Assistant Director of Student Activities. The circumstances of the complaint were communicated to Ms. Huda Melky, Equal Employment Opportunity (EEO) Director and Title IX Coordinator, and Mr. Joshua Hayes, EEO Assistant to the Director and Title IX Deputy, on March 26, 2014 (Wednesday) at 11:00am.

According to [REDACTED], on several occasions, Mr. Johnson threatened to place a hold on her TopNet account, which would prevent her from registering for classes, if she did not stop by his office to visit him and/or have dinner with him at the [REDACTED]. [REDACTED] stated that initially she thought Kenneth had the authority to place a hold on her account, but later found out that this was not true. Before she discovered the truth, she agreed to have dinner with him; however, she shared with Huda and Josh that she felt sick to her stomach the whole time and believed that Mr. Johnson misused his power. She specifically stated, "I had knots in my stomach. It bothered me how he used his position as a form of manipulation."

[REDACTED] further communicated that she is aware that other students have been forced into similar predicaments. This information was relayed to her from friends in addition to [REDACTED] own observation of witnessing Kenneth having dinner with another student at [REDACTED] s. [REDACTED] also shared that when she walked into [REDACTED] s, while Kenneth was having dinner with another student, he (Kenneth) saw her, but acted as if she was not present. In reference to another incident, [REDACTED] communicated that when she and Kenneth attended a [REDACTED], when she walked into a room he told her, "You look absolutely beautiful" which made her feel sick to her stomach, again.

[REDACTED] conveyed to Huda and Josh that she is not seeking for Mr. Johnson to be terminated, but that she does not want him to hurt other students. She also conveyed that she wants the EEO to speak with Kenneth and let him know that his actions are unacceptable. [REDACTED] stated that due to Kenneth's inappropriate behavior, she has stopped going around him or to his office in fear of running into him.

Ms. Huda Melky and Mr. Joshua Hayes initiated an investigation of [REDACTED] formal complaint on March 31, 2014 (Monday) which concluded on April 16, 2014 (Wednesday). It should be noted that the investigation did not begin on the date that [REDACTED] submitted a formal complaint because the complainant stated that she would take a few days to type names and contact information of other female students who had either been sexually harassed by Mr. Kenneth Johnson, or who were aware of other students who had been sexually harassed by Mr. Johnson. [REDACTED] shared with Ms. Melky and Mr. Hayes that she would email the information to EEO once it was complete.

It should also be noted that Dr. Pride met with Mr. Joshua Hayes on April 9, 2014 (Wednesday) and shared that he placed Mr. Johnson on paid investigative leave on the morning of April 8, 2014 (Tuesday).

All 24 witnesses were interviewed between April 1, 2014 and April 3, 2014.

The policies that may apply in this situation include, but are not limited to, Western Kentucky University's Standards of Conduct Policy (#4.800), Discrimination and Harassment Policy (#0.2040), and Employee Relationships/Employment of Relatives Policy (#4.2302), in addition to Title IX of the Educational Amendments of 1972.

**Mr. Kenneth Johnson.** Mr. Johnson was interviewed twice in person. During his first interview on April 1, 2014 (Tuesday) Mr. Johnson denied all allegations brought forward by [REDACTED] [REDACTED]. During his second interview on April 16, 2014 (Wednesday), Mr. Johnson denied all allegations conveyed by other witnesses who were interviewed.

However, other witnesses stated:

- He/she did not trust Kenneth because of “experiences with him during several conversations” and “meetings with him.”
- Kenneth gives off a “creepy vibe” and therefore, he/she keeps her distance from him and does not want to spend one-on-one time with him. The witness shared that he/she does not even email Kenneth, and has observed other students wanting to stay away from him as well.
- Kenneth has been heard complimenting female students’ physical attractiveness.
- ██████ talked about her experience with Kenneth, and that he had threatened to place a hold on her TopNet account if she did not stop by his office to see him or go out to eat with him.
- Rumors about Kenneth dating female students, particularly students ██████, were common.
- One student stated that when he/she first began taking classes at WKU, he/she was told that Kenneth prefers to work with more women than men, and that he/she should be careful with forming any type of relationship with him.
- Any female student had to be “pretty” to serve as the ██████  
██████.
- ██████ holding no additional employment based on Kenneth’s involvement. ██████
- Kenneth was always flirty with the female students and that “it was common knowledge that he dated students.” A story was shared with him/her about a ██████  
██████ ██████. The witness stated that the student was part of ██████, served as the  
██████.
- Kenneth’s “other fling” was also a student who was part of ██████,  
██████ and that he/she witnessed the two of them riding together in a golf cart as recent as ██████
- “It was a running joke that if you wanted to get ahead, you would sleep with Kenneth.”
- Kenneth “is really close to female students”, ██████ ██████  
██████ lunch, creates “so-called internships” for them, and places them in certain positions. In reference to Kenneth’s relationships with female students, Kenneth “sets them up and doesn’t take nearly the amount of interest in males.”
- Rumors about Kenneth dating and sleeping with female students are common, including that Kenneth provided them with certain privileges.
- One witness shared an incident in which he/she went to Kenneth’s ██████  
██████. The witness stated that he/she knocked on the door, waited for some time, and tried to turn the knob to open the door, but discovered that it was locked. The witness stated that it “took a while” for Kenneth to open the door, and that when he did the witness also saw a female student in the office. The witness suspected the two had been engaged in sexual activity.
- Kenneth has made negative remarks in front of others about a WKU male student potentially being gay, including while this student was also present.

- “It has been a laughing joke” about Kenneth dating and sleeping with female students, especially for those [REDACTED]
- While Kenneth has asked female students out or taken them out to lunch or dinner on several occasions, s/he “has never known Kenneth to take another male student to lunch or dinner one-on-one.”
- In reference to the female student who was seen leaving [REDACTED], one witness stated that during this female student’s tenure as the [REDACTED], Kenneth bought her a [REDACTED] which is a gift that no other [REDACTED] was given. The witness stated that this created some issues [REDACTED] and heightened the speculation that Kenneth and the female student had more than an advisor-to-student relationship.
- Kenneth threatened to place a hold on a student’s TopNet account if s/he did not stop by to see him. The witness also stated that other students conveyed that Kenneth has made similar threats to them as well. The witness stated that “Kenneth flaunts and abuses his power.”
- When one student first met Kenneth, he made the student feel uncomfortable. Kenneth has taking her to lunch and dinner, one-on-one, and there was a period in which they ate out together approximately three times per week at restaurants such as [REDACTED]. The witness stated that on several occasions Kenneth picked her up in his vehicle from her place of residence and had “romantic” music playing, which she defined as being “awkward.” She also stated that during their dinners he purchased alcohol for both of them.
- [REDACTED]
- Kenneth did not follow the policy and procedure regarding [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]
- [REDACTED]  
[REDACTED]
- [REDACTED]  
[REDACTED]
- One student said she had been asked by several students, male and female, to speak with someone at WKU about what female students have experienced with Kenneth. These experiences consisted of, but were not limited to, female students feeling uncomfortable around Kenneth, “being hit on” or “flirted with” by Kenneth, him hugging them around their waists, and intimidating them through [REDACTED]
- “It is very stressful to work with K.J. and that you tread very lightly.”
- Students, male and female, are fearful of Kenneth’s power because of his abuse of it, and that the fear intensified when [REDACTED] departed WKU, whose departure allowed Kenneth to gain more power due to assuming the responsibilities.



- Kenneth was described as malicious and manipulative, and, “You don’t cross him.”
- One student described an experience in which Kenneth found out who she was dating and began to harass her and her boyfriend by sending several texts, making several phone calls, and asking several questions of both of them about their personal lives, specifically about their dating relationship. The witness stated that she “cut ties with K.J.” because she was “not comfortable with his creepiness.” [REDACTED]
- Anytime Kenneth would see a student “he would always want a hug.” One student reported that when she has visited his office he has requested hugs from her, while he has stayed seated, which has led to his arm being wrapped around her waist and his hands near her buttocks. She stated that the most recent incident of him wrapping his arms around her waist occurred approximately two weeks ago
- One former student indicated she and Kenneth dated and had sex while [REDACTED] approximately [REDACTED]. She stated that their consensual relationship developed through Kenneth’s work within [REDACTED], and through the [REDACTED] due to his [REDACTED]. When asked how their dating relationship began, the witness stated that Kenneth asked her out to lunch and dinner. She and Kenneth did not start dating or having sex until after they returned from [REDACTED]. The witness further conveyed that she mentors a female student, [REDACTED], and that [REDACTED] has experienced inappropriateness from Kenneth. The witness stated that the female student shared with her that Kenneth “gets chummy”, “hovers over her”, and often wants her to meet with him one-on-one in his office.
- Stories of Kenneth taking female students on dates are common. One student said that when she first became a student at WKU she was told “don’t go to his office because he would try to hit on students.” The witness stated that she has not personally been affected by Kenneth because she is not around him enough. The witness stated that she encouraged a female student to speak up about her discomfort and negative experiences with Kenneth. The witness stated that “Kenneth is a bit much and his inappropriateness could impact many.”

## Conclusion

A thorough investigation, regarding the issues raised, was completed. Based on the a review of Kenneth Johnson’s position description, the analysis, observations, and statements of those interviewed, the preponderance of evidence is that the accused (Mr. Kenneth Johnson) did violate Western Kentucky University’s Standards of Conduct Policy (#4.800) and Discrimination and Harassment Policy (#0.2040), in addition to Title IX of the Educational Amendments of 1972. In addition, there is evidence that Mr. Johnson’s relationship with at least one student indicates a violation of WKU’s Employee Relationships/Employment of Relatives Policy (#4.2302), due to the fact that this student, and other student [REDACTED], receive(d) monetary support from the University as a part of their participation in [REDACTED].



Printed 4/23/14  
10:08 am JPH

## **POLICY & PROCEDURE DOCUMENT**

NUMBER: 4.2302

DIVISION: Finance and Administration

TITLE: Employee Relationships / Employment of Relatives

DATE: January 1, 1999

REVISED: August 29, 2006, September 8, 2011, November 26, 2012

Policy for: All Employees

Authorized by: Administrative Council

### **I. Purpose and Scope**

The University seeks to foster a working environment in which people are treated with respect and fairness and without any potential for conflict of interest or an appearance of favoritism. In keeping with this workplace philosophy, relationships between employees are prohibited where one party to the relationship holds a position that has influence over the other party's employment, performance review, salary administration, promotion, or other employment-related decisions could result in or appear to create a conflict of interest.

While this policy prohibits certain workplace relationships, the University does recognize the possible advantages of employing members of the same family or domestic partner unit and is supportive of such when not in violation of this policy.

The University requires full disclosure of any relationship as defined herein at the time of initial employment or at any time such a relationship develops or occurs during the course of employment where a conflict of interest may be present.

### **II. Definitions**

- A. Conflict of interest: an appearance of impropriety that arises when an employee with authority or responsibility to exert influence over another employee's employment initiates, acquiesces to, or engages in a consensual relationship with that employee.

- B. Consensual relationship: romantic, amorous and/or sexual relationship between consenting individuals.
- C. Relative: father, mother, brother, sister, husband, wife, son, daughter, aunt, uncle, son-in-law, daughter-in-law, grandparents, great-grandparents, nieces, nephews, grandchildren, great-grandchildren and in-laws or step-relatives of same.
- D. Domestic partner: a legal or personal relationship between two individuals who live together and share a common domestic life, but are neither joined by marriage or civil union.

### **III. Policy and Procedure**

- A. No person shall be employed at the university if his or her relative or domestic partner serves on the Board of Regents.
- B. If a consensual, relative and/or domestic partner relationship between two employees exists or develops, and one party to the relationship holds a position that does or could exert influence over the other party's employment, performance review, salary administration, promotion, or other employment-related decisions, both employees are required to immediately report the relationship to the Director of Human Resources.
- C. The Department of Human Resources will work with the affected employees and department(s) to resolve any conflict of interest and to insure objectivity in employment-related decisions. In all cases, the needs of the University will determine the resolution.



Printed 4/23/14  
10:09 am JDH

## **POLICY & PROCEDURE DOCUMENT**

NUMBER: 4.8000

DIVISION: Finance and Administration

TITLE: Standards of Conduct

DATE: October 27, 1998

REVISED: N/A

Policy for: All Employees

Authorized by: Tony Glisson, Director Human Resources

### **I. Purpose and Scope**

Western Kentucky University employees are expected to perform their job duties in a professional and responsible manner which includes maintaining the highest levels of honesty and ethical principles. Employees are also expected to be courteous and respectful in workplace relationships.

### **II. Policy**

1. Inappropriate conduct includes, but is not limited to, the following:
  - a. Misrepresentation or omission of information in employment applications and related employment materials or other official University records
  - b. Excessive absences or tardiness
  - c. Discourteous or rude behavior toward other employees, students, clients, or visitors including committing verbal abuse of others and threatening or violent acts
  - d. Insubordination, disregard for or failure to follow directions of supervisor
  - e. Sexual harassment of other employees, students, clients, visitors or others
  - f. Theft or unauthorized removal, use, or disposal of University property
  - g. Failure to follow University and/or departmental policies or state or federal laws

- h. Possession of alcohol or illegal substances on University property or being under the influence of alcohol or illegal substances while on duty or conducting official University business.
- i. Physical altercations
- j. Failure to perform duties in a timely, competent, and responsible manner
- k. Acts of unlawful discrimination including, but not limited to unlawful discrimination based upon race, creed, gender, age, religion, national origin, or disability status
- l. Conviction of any crime or behavior of any nature which reflects adversely upon the University and/or adversely affects the ability to effectively perform job duties

### **III. Procedure**

1. Failure to comply with standards of conduct will result in disciplinary action up to and including termination of employment.

### **IV. Exclusions**

### **V. Related Policies**

See also:

### **VI. Reason for Revision**

Appendices:

Printed 4/23/14  
10:10am JBH



## **POLICY & PROCEDURE DOCUMENT**

NUMBER: 0-2040

DIVISION: General University

TITLE: **Discrimination and Harassment Policy**

DATE: April 1, 2013

Revised: October 14, 2013

Authorized: President

### **I. Purpose and Scope**

- A. The purpose of this policy is to establish a procedure for investigating and responding to reports / complaints of discrimination involving students, employees and/or third parties in a prompt and equitable manner without placing an unreasonable burden on the complainant or University.
- B. Western Kentucky University is committed to providing a working and learning environment that is free from discrimination and harassment. Discrimination and harassment, and/or retaliation against anyone who makes a complaint or participates in the complaint process are prohibited and shall not be tolerated.
- C. The University specifically reserves the right to modify and/or amend any or all of the procedure(s) outlined herein at any time as circumstances may require. As may be applicable, the affected parties will be notified in the event circumstances arise which warrant procedural amendments.
- D. Conduct prohibited under this policy does not include verbal expressions or written material that is relevant and related to course subject matter or curriculum, and this policy shall not abridge academic freedom or the University's educational mission.

*This policy does not supersede or replace any grievance or complaint procedures contained in the Faculty Handbook.*

*This policy supersedes and replaces: 4.8302, Policy Against Sexual Harassment and 4.8401, Grievance Resolution Procedure.*

## II. Definitions:

- A. Discrimination: an action or behavior that results in negative or different treatment of an individual based upon race, color, ethnic origin, national origin, creed, religion, political belief, gender, sexual orientation, marital status, age, uniform service, veteran status, or physical or mental disability.
- B. Harassment: any physical, behavioral or verbal abuse of a person based upon gender, race, color, ethnic origin, national origin, creed, religion, political belief, sexual orientation, marital status, age, uniform service, veteran status, or physical or mental disability, where:
1. Tolerance of or participation in the offensive conduct explicitly or implicitly becomes a condition of employment or participation in a university course, program or activity; or
  2. The conduct is sufficiently severe, pervasive or persistent to interfere with an individual's work, academic or program participation; or
  3. The conduct creates an environment that a reasonable person would consider intimidating, hostile, or offensive.
- C. Sexual Harassment: unwelcome\* sexual advances, requests for sexual favors, or other verbal or physical behavior of a sexual nature, where:
1. Tolerance of or participation in the offensive conduct explicitly or implicitly becomes a condition of employment or participation in a university course, program or activity; or
  2. The conduct is sufficiently severe, pervasive or persistent as to interfere with an individual's work, academic or program participation; or
  3. The conduct creates an environment that a reasonable person would consider intimidating, hostile or offensive.
- D. Hostile Work Environment: Actions or behavior which discriminate against a member of a protected classification (i.e., gender, race, color, ethnic origin, national origin, creed, religion, political belief, sexual orientation, marital status, age, uniform service, veteran status, or physical or mental disability), and are severe and pervasive to the extent that the actions or behavior interfere with an employee's ability to perform his or her job or interfere with a student's access to educational opportunities.
- E. Retaliation: Retaliation occurs when an adverse action is taken against an individual because he or she reported a violation of this policy, filed a formal complaint or participated in an investigation of a discrimination report.

- F. Members of the University Community: Members of the University Community are its faculty, staff, students, and volunteers, as well as customers and visitors of the University.

*\*NOTE: An apparently "welcome" or consensual relationship may be or become unwelcomed / nonconsensual where one party's status is "subordinate" to that of the other.*

G. Consensual Relationships:

1. If a consensual relationship between a faculty member and a student whom the faculty member evaluates, advises, or supervises, exists currently or in the past, the faculty member must report the relationship to the dean, department chair or supervisor so that suitable arrangements can be made for an objective evaluation of the student , in accordance with:

Policy & Procedure Document No: 1.1011, Consensual Relations Between Faculty And Students

2. If a consensual relationship between two WKU employees develops or exists, and one employee's position or status is "subordinate" to that of the other party (i.e. the other party to the relationship is in a position which evaluates or supervises the other), both employees are required to report the relationship to the Director of Human Resources so that suitable arrangements can be made to insure objective evaluation and/or supervision of the subordinate employee in accordance with:

Policy and Procedures Document No: 4.2302

### III. Procedure

- A. A person experiencing discrimination or harassment but who does not desire to make a formal report may consider the following alternatives:

- Contacting the WKU University Ombuds Officer for information and guidance; and/or,
- Clearly informing the alleged offender / harasser that the behavior is offensive, unwelcome and will not be tolerated.

- B. Formal Report / Procedure: Emphasis shall be on getting at the facts, assuring those facts are reported accurately to the proper authority, and providing a decision based on verifiable information.

1. Stage I / Initial Report

- a) A complaint of discrimination or harassment should be submitted within thirty (30) calendar days of the most recently alleged discriminatory, harassing or retaliatory action to the Equal Opportunity/504/ADA Compliance Officer.



- b) Any individual who believes he/she may have experienced or observed conduct which is in violation of this policy should report this information immediately to Equal Opportunity/504/ADA Compliance Director (EEO).
- c) Any **dean, director, faculty member, department head, manager, supervisor, or other individual with supervisory or administrative responsibility** who learns of or receives information that conduct in violation of this policy has occurred or is occurring must immediately report that information to the Equal Opportunity/504/ADA Compliance Officer.
- d) The the Equal Opportunity/504/ADA Compliance Officer is Huda Melky; her **contact information** is:

Wetherby Administration Building, Room G33  
 Western Kentucky University  
 1906 College Heights Blvd. #11009  
 Bowling Green, KY 42101-1009  
 Phone: 270-745-5121  
 Fax: 270-745-3199  
 E-mail: [huda.melky@wku.edu](mailto:huda.melky@wku.edu)

- e) Upon receipt of information, the Equal Opportunity/504/ADA Compliance Officer will either initiate stage 2, or if the report / complaint is an allegation of student to student violation of the policy, the EEO will refer the report / complaint to the Vice President for Student Affairs and Development, who will initiate stage 2.
- f) The Equal Opportunity/504/ADA Compliance Officer shall also notify the Title IX Coordinator of any reports or complaints received by her.

## 2. Stage 2 / Investigation

- a) Investigator: Responsibility for Investigation of discrimination or harassment complaints:
  - 1) Student to student violations: A report or complaint brought forward by a student where the accused is a student shall be investigated by the Vice President for Student Affairs and Development or his/her designee.
  - 2) Non-student to student violations: Reports or complaints brought forward by a student where the accused is an employee or non-university person (ex: visitor) shall be investigated by the EEO.
  - 3) All other violations: Reports or complaints brought forward by a university employee or non-university person (ex: visitor), regardless of the status of the person accused, shall be investigated by the EEO.

The President has the authority to appoint an alternate investigator as circumstances require and at his/her sole discretion.

- b) Interviews: Upon receipt of the initial report, the investigator will arrange to interview the complainant, respondent and any witnesses identified by the parties as being necessary to the investigation.
- c) Retaliation: All parties involved in the investigation will be informed that retaliation is prohibited against anyone making or participating in the investigation of a complaint. If retaliation is found to have occurred, that may be grounds for immediate termination of employment or expulsion from the university even in the absence of a finding of discrimination.
- d) Determination: In determining whether alleged conduct constitutes a violation of this policy, the record as a whole will be considered, as well as the totality of the circumstances. This means that the nature of the alleged conduct and the context in which the alleged conduct occurred will be examined and evaluated to determine whether the totality of the evidence creates a violation of University policy.
- e) Time Frame: The investigator shall make a good faith effort to complete the investigation within sixty (60) days of the complaint being filed with the investigator. However, the investigation period may be extended if the investigator believes it necessary for a full and complete investigation.
- f) Standard: The investigator will review the information, using a *preponderance of the evidence* standard (i.e. more likely than not) to determine whether a violation of the policy has occurred.

### 3. Stage 3 / Findings and Resolution

- a) Finding of No Violation: If the investigator finds that a violation of this policy has not occurred, the investigator will notify the complainant and the alleged offender of the finding in writing. Other parties will be notified as follows:
  - 1) Student to student violation: If the complainant and accused are students, the investigator may also inform other administrators as appropriate.
  - 2) Employee to student or employee violation: If the complainant is a student or university employee and the accused is a university employee, a copy of the finding will be provided to the alleged offender's department/unit head and immediate supervisor, and the Vice Provost (if the accused is a faculty member) or the Director of Human Resources (if the accused is a staff member). The investigator may also inform other administrators as appropriate.

- 3) Non-university person to student / employee: If the complainant is a student or university employee and the accused is a non-university person, a copy of the report will be provided to the Chief of the WKU Police Department. The investigator may also inform other administrators as appropriate.

b) Finding of Violation:

- 1) Student to student violation: If the investigator determines that a violation has occurred, the investigator will notify the complainant and accused, the Office of Judicial Affairs and other administrators, as the investigator deems appropriate.

The Office of Judicial Affairs shall determine an appropriate sanction in accordance with the Student Handbook.

- 2) All other violations: If the investigator determines that a violation has occurred, the investigator will notify the complainant and accused, and:
  - i. If the violator is a student, the Office of Judicial Affairs, which shall determine the appropriate sanction in accordance with the Student Handbook.
  - ii. If the violator is an employee, the offending party's department/unit head and immediate supervisor, and the Vice Provost (if the violator is a faculty member) or the Director of Human Resources (if the violator is a staff member). The EEO may also inform other administrators as appropriate.

c) Corrective Action for Employee Violation:

- 1) The offending party's supervisor shall consider the severity, persistence and pervasiveness of the conduct in determining the corrective action to be taken.
- 2) The department/unit head and supervisor shall consult with his/her successive levels of administration to determine what action, if any, is to be taken against the offending party in accordance with University disciplinary policies/procedures. The determination shall occur and be implemented as soon as possible. The EEO and the Director of Human Resources shall be informed of the disciplinary action.
- 3) In addition to the procedures outlined herein, discrimination and harassment complaints may be filed with the U.S. Equal Employment Opportunity Commission or U.S. Department of Education, Office for Civil Rights. Any complaint filed under the University's policy shall be processed even if the complainant also files a complaint or suit with an outside agency, U.S. Equal

Employment Opportunity Commission, or U.S. Department of Education, Office for Civil Rights. Contact information for these agencies: the Office for Civil Rights, U.S. Department of Education, The Wanamaker Building, Suite 515, 100 Penn Square East, Philadelphia, PA 19107, (215) 656-8548; the Kentucky Commission on Human Rights, 832 Capital Plaza, 500 Metro Street, Frankfort, Kentucky, 60601, (502) 595-4024 or (800) 292-5566; or the Equal Employment Opportunity Commission, 600 Martin Luther King, Jr. Place, Suite 269, Louisville, Kentucky 40202, (502) 582-5851.

#### IV. Related Policies

*See also:*

*1.1011 Consensual Relations Between Faculty and Students*

*1.3001 Equal Treatment of Students*

*4.8000 Standards of Conduct*

*4.8051 Workplace Violence*

## TITLE IX COMPLAINT FORM

This form provides the opportunity for a person to report violation(s) of University policy and to secure an equitable, prompt, and satisfactory solution. This procedure shall be implemented in compliance with University policy.

<b>Complainant's Name</b> [REDACTED]		
<b>Western Kentucky University ID#</b> [REDACTED]	<b>Date of Birth</b> [REDACTED]	
<b>Address</b> <u>Bowling Green</u> <u>Ky</u> <u>42104</u>		
<small>City</small>	<small>State</small>	<small>Zip Code</small>
<b>Home Phone</b> [REDACTED]	<b>Cell Phone</b> [REDACTED]	
<b>Status of Complainant:</b> Student <input checked="" type="checkbox"/> Employee <input type="checkbox"/> Other <input type="checkbox"/>		
<b>Name of Accused:</b> <u>Kenneth Johnson</u>		
<small>(Alleged Accused)</small>		
<b>Status of Accused:</b> Student <input type="checkbox"/> Employee <input checked="" type="checkbox"/> Other <input type="checkbox"/>		

Date received by Equal Opportunity/Affirmative Action/University ADA Services: 3/26/2014

**TITLE IX COMPLAINT:** FORMAL ☒ INFORMAL ( )

Identify the Title IX issue you alleged has occurred. Complete and use full names, titles, dates, exact location(s), and specific occurrence(s) if appropriate.

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**WHAT RESULTS ARE YOU SEEKING BY FILING THIS FORM?**

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**CONFIDENTIALITY:** *Although discretion will be exercised, guarantee of confidentiality or anonymity cannot be made since the investigation will involve discussions with other parties. Information about the complainant and the incidents giving rise to the complaint will be revealed only as investigatory and disciplinary processes require. Confidentiality will be observed to the extent permitted by law and consistent with protecting the welfare of faculty, staff, students, and the interests of the University.*

**SIGNATURE:** *My signature below indicates that to the best of my knowledge and belief, my statement is true. My signature also indicates that I have read the paragraph above entitled "Confidentiality."*

Signed [REDACTED]

Date 3/26/2014

It is a violation of the policy for anyone to knowingly or with reckless disregard for the truth make false accusations related to Title IX. Failure to prove a claim regarding Title IX is not equivalent to a false allegation. Sanctions may be imposed on individuals who knowingly or with reckless disregard for the truth make false accusations related to Title IX.



A LEADING AMERICAN UNIVERSITY WITH INTERNATIONAL REACH


**MEMORANDUM**

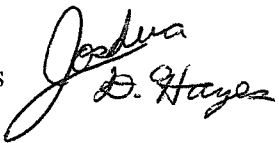
To: Dr. Charley Pride, Director  
Student Activities and Organizations

Cc: Mr. Howard Bailey, Vice President  
Student Affairs

Dr. Richard C. Miller, Vice Provost and Chief Diversity Officer  
Academic Affairs and Provost's Office

Mr. Tony Glisson, Director  
Department of Human Resources

From: Ms. Huda Melky, Director and Title IX Coordinator   
Equal Employment Opportunity/Affirmative Action/University ADA Services

Mr. Joshua Hayes, Assistant to the Director and Title IX Deputy  
Equal Employment Opportunity/Affirmative Action/University ADA Services 

Date: April 23, 2014 (Wednesday)

Re: Summary: Results of the Title IX Sexual Harassment Investigation

Attached please find the report of the Equal Employment Opportunity (EEO) office's investigation of Mr. Kenneth Johnson's alleged violations of Western Kentucky University (WKU) policies.

In accordance with WKU's Standards of Conduct Policy (#4.800), Discrimination and Harassment Policy (#0.2040), and Employee Relationships/Employment of Relatives Policy (#4.2302), in determining whether the alleged conduct constitutes a violation of these policies, this office considered the record as a whole, as well as the totality of circumstances. The nature of the alleged conduct and the context in which the alleged conduct occurred was examined and evaluated to determine whether the totality of the evidence creates a violation of University policies and Title IX of the Educational Amendments of 1972. This office has concluded that a violation of each of the above policies has occurred.

The policies, specifically #0.2040, provide that department/unit head and immediate supervisor "shall consider the severity, persistence and pervasiveness of the conduct in determining the corrective action to be taken." The department/unit head and supervisor is to consult with his/her

*The Spirit Makes the Master*

Equal Opportunity/504/ADA Compliance | Western Kentucky University | 1906 College Heights Blvd. #11009 | Bowling Green, KY 42101-1009

phone: 270.745.5121 | fax: 270.745.3199 | web: [www.wku.edu/Dept/Support/Legal/EOO/](http://www.wku.edu/Dept/Support/Legal/EOO/)

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successive levels of administration to determine what action, if any, is to be taken against the offending party in accordance with University disciplinary policies/procedures.

The determination concerning corrective action shall occur and be implemented as soon as possible. The EEO and the Director of Human Resources shall be informed of the disciplinary action. This office will then communicate with the complainant that a violation of the policies has occurred, and the action(s) to be taken by the University in response to the determination.

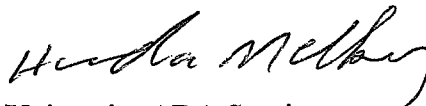
Finally, it is critical that all parties involved in the investigation be informed that retaliation is prohibited against anyone making or participating in the investigation of a complaint. If retaliation is found to have occurred, that may be grounds for immediate termination of employment from the University, with or without a finding of discrimination.

Attachment

**CONFIDENTIAL**

Date: April 23, 2014 (Wednesday)

Prepared by:

Ms. Huda Melky, Director and Title IX Coordinator   
Equal Employment Opportunity/Affirmative Action/University ADA Services

Mr. Joshua Hayes, Assistant to the Director and Title IX Deputy  
Equal Employment Opportunity/Affirmative Action/University ADA Services 

Re: Summary: Results of the Title IX Sexual Harassment Investigation

**Investigation Background**

A formal complaint of sexual harassment was brought forward by [REDACTED], Western Kentucky University (WKU) Student, against Mr. Kenneth Johnson, Assistant Director of Student Activities. The circumstances of the complaint were communicated to Ms. Huda Melky, Equal Employment Opportunity (EEO) Director and Title IX Coordinator, and Mr. Joshua Hayes, EEO Assistant to the Director and Title IX Deputy, on March 26, 2014 (Wednesday) at 11:00am.

According to [REDACTED], on several occasions, Mr. Johnson threatened to place a hold on her TopNet account, which would prevent her from registering for classes, if she did not stop by his office to visit him and/or have dinner with him at the [REDACTED]t. [REDACTED] stated that initially she thought Kenneth had the authority to place a hold on her account, but later found out that this was not true. Before she discovered the truth, she agreed to have dinner with him; however, she shared with Huda and Josh that she felt sick to her stomach the whole time and believed that Mr. Johnson misused his power. She specifically stated, "I had knots in my stomach. It bothered me how he used his position as a form of manipulation."

[REDACTED] further communicated that she is aware that other students have been forced into similar predicaments. This information was relayed to her from friends in addition to [REDACTED] own observation of witnessing Kenneth having dinner with another student at [REDACTED]. [REDACTED] also shared that when she walked into [REDACTED], while Kenneth was having dinner with another student, he (Kenneth) saw her, but acted as if she was not present. In reference to another incident, [REDACTED] communicated that when she and Kenneth attended a [REDACTED] [REDACTED], when she walked into a room he told her, "You look absolutely beautiful" which made her feel sick to her stomach, again.

[REDACTED] conveyed to Huda and Josh that she is not seeking for Mr. Johnson to be terminated, but that she does not want him to hurt other students. She also conveyed that she wants the EEO to speak with Kenneth and let him know that his actions are unacceptable. [REDACTED] stated that due to Kenneth's inappropriate behavior, she has stopped going around him or to his office in fear of running into him.



Ms. Huda Melky and Mr. Joshua Hayes initiated an investigation of [REDACTED] formal complaint on March 31, 2014 (Monday) which concluded on April 16, 2014 (Wednesday). It should be noted that the investigation did not begin on the date that [REDACTED] submitted a formal complaint because the complainant stated that she would take a few days to type names and contact information of other female students who had either been sexually harassed by Mr. Kenneth Johnson, or who were aware of other students who had been sexually harassed by Mr. Johnson. [REDACTED] shared with Ms. Melky and Mr. Hayes that she would email the information to EEO once it was complete.

It should also be noted that on April 7, 2014 (Monday), [REDACTED] emailed Ms. Melky and conveyed, [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] It should also be noted that [REDACTED] met with Mr. Joshua Hayes on April 9, 2014 (Wednesday) and shared that he placed Mr. Johnson on paid investigative leave on the morning of April 8, 2014 (Tuesday).

Information related to witnesses who were interviewed by Ms. Melky and Mr. Hayes are documented below; however, due to the confirmation of confidentiality that was communicated by EEO to each witness, each interviewee is noted by number instead of by name:

Mr. Kenneth Johnson (2 in person interviews- Tuesday, April 1, 2014 at 3:45pm; Wednesday, April 16, 2014 at 12:30pm)

Witness #1 (1 phone interview- Tuesday, April 1, 2014 at 1:02pm)

Witness #2 (1 in person interview- Tuesday, April 1, 2014 at 1:30pm)

Witness #3 (1 in person interview- Tuesday, April 1, 2014 at 3:10pm)

Witness #4 (1 phone interview- Wednesday, April 2, 2014 at 1:15pm)

Witness #5 (1 phone interview- Wednesday, April 2, 2014 at 1:25pm)

Witness #6 (1 in person interview- Wednesday, April 2, 2014 at 2:00pm)

Witness #7 (1 in person interview- Wednesday, April 2, 2014 at 2:50pm)

Witness #8 (1 phone interview- Wednesday, April 2, 2014 at 3:02pm)

Witness #9 (1 phone interview- Wednesday, April 2, 2014 at 3:15pm)

Witness #10 (1 in person interview- Wednesday, April 2, 2014 at 3:30pm)

Witness #11 (1 phone interview- Wednesday, April 2, 2014 at 3:50pm)

Witness #12 (1 phone interview- Wednesday, April 2, 2014 at 4:00pm)

Witness #13 (1 in person interview- Wednesday, April 2, 2014 at 4:07pm)

Witness #14 (1 phone interview- Thursday, April 3, 2014 at 10:00am)

Witness #15 (1 in person interview- Thursday, April 3, 2014 at 10:25am)

Witness #16 (1 in person interview- Thursday, April 3, 2014 at 11:15am)

Witness #17 (1 in person interview- Thursday, April 3, 2014 at 12:15pm)

Witness #18 (1 phone interview- Thursday, April 3, 2014 at 12:40pm)

Witness #19 (1 phone interview- Thursday, April 3, 2014 at 12:53pm)

Witness #20 (1 phone interview- Thursday, April 3, 2014 at 1:08pm)

Witness #21 (1 in person interview- Thursday, April 3, 2014 at 1:30pm)

Witness #22 (1 phone interview- Thursday, April 3, 2014 at 1:55pm)

Witness #23 (1 phone interview- Thursday, April 3, 2014 at 3:15pm)

Witness #24 (1 phone interview- Thursday, April 3, 2014 at 3:42pm)

### **Application of Guidelines or Policies**

The policies that may apply in this situation include, but are not limited to, Western Kentucky University's Standards of Conduct Policy (#4.800), Discrimination and Harassment Policy (#0.2040), and Employee Relationships/Employment of Relatives Policy (#4.2302), in addition to Title IX of the Educational Amendments of 1972.

### **Key Factual Findings of the Investigation**

**Mr. Kenneth Johnson.** Mr. Johnson was interviewed twice in person. During his first interview on April 1, 2014 (Tuesday) Mr. Johnson denied all allegations brought forward by [REDACTED]. During his second interview on April 16, 2014 (Wednesday), Mr. Johnson denied all allegations conveyed by other witnesses who were interviewed.

**Witness #1.** Witness #1 stated that Kenneth did not flirt with or come on to her, never complimented her looks, and did not ask her to lunch or dinner. She also shared that she had not

heard of Kenneth threatening to place holds on students' accounts via TopNet. This witness stated that she did not trust Kenneth because of her experiences with him during several conversations and meetings she had with him. She shared that he often tried to be very deceitful in his responses and did not feel supported by him in regards to [REDACTED]

**Witness #2.** Witness #2 stated that Kenneth gives off a “creepy vibe” and therefore, she keeps her distance from him and does not want to spend one-on-one time with him. The witness shared that she does not even email Kenneth, and has observed other students wanting to stay away from him as well. She stated that she has heard of Kenneth looking at female students “a certain way” and has heard that he compliments their physical attractiveness. The witness shared that she is aware of a female student, [REDACTED], whose TopNet account Kenneth threatened to place a hold on if she did not stop by his office to see him or go out to eat with him. The witness stated that [REDACTED] also shared with her that she was sick to her stomach when Kenneth invited her to dinner, that she attended the dinner believing that he could place a hold on her TopNet account, and that she was so sick to her stomach that she could not finish her meal.

**Witness #3.** Witness #3 stated that she has heard rumors about Kenneth dating female students, but did not encounter a personal experience with him and has never felt uncomfortable around him. She stated that when she first began taking classes at WKU she was told that Kenneth prefers to work with more women than men, and that she should be careful with forming any type of relationship with him. She shared that several people stated that a female student had to be pretty to [REDACTED]. When asked why such statements were said about Kenneth, the witness stated that a lot of students do not like him. She further conveyed that some individuals get frustrated with him [REDACTED] because he encourages them to brainstorm about solutions to issues, other individuals feel slighted in the fact that he gives more of his time [REDACTED]

[REDACTED] Kenneth's [REDACTED]. The witness stated that Kenneth never asked her to go to dinner with him one-on-one. She stated, “I don't think he tries to get dates with people, from what I see. He may say jokes that may make people feel uncomfortable.” The witness stated that often she asked Kenneth to drive her to the store to purchase items [REDACTED] she was part. The witness also shared that her friend worked out in the gym with Kenneth previously, but shared with Witness #3 that she was not interested in continuing the sessions. Witness #3 stated that her friend did not share details about why she was no longer interested, however.

**Witness #4.** Witness #4 stated that from her observations, Kenneth was always flirty with the female students and that “it was common knowledge that he dated students.” She stated that a story was shared with her about a female student [REDACTED] who spent the night in Kenneth's room [REDACTED]. The witness stated that the student [REDACTED] was part of [REDACTED], and provided names of other individuals who could attest to this story. The witness also shared that Kenneth's “other fling” [REDACTED] was also a student who [REDACTED] and that she witnessed the two of them riding together in a golf cart as recent as [REDACTED].

She stated that it was shared with her that Kenneth and the “other fling” [REDACTED] traveled [REDACTED]. The witness also shared that “it was a running joke that if you wanted to get ahead, you would sleep with Kenneth.”

**Witness #5.** Witness #5 stated that in 2007 or 2008, [REDACTED] with Kenneth and [REDACTED] he was told that one of the female students [REDACTED] spent the night in Kenneth’s [REDACTED]. The witness provided names of other individuals who could attest to this story, in addition to other incidents that had occurred involving Kenneth and female students. It was also shared with the witness that the female student [REDACTED] told her female counterparts, [REDACTED] that she [REDACTED] and Kenneth had sex and were dating. The witness stated that Kenneth “is really close to female students”, that [REDACTED], and that [REDACTED]. Witness #5 further conveyed that Kenneth normally takes female students to lunch, creates “so-called internships” for them, and places them in certain positions. In reference to Kenneth’s relationships with female students, the witness stated that “he sets them up and doesn’t take nearly the amount of interest in males.”

**Witness #6.** Witness #6 stated that she and Kenneth have eaten lunch one-on-one while on campus, that she eats in his office from time to time, and has never dined with him off campus. She stated that Kenneth asks both males and females to lunch and that people confide in him. The witness also shared that she believes people use Kenneth and are two-faced. She said she has [REDACTED] with Kenneth and has never felt uncomfortable.

**Witness #7.** Witness #7 stated that Kenneth asked her out to lunch because [REDACTED], but that they never went. She stated that she did not feel awkward by his request. The witness stated that she and Kenneth used to workout together, but that she ceased these activities after he commented on her attire. She stated that after this incident she notified one of her friends that Kenneth “did make a comment one-time that was a little off.” In reference to her attire, she conveyed that Kenneth stated, “Look at you...it must be [REDACTED]” and that this remark made her feel “weird.” The witness stated that Kenneth complimented her on other days when she would dress up, but that his comments were more so perceived jokingly.

**Witness #8.** Witness #8 stated that he often heard rumors about Kenneth dating and sleeping with female students, and that he provided them with certain privileges. This witness shared an incident in which he went to Kenneth’s office in the [REDACTED]. The witness stated that he knocked on the door, waited for some time, and tried to turn the knob to open the door, but discovered that it was locked. The witness stated that it took a while for Kenneth to open the door, and that when he did the witness saw a female student [REDACTED] in the office. The witness also stated that the office had a “fishy scent” of sex. The witness also shared that several female students notified him that Kenneth texted them often, and that he was also made aware of an incident in which a female student [REDACTED] had sex with Kenneth [REDACTED]. The witness conveyed that he was told that Kenneth has made negative remarks in front of others about a WKU male student potentially being gay, while this student was also present.

**Witness #9.** Witness #9 stated that she [REDACTED]

[REDACTED] She stated that Kenneth and a female student [REDACTED] were flirty, and that [REDACTED] the female student [REDACTED] told her and another female student that she would be spending the night in Kenneth's [REDACTED]. The female student [REDACTED] who spent the night with Kenneth told the other two female students that she and Kenneth kissed. The witness stated that she was not sure if Kenneth and the female student [REDACTED] had sex, however. The witness shared that after the group returned [REDACTED], the female student [REDACTED] who spent the night in Kenneth's [REDACTED] also shared that she and Kenneth were now dating. The witness communicated that she and the other female student expressed concerns to the female student who was dating Kenneth. Witness #9 also stated that she was aware that Kenneth helped the female student [REDACTED] he was dating move in to her [REDACTED] apartment. The witness also shared that she was made aware that Kenneth had dated another female student [REDACTED]. The witness communicated that Kenneth had a group of "female followers who worshipped him back then." The witness shared that the female [REDACTED] who spent the night with Kenneth was the [REDACTED] at that time and that she believed he was using her [REDACTED] to support him in the midst of changes that were occurring within [REDACTED]. The witness stated that she has heard Kenneth tell students "you look nice today", and that a friend of hers shared that Kenneth has also made her feel uncomfortable. In reference to the remarks Kenneth made about female students' appearances, the witness stated, "It was like one of those things that would make your skin crawl."

**Witness #10.** Witness #10 stated that she met Kenneth her freshman year at WKU and that often he would ask her to visit him in his office. She conveyed that she was [REDACTED]. The witness stated that Kenneth [REDACTED], but then became her friend and confidant. She stated that Kenneth opened many doors for her and that he cared about his students. The witness communicated that she and Kenneth went out to eat and he paid, and that she "felt weird" that he purchased the food. However, she stated that after she asked individuals if him paying for the meal would be an issue, she was told that "it was no big deal." The witness shared that at one point she was dealing with some personal crises and that Kenneth attempted to be a support system to her by asking her to lunch and dinner. The witness stated that she did not get a "creep vibe" from Kenneth, but that she drew a line with him because she heard that he tried to date female students. She also communicated that she and Kenneth used to run around campus together as a form of exercise, but that they were no longer exercising together.

**Witness #11.** Witness #11 stated that she [REDACTED] with Kenneth, and never experienced a sense of awkwardness from or discomfort with him. She stated that Kenneth never told her that she was "beautiful", but stated that she "looked great." The witness stated that she was aware that Kenneth took individuals out to lunch one-on-one and in groups because he did the same with her. She shared that she and Kenneth had a mentor-to-mentee type of relationship [REDACTED]. She also stated that she and Kenneth never dated.

It should be noted that this individual was perceived, by other witnesses, as one of Kenneth's girlfriends who was a student at the time of their alleged relationship and the individual he was

seen with driving around campus in a golf cart during WKU's 2013 Football Homecoming Weekend. It should also be noted that this individual is one who was seen leaving Kenneth's [REDACTED] communicated by some of the witnesses below].

**Witness #12.** Witness #12 stated that "it has been a laughing joke" about Kenneth dating and sleeping with female students, especially for those who wanted [REDACTED]. She stated that "those individuals he has been playing with will not speak against him." The witness conveyed that she did not attend [REDACTED] in which a female student [REDACTED] was suspected of spending the night in Kenneth's [REDACTED] however, some of the individuals [REDACTED] shared the story with her once they returned.

**Witness #13.** Witness #13 stated that he is not sure if Kenneth "crosses the line", but that he definitely "pushes the envelope" in regards to his relationship with female students. The witness stated that several of his female friends shared with him that Kenneth has asked them out or taken them out to lunch or dinner on several occasions. The witness stated that he has never known Kenneth to take another male student to lunch or dinner one-on-one. The witness stated that during his freshman and sophomore years at WKU, he observed "awkward moments" involving Kenneth. The witness described an incident that occurred [REDACTED] that he and Kenneth were both part. He stated that [REDACTED] The witness shared that when he and the other male student saw the female student [REDACTED] leaving Kenneth's [REDACTED] she [REDACTED] "ducked her head and walked [REDACTED] In reference to the female student [REDACTED], the witness stated that during her [REDACTED] [REDACTED] The witness stated that this created some issues [REDACTED] and heightened the speculation that Kenneth and the female student [REDACTED] had more than an [REDACTED]. The witness shared that Kenneth threatened to place a hold on his TopNet account if he did not stop by to see him. The witness also stated that other students conveyed that Kenneth has made similar threats to them as well. The witness stated that Kenneth flaunts and abuses his power.

It should be noted that this witness was concerned that Kenneth's behavior, and other actions involving the Department of Student Activities, have been "swept under the rug" and that many students have not felt that they could report these types of issues to a higher administrator within the Department of Student Activities. It should also be noted that this witness experienced negative comments spoken by Kenneth, in a group setting, related to his (the student) alleged sexual orientation. The witness stated that Kenneth made jokes about him potentially being gay and that the remarks affected him emotionally mainly because they were said in front of a large group of people.

**Witness #14.** Witness #14 stated that he does not feel that Kenneth "pushes the envelope" or "crosses the line" with female students. The witness stated that he defines himself as a "pretty private professional" and has the same perspective of Kenneth. The witness stated that he first

became aware of allegations related to Kenneth when a female student recently notified him about her concerns regarding Kenneth.

**Witness #15.** Witness #15 stated that she has worked with Kenneth through [REDACTED]. She stated that when she first met Kenneth, he made her feel uncomfortable. She also stated that Kenneth has taken her to lunch and dinner, one-on-one, and that there was a period in which they ate out together approximately three times per week. She communicated that they often went to eat at restaurants [REDACTED].

[REDACTED] The witness stated that on several occasions Kenneth picked her up in his vehicle from her place of residence and had “romantic” music playing, which she defined as being “awkward.” She also stated that during their dinners he purchased appetizers, the meal, desserts, and alcohol for both of them. The witness stated that it was also shared with her that Kenneth did the same for other female students.

The witness stated that she is aware that Kenneth has taken several female students out to lunch and dinner, but was not sure if he ever did the same for male students. The witness shared that she also heard rumors about Kenneth dating female students. She mentioned one story about a female student who has since graduated, but who [REDACTED]. The witness further shared that she was told that the relationship between the female student and Kenneth ended poorly.

The witness also shared a second story that she was aware of involving another female student [REDACTED] who had a “very close relationship” with Kenneth in the past. The witness shared that it was communicated to her that this female student [REDACTED] was seen leaving Kenneth’s [REDACTED]. She stated that the relationship between Kenneth and this female student [REDACTED] was so close that when the female student [REDACTED] [REDACTED]

[REDACTED] The witness further conveyed that at one point in time students intentionally called her the same name of the female student [REDACTED] [REDACTED] at [REDACTED]. The witness shared that initially she was not sure why students called her that, but then figured out that it was due to the perceived closeness Kenneth was striving to have with her.

Witness #15 also conveyed that the female student [REDACTED] she was compared to [REDACTED] and that the female student [REDACTED] had “free reign” to do what she wanted. The witness shared that Kenneth [REDACTED] [REDACTED], and that [REDACTED]

[REDACTED] Witness #15 also shared that when this particular female student [REDACTED] [REDACTED] that Kenneth [REDACTED]. The witness stated that this particular female student [REDACTED] “defends him [Kenneth] a lot and definitely defends his honor.”

Witness #15 shared that the rumor related to [REDACTED]. She conveyed an experience she had with [REDACTED].

Kenneth related to this “rumor” in which he did not follow the policy and procedure regarding

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

She furthered conveyed that “[REDACTED]  
and that [REDACTED] The witness also stated that when she  
went [REDACTED]

[REDACTED]  
[REDACTED] She shared that normally Kenneth [REDACTED]  
[REDACTED] which she found to be “awkward and weird.”

The witness conveyed that she has been asked by several students, male and female, to speak with someone at WKU about what female students have experienced with Kenneth. These experiences consisted of, but were not limited to, female students feeling uncomfortable around Kenneth, “being hit on” or “flirted with” by Kenneth, him hugging them around their waists, and intimidating them through his power within Student Activities. She stated that “it is very stressful to work with K.J. and that you tread very lightly.” The witnesses stated that based on her experiences, Kenneth uses his power to create a quid pro quo, pervasive, hostile work environment conducive of sexual harassment.

The witness stated that most individuals, female students especially, “all just kind of keep our mouths closed” and do not speak up against Kenneth due to his abuse of power. She stated that many students, male and female, are fearful of Kenneth’s power because of his abuse of it, and that the fear intensified when [REDACTED], departed WKU. She said this departure allowed Kenneth to gain more power due to assuming the responsibilities [REDACTED] had during her time at WKU. The witness described Kenneth as malicious and manipulative, and said, “You don’t cross him.” The witness also stated, “They should have hired someone in [REDACTED] place. He shouldn’t have so much power. He runs too much.” She further communicated that she and several female students are not sure what Kenneth shares with his supervisor, Dr. Charley Pride, in that they believe Kenneth keeps some topics away from Dr. Pride so that it appears that he (Kenneth) is in charge of all student activity related functions. The witness further conveyed that when an individual is interested [REDACTED]  
[REDACTED] Kenneth tries to pry and get involved in the individual’s personal business. The witness stated that she was interested [REDACTED]  
[REDACTED], and that each notified her that she would have to cease any type of relationship with Kenneth. The witness also described an experience in which Kenneth found out who she was dating and began to harass her and her boyfriend by sending several texts, making several phone calls, and asking several questions of both of them about their personal lives, specifically about their dating relationship. The witness stated that she “cut ties with K.J.” because she was “not



comfortable with his creepiness.” She also shared that shortly after she cut ties with Kenneth, he [REDACTED].

It should be noted that this witness was so afraid of Kenneth, based on her experiences with him, that she asked if he would have access to her name and know that she interviewed with EEO and served as a witness for this case. She was assured that he would not have access to her name nor know that she interviewed with EEO. She made it clear that she was so afraid that if he had access to this information then she would not go through with the interview.

**Witness #16.** Witness #16 stated that she used to work with Kenneth when she was an [REDACTED], and experienced times when she felt uncomfortable being around Kenneth. She stated that Kenneth asked her to lunch, and that both of them went one-on-one. During some of their conversations, the witness stated that she felt uncomfortable with Kenneth because “he wanted to know personal stuff.” The witness stated that Kenneth would ask about her dating and love life and that she would provide brief responses to let him know that she was not in a relationship and not dating anyone. She stated, “I would try to keep it [the conversations] professional” and that she often wondered why he asked her to lunch. The witness stated that she never declined a lunch with him because she did not want to be rude. She stated that she felt more comfortable when they would go to lunch with a group of people. The witness further conveyed that from what she experienced, and from what other female students shared with her, that the Kenneth-to-student relationships with female students were “kind of weird.”

The witness stated that while she was a student, Kenneth complimented her looks and this made her feel “weird”. She also conveyed that she is not a “big hugger”, but that anytime Kenneth would see her “he would always want a hug.” The witness stated that she never felt that it was necessary to file a complaint against Kenneth due to what she personally experienced; however, through her observations, she noticed that several relationships between Kenneth and female students “were a little more than professional.” She further shared that Kenneth gave nicknames to the female students.

Due to her involvement [REDACTED] the witness was asked if she observed any type of relationship between Kenneth and the female student [REDACTED] who was seen [REDACTED]. She stated that “they were really close”, but was not sure how close. She stated that she (the witness) introduced this female student [REDACTED], but that the student “flipped out” on her at one point. When asked about the policy and procedure related to being selected [REDACTED], the witness stated [REDACTED].

The witness stated that since she has graduated from WKU, she and Kenneth have been out to eat together. She said that now she asks him about his love life and if he is dating. The witness stated that Kenneth shared that he is dating and interested in “professional women with degrees.”

**Witness #17.** Witness #17 stated that she was invited to lunch and dinner with Kenneth, and “did not feel weird.” She stated that she has only seen Kenneth be a mentor to students, that she never

experienced or heard that female students had to look a certain way [REDACTED] and that Kenneth has never asked her questions about her love life.

**Witness #18.** Witness #18 stated that “Kenneth is just really friendly” and has never made her feel uncomfortable. She stated that the two of them went to lunch [REDACTED] and that she felt comfortable. She said that during their conversation he asked her about school, and never asked about her personal life. The witness stated that Kenneth never called her “beautiful”, but complimented her when she dressed up and looked professional. The witness stated that she never heard of Kenneth having more than an [REDACTED].

**Witness #19.** Witness #19 stated that she and Kenneth dated and had sex while she was a junior at WKU, approximately 4 to 5 years ago. She stated that their consensual relationship developed through Kenneth’s work [REDACTED]. When asked how their dating relationship began, the witness stated that Kenneth asked her out to lunch and dinner. When asked if she spent the night in Kenneth’s [REDACTED], she stated that she did not spend the night with him and that the two of them did not spend any one-on-one time together [REDACTED]. The witness conveyed that she and Kenneth did not start dating or having sex until after they [REDACTED]. When asked if she and Kenneth were still dating, she said that they were not. When asked why their relationship ended, the witness stated that “it was on his part” and that he shared with her that he “wanted to see other people.” When asked if ‘other people’ was defined as other female students, the witness stated that Kenneth did not provide details.

The witness further conveyed that she mentors a female student, [REDACTED], and that her [REDACTED] has experienced inappropriateness from Kenneth. The witness stated that the female student shared with her that Kenneth “gets chummy”, “hovers over her”, and often wants her to meet with him one-on-one in his office.

**Witness #20.** Witness #20 stated that she witnessed a female student [REDACTED] spending the night in Kenneth’s [REDACTED]. She stated that the [REDACTED]

[REDACTED]

**Witness #21.** Witness 21 stated that she has not seen or heard of any inappropriateness regarding Kenneth. The witness stated that she does not stand for that type of behavior and would have reported any inappropriateness regarding Kenneth that she observed or heard about. The witness stated that she is aware that Kenneth has one-on-one lunches with students, both male and female, as this is “the nature of our work.” She stated that as part of the working environment, students are taken to lunch on campus. She also conveyed that sometimes the employees of [REDACTED] pay for lunches with students out of their “personal pockets.” The witness

communicated that on very rare occasions do staff within Student Activities take students to dinner as a group, let alone one-on-one. When asked if it was in the nature of the work within Student Activities for a staff to pick up a student in their vehicle while playing romantic music, take them to dinner, purchase an appetizer, a meal, and dessert, the witness said she found the traits to be "odd." She further stated, "I hate it for the students in general to be in any compromising situation."

**Witness #22.** Witness #22 stated that she was told that Kenneth is "sketchy" and that he should not be trusted. The witness further conveyed that there have been times in which Kenneth has made her feel uncomfortable, and she shared some examples. First, the witness shared that Kenneth has asked her to lunch and dinner, off campus and one-on-one, which has made her feel uncomfortable. She said she often wondered "are we allowed to do this?" Second, she stated that when she has visited his office he has requested hugs from her, while he has stayed seated, which has led to his arm being wrapped around her waist and his hands near her buttocks. She stated that the most recent incident of him wrapping his arms around her waist occurred approximately two weeks ago [from the date of this interview]. Third, the witness shared that on more than one occasion, Kenneth has picked up her cell phone and went through it, although she told him that "there are things in there that you may not want to see." The witness stated that Kenneth's response was, "it's nothing I haven't already seen before." Fourth, during a conversation with Kenneth, the witness mentioned that she had cooked and Kenneth asked, "Where was my invitation?" Finally, the witness shared that while Kenneth was dating [REDACTED], who notified her that she and Kenneth were dating, he also made several attempts to flirt with her and other female students [REDACTED]

**Witness #23.** Witness #23 stated that during the time she worked with Kenneth she noticed that he tended "to have more females around" especially [REDACTED]. She stated that she heard rumors about female students needing to look a certain way [REDACTED] that she "could see the perception of needing to look good." The witness stated that she did not hear stories or rumors about Kenneth hugging students. The witness stated that she was often concerned because the relationship that Kenneth had with female students was "more than an administrator and student should be." She conveyed that she was not personally affected by Kenneth, however. The witness shared that she attended group lunches with Kenneth in the [REDACTED], that she never had dinner with him either one-on-one or in a group setting, that she was aware that he was having one-on-one lunches and dinners with other female students, and that it was shared with her that some relationships, of a dating nature, sparked from these outings.

**Witness #24.** Witness #24 stated that on several occasions she has heard stories of Kenneth taking female students on dates. She stated that when she first became a student at WKU she was told "don't go to his office because he would try to hit on students." The witness stated that she has not personally been affected by Kenneth because she is not around him enough. The witness stated that she encouraged a female student to speak up about her discomfort and negative experiences with Kenneth. The witness stated that "Kenneth is a bit much and his inappropriateness could impact many."

## **Conclusion**

A thorough investigation, regarding the issues raised, was completed. Based on the a review of Kenneth Johnson's position description, the analysis, observations, and statements of those interviewed, the preponderance of evidence is that the accused (Mr. Kenneth Johnson) did violate Western Kentucky University's Standards of Conduct Policy (#4.800) and Discrimination and Harassment Policy (#0.2040), in addition to Title IX of the Educational Amendments of 1972. In addition, there is evidence that Mr. Johnson's relationship with at least one student indicates a violation of WKU's Employee Relationships/Employment of Relatives Policy (#4.2302), due to the fact that this student, [REDACTED], receive(d) monetary support from the University as a part of [REDACTED].

# Kenneth Johnson Case Sequence of Events

NAME	DATE	TIME	CONTACT SOURCE
██████████	3/26/14	11:00 a.m.	██████████ met with Joshua and Huda and filed a Title IX Sexual Harassment complaint against Kenneth Johnson
██████████	3/28/14	2:00 p.m.	Huda met with ██████████ to brief him on the complaint filed by ██████████
██████████	3/31/14	2:28 p.m.	██████████ called for Huda and left message for her to call him. She returned the call on 3/31/14
██████████ w	4/1/14	1:02 p.m.	Joshua Hayes spoke to ██████████ on the phone.
██████████ w	4/1/14	1:30 p.m.	Meeting with Huda and Joshua in EOO.
██████████ w	4/1/14	3:10 p.m.	Meet with Huda and Joshua in EOO.
Kenneth Johnson Accused	4/1/14	3:45 p.m.	Met with Huda and Joshua
██████████ w	4/2/14	1:15 p.m.	Joshua spoke with ██████████ on the phone
██████████ w	4/2/14	1:25 p.m.	Joshua spoke with ██████████ on the phone
██████████ w	4/2/14	2:00 p.m.	██████████ meet with Joshua and Huda in the EOO
██████████ w	4/2/14	3:00 p.m.	██████████ met with Joshua and Huda in the EOO
██████████ w	4/2/14	3:02 p.m.	Joshua spoke with ██████████ on the phone
██████████ w	4/2/14	3:15 p.m.	Joshua and Huda spoke with ██████████ on the phone
██████████ w	4/2/14	3:30 p.m.	Joshua and Huda met with ██████████ in the EOO
██████████ w	4/2/14	3:50 p.m.	Joshua and Huda spoke with ██████████ on the phone
██████████ w	4/2/14	4:00 p.m.	Joshua and Huda met with ██████████ in the EOO
██████████ w	4/2/14	4:00 p.m.	Joshua spoke with ██████████ on the phone
██████████	4/3/14	10:00 a.m.	Joshua and Huda spoke with ██████████ on the phone
██████████	4/3/14	10:30 a.m.	Joshua and Huda met with ██████████ in the EOO
██████████	4/3/14	11:00 a.m.	Joshua and Huda met with ██████████ in the EOO
██████████	4/3/14	12:00 p.m.	Joshua and Huda met with ██████████ in the EOO
██████████	4/3/14	12:40 p.m.	Joshua and Huda spoke with ██████████ on the phone
██████████	4/3/14	12:52 p.m.	Joshua and Huda spoke with ██████████ on the phone
██████████	4/3/14	1:09 p.m.	Joshua and Huda spoke with ██████████ on the phone
██████████	4/3/14	1:30 p.m.	Joshua and Huda met with ██████████ in the EOO
██████████	4/3/14	1:55 p.m.	Joshua and Huda spoke with ██████████ on the phone
██████████	4/3/14	3:17 p.m.	Joshua and Huda spoke with ██████████ on the phone
██████████	4/7/14	12:40 p.m.	Huda spoke with ██████████ on the phone
██████████	4/7/14	2:00 p.m.	Joshua and Huda met with ██████████ in the EOO
██████████	4/7/14	2:42 p.m.	Joshua and Huda spoke with ██████████ on the phone
██████████	4/9/14	9:30 a.m.	Joshua met with ██████████
Kenneth Johnson	4/16/14	12:30 p.m.	Joshua and Huda met with Kenneth
██████████	4/16/14	3:00 p.m.	Joshua and Huda met with ██████████
██████████	4/17/14	1:30 p.m.	Joshua and Huda met with ██████████
██████████	4/22/14	2:00 p.m.	Joshua, Huda, ██████████ met in Huda's office to discuss the case

**Formal Complaint Against Kenneth Johnson**

**Complainant:** [REDACTED]

**Accused:** Kenneth Johnson

Witness #1 - [REDACTED]

Witness #2 - [REDACTED]

Witness #3 - [REDACTED]

Witness #4 - [REDACTED]

Witness #5 - [REDACTED]

Witness #6 - [REDACTED]

Witness #7 - [REDACTED]

Witness # 8 - [REDACTED]

Witness #9 - [REDACTED]

Witness #10 - [REDACTED]

Witness #11 - [REDACTED]

Witness #12 - [REDACTED]

Witness #13 - [REDACTED]

Witness #14 - [REDACTED]

Witness #15 - [REDACTED]

Witness #16 - [REDACTED]

Witness #17 - [REDACTED]

Witness #18 - [REDACTED]

Witness #19 - [REDACTED]

Witness #20 - [REDACTED]

Witness #21 - [REDACTED]

Witness #22 - [REDACTED]

## Kenneth Johnson Case Sequence of Events

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	4/2/14	1:15 p.m.	Joshua spoke with  on the phone
	4/2/14	1:25 p.m.	Joshua spoke with  on the phone
	4/2/14	2:00 p.m.	meet with Joshua and Huda in the EOO
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	4/2/14	3:02 p.m.	Joshua spoke with  on the phone
	4/2/14	3:15 p.m.	Joshua and Huda spoke with  on the phone
	4/2/14	3:30 p.m.	Joshua and Huda met with  in the EOO
	4/2/14	3:50 p.m.	Joshua and Huda spoke with  on the phone
	4/2/14	4:00 p.m.	Joshua and Huda met with  in the EOO
	4/2/14	4:00 p.m.	Joshua spoke with  on the phone
	4/3/14	10:00 a.m.	Joshua and Huda spoke with  on the phone
	4/3/14	10:30 a.m.	Joshua and Huda met with  in the EOO
	4/3/14	11:00 a.m.	Joshua and Huda met with  in the EOO
	4/3/14	12:00 p.m.	Joshua and Huda met with  in the EOO
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	4/3/14	12:52 p.m.	Joshua and Huda spoke with  on the phone
	4/3/14	1:09 p.m.	Joshua and Huda spoke with  on the phone
	4/3/14	1:30 p.m.	Joshua and Huda met with  in the EOO
	4/3/14	1:55 p.m.	Joshua and Huda spoke with  on the phone
	4/3/14	3:17 p.m.	Joshua and Huda spoke with  on the phone
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	4/7/14	2:42 p.m.	Joshua and Huda spoke with  on the phone
	4/9/14	9:30 a.m.	Joshua met with
Kenneth Johnson	4/16/14	12:30 p.m.	Joshua and Huda met with Kenneth
	4/16/14	3:00 p.m.	Joshua and Huda met with
	4/17/14	1:30 p.m.	Joshua and Huda met with
	4/22/14	2:00 p.m.	Joshua, Huda,  met in Huda's office to discuss the case

**Melky, Huda**

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**From:** Crowe, Michael  
**Sent:** Friday, March 07, 2014 5:23 PM  
**To:** Melky, Huda  
**Subject:** RE: Please be advised

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Preliminary follow-up:

A statement was taken and resources were given to [REDACTED] on Wednesday. Mr. Richardson is out of the country until after Spring Break but has been notified.

[REDACTED] and in her statement she mentioned she was uncomfortable with an meeting that her daughter had with the [REDACTED] Mr. Kenneth Johnson (they had a lunch meeting). The mother could not understand why he needed to meet with her at a restaurant for a meeting.

I was unable to ascertain the nature of the discomfort from the daughter when I asked her directly (what was the nature of the meeting?)-there was only a question about his (Mr. Johnson's) authority to place a hold on her account.

I clarified the hold process and who has that authority on campus related to student activity/behavior.

I advised her to contact your office.

There was nothing specific stated alleging harassment or any behavior as defined in our policy, but because I mentioned your office as a resource. I wanted you to have the head's up should they contact you.

Our investigation of the student behavior reported is still on-going.

My best!

Michael P. Crowe, Jr.  
Director of Judicial Affairs  
Deputy Title IX Coordinator  
Western Kentucky University  
432 Potter Hall



**████████████████████ versus Mr. Kenneth Johnson**  
**Notes from ██████████ Interview**  
**March 26, 2014 (Wednesday)**

██████████ filed a formal complaint with the Equal Opportunity Office (EOO) against Mr. Kenneth Johnson during her meeting with Ms. Huda Melky and Mr. Joshua Hayes. ██████████ stated that on several occasions, Mr. Johnson threatened to place a hold on her TopNet account, which would prevent her from registering for classes, if she did not stop by his office to visit him and/or have dinner with him at the ██████████. ██████████ stated that initially she thought Kenneth had the authority to place a hold on her account, but later found out that this was not true. Before she discovered the truth, she agreed to have dinner with him; however, she shared with Huda and Josh that she felt sick to her stomach the whole time and believed that Mr. Johnson misused his power. She specifically stated, "I had knots in my stomach. It bothered me how he used his position as a form of manipulation."

██████████ further communicated that she is aware that other students have been forced into similar predicaments. This information was relayed to her from friends in addition to ██████████ own observation of witnessing Kenneth having dinner with another student at ██████████. ██████████ also shared that when she walked into ██████████, while Kenneth was having dinner with another student, he (Kenneth) saw her, but acted as if she was not present. In reference to another incident, ██████████ communicated that when she and Kenneth attended ██████████ ██████████, when she walked into a room he told her, "You look absolutely beautiful" which made her feel sick to her stomach, again.

██████████ conveyed to Huda and Josh that she is not seeking for Mr. Johnson to be terminated, but that she does not want him to hurt other students. She also conveyed that she wants the EOO to speak with Kenneth and let him know that his actions are unacceptable. ██████████ stated that due to Kenneth's inappropriate behavior, she has stopped going around him or to his office in fear of running into him.

**██████████ versus Mr. Kenneth Johnson**  
**Notes from ██████████ Interview**  
**March 26, 2014 (Wednesday)**

██████████ filed a formal complaint with the Equal Opportunity Office (EOO) against Mr. Kenneth Johnson during her meeting with Ms. Huda Melky and Mr. Joshua Hayes. ██████████ stated that on several occasions, Mr. Johnson threatened to place a hold on her TopNet account, which would prevent her from registering for classes, if she did not stop by his office to visit him and/or have dinner with him at the ██████████. Krystal stated that initially she thought Kenneth had the authority to place a hold on her account, but later found out that this was not true. Before she discovered the truth, she agreed to have dinner with him; however, she shared with Huda and Josh that she felt sick to her stomach the whole time and believed that Mr. Johnson misused his power. She specifically stated, "I had knots in my stomach. It bothered me how he used his position as a form of manipulation."

██████████ further communicated that she is aware that other students have been forced into similar predicaments. This information was relayed to her from friends, such as ██████████, in addition to ██████████ own observation of witnessing Kenneth having dinner with another student at ██████████. ██████████ also shared that when she walked into ██████████, while Kenneth was having dinner with another student, he (Kenneth) saw her, but acted as if she was not present. In reference to another incident, ██████████ communicated that when she and Kenneth ██████████, when she walked into a room he told her, "You look absolutely beautiful" which made her feel sick to her stomach, again.

██████████ conveyed to Huda and Josh that she is not seeking for Mr. Johnson to be terminated, but that she does not want him to hurt other students. She also conveyed that she wants the EOO to speak with Kenneth and let him know that his actions are unacceptable. ██████████ stated that due to Kenneth's inappropriate behavior, she has stopped going around him or to his office in fear of running into him.

**Kenneth Johnson**

Huda: The reason you are here is because we received a claim of a student who works with you feels like you will say you will put a hold on their account if they don't go to lunch with you and they feel very intimidated by you using your power and your position to claim that you can put a hold on their record. And how do you respond to that?

Kenneth: I unequivocally 110% deny it that that is something I would ever say or have said. I have never threatened to put a hold on a student's account.

Huda: Well, you have no authority to do that.

Kenneth: Exactly.

Huda: Have you said it by joke? Do you think maybe you joking you said, "Oh, I will put a hold on your account if we don't go to lunch together."

Kenneth: Never. Never. That has never been the case. I have never in any way said, "I will put a hold on your account if we don't go to lunch" or that is 110% incorrect.

Huda: Do you take students to lunch?

Kenneth: Occasionally, I have taken male and female students to lunch.

Huda: Okay, do you see yourself more, there again, that is the allegation...

Kenneth: Yes, ma'am.

Huda: Do you see yourself that you take more female students to lunch than male?

Kenneth: I don't necessarily keep up with the number, I don't know, I don't think so. I was just at lunch the other day with a young gentleman at [REDACTED]

Huda: Yeah.

Joshua: Have you ever complimented any of your female students or advisees and said they were beautiful or that they are pretty?

Kenneth: I have had students come in and I have said, "you look great today" but nothing I don't think, you know...

Huda: Have you had the feeling that some students don't feel comfortable around you?

Kenneth: No.

Huda: Have you felt like some students dislike you with the way you handle business with them?

Kenneth: I guess there are times with the nature of what I have to do with organizations at times I may not be one of the most welcome person in their life when I have to come in because of a conduct issue. If it is a conduct investigation or if it is something along those lines but I think that goes a little partial with it.

Huda: Ok, do you have any more questions? Well, the thing about it is that it is a formal complaint.

Kenneth: Yes ma'am.

Huda: That means that I will be talking to some students and I will not disclose what the claim is about the only thing I will ask them is have they had such an experience with you and of course whatever at the end of the investigation, I will let you know the outcome. I just want you to be aware that I will be talking to some of the students because the claim came formally and that is what I do. I will talk to several of the students and we will get that wrapped up pretty quickly because I don't need you to feel the anxiety or whatever. This is not a good experience for anyone but I will get the work done on it really quickly. If you have any questions, I am a phone call away. Let me give you my card. In the meantime, please don't communicate with any student. Don't bring the claim or share with anyone what we are discussing here because that is just part of my investigation.

Kenneth: Yes ma'am.

Huda: You deal with conduct every day so I am sure I don't need to tell you.

Kenneth: I understand completely.

Huda: This is my cell number just in case you have a question. You leave here and you may have a question. It is a harassment complaint.

Kenneth: Yes ma'am.

Huda: And it is a formal complaint and I just want to make sure that we will get to the bottom of the concern if there is one. It is just only allegations and by the time I finish the investigation we will make sure we share the outcome with you.

Kenneth: I appreciate it. Thank you.

Huda: Thank you for coming.

**Formal Complaint Against Kenneth Johnson**

**Complainant:** [REDACTED]

**Accused:** Kenneth Johnson

**Friday, April 4, 2014**

Witness #1 [REDACTED]

Witness #2 [REDACTED]

Witness #3 [REDACTED]

Witness #4 [REDACTED]

Witness #5 [REDACTED]

Witness #6 [REDACTED]

Witness #7 [REDACTED]

Witness # 8 [REDACTED]

Witness #9 [REDACTED]

Witness #10 [REDACTED]

Witness #11 [REDACTED]

Witness #12 [REDACTED]

Witness #13 [REDACTED]

Witness #14 [REDACTED]

Witness #15 [REDACTED]

Witness #16 [REDACTED]

Witness #17 [REDACTED]

Witness #18 [REDACTED]

Witness #19 [REDACTED]

Witness #20 [REDACTED]

Witness #21 [REDACTED]

Witness #22 [REDACTED]

**Monday, April 7, 2014**

Witness #23 [REDACTED]

**Smith, Cindy**

---

**From:** Hayes, Joshua  
**Sent:** Wednesday, April 02, 2014 4:32 PM  
**To:** Smith, Cindy  
**Subject:** In Reference to Kenneth Johnson Case

Hey Missy,

When you have a free moment in the morning, would you please schedule meetings with the following people for Huda and I:

8:20 am left message - 12<sup>N</sup>nty. 4/3  
10am meeting 4/3

Thank you,  
Josh

Joshua D. Hayes, M.A., M.A.E.  
Assistant to the Director  
Equal Opportunity/Affirmative Action/University ADA Services  
Western Kentucky University  
WAB Room G33  
1906 College Heights Blvd. #11009  
Bowling Green, KY 42101  
Phone: (270) 745-5121  
Fax: (270) 745-3199

**Smith, Cindy**

---

**From:** Hayes, Joshua  
**Sent:** Wednesday, April 02, 2014 4:40 PM  
**To:** Smith, Cindy  
**Subject:** Anothe rEmail Related to the Kenneth Johnson Case

Hey Missy,

When you have a free moment, would you please schedule time for Huda and I to meet with [REDACTED] tomorrow. Similar to other witnesses, please do not share with him the reason for the meeting.

Thank you,  
Josh

Joshua D. Hayes, M.A., M.A.E.  
Assistant to the Director  
Equal Opportunity/Affirmative Action/University ADA Services  
Western Kentucky University  
WAB Room G33  
1906 College Heights Blvd. #11009  
Bowling Green, KY 42101  
Phone: (270) 745-5121  
Fax: (270) 745-3199

8:30am  
Director  
mtg.  
+ then  
leaving  
for the  
day +  
off tomorrow

55429



[Redacted]

Appt. @  
4/2  
3:30pm

left  
message ✓

[Redacted]

4/3 Appt. at  
1:30pm

[Redacted]

2010  
spoke on  
phone  
4/3 3:15pm

5/30/06

(called + left message 4/3 at 12:21)

11am 4/3 5:30pm

[Redacted]

( [Redacted] )

left  
message  
called  
back

[Redacted]

[Redacted]

4/3  
(left message)  
8:42

[Redacted]

4/3

\*

[Redacted]

left message 4/3 12:40

[Redacted]

\*

[Redacted]

Called at 4/3 12:40

[Redacted]

**Melky, Huda**

---

**From:** Pride, Charley  
**Sent:** Monday, April 07, 2014 3:35 PM  
**To:** Melky, Huda  
**Subject:** RE: [REDACTED]

Will do,  
Charley

**From:** Melky, Huda  
**Sent:** Monday, April 07, 2014 1:49 PM  
**To:** Pride, Charley  
**Cc:** Bailey, Howard; Hayes, Joshua; Miller, Richard  
**Subject:** FW: [REDACTED]

Charley,

I recommend for you to replace Kenneth Johnson due to an unforeseen schedule conflict.

Please let me know if I can be of assistance.

Huda

*Huda N. Melky, Ed.S.*  
Director  
Equal Opportunity/Affirmative Action/University ADA Services  
Title IX Coordinator  
Western Kentucky University  
1906 College Heights Blvd. #11009  
WAB Room G33  
Bowling Green, KY 42101  
Phone: (270) 745-5121  
Fax: (270) 745-3199

---

**From:** [REDACTED]  
**Sent:** Monday, April 07, 2014 1:06 PM  
**To:** Melky, Huda  
[REDACTED]

Good afternoon Ms. Melky,

I am a [REDACTED] in the [REDACTED] which is put on every year by the [REDACTED]  
[REDACTED]

It has been brought to my attention that Kenneth Johnson will be a [REDACTED] which will be on April 26th, 2014.

Due to the ongoing investigation I feel uncomfortable with him [REDACTED] because it puts me in an uncomfortable position.

If there is anything you can do about this or any advice you can give me, please let me know!

Thank you for your time.

[REDACTED]

[REDACTED] Western Kentucky University

[REDACTED]

Hayes, Joshua

---

**From:** Melky, Huda  
**Sent:** Tuesday, April 08, 2014 4:16 AM  
**To:** Hayes, Joshua  
**Subject:** Fwd: [REDACTED]

Sent from my iPhone

Begin forwarded message:

**From:** [REDACTED]  
**Date:** April 7, 2014 at 10:04:24 PM CDT  
**To:** "Melky, Huda" <[huda.melky@wku.edu](mailto:huda.melky@wku.edu)>  
**Subject:** Re: [REDACTED]

Thank you so much!

It will be [REDACTED] if you're interested in coming!

I look forward to chatting with you soon.

[REDACTED]

On Apr 7, 2014, at 10:00 PM, "Melky, Huda" <[huda.melky@wku.edu](mailto:huda.melky@wku.edu)> wrote:

Good luck!

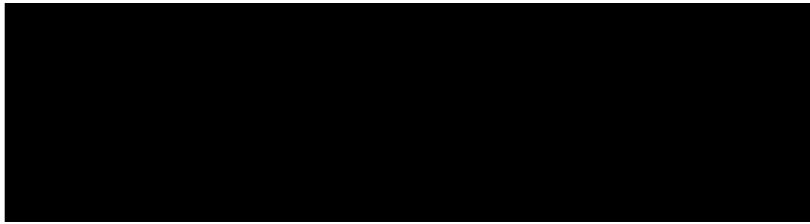
Sent from my iPhone

On Apr 7, 2014, at 9:57 PM, [REDACTED]  
[REDACTED] wrote:

Hi Mrs. Melky,

I just found out that [REDACTED].

Sorry about the mix up



## Hayes, Joshua

---

**From:** Melky, Huda  
**Sent:** Tuesday, April 29, 2014 12:40 PM  
**To:** Johnson, Kenneth  
**Cc:** Hayes, Joshua; Melky, Huda  
**Subject:** RE: Follow Up  
**Attachments:** Letter and Report to Kenneth Johnson.pdf

Mr. Johnson,

Attached, please find the letter and the summary of the report. I request for you to stop by the EEO office and pick up the original documents.

Thanks,  
Huda

*Huda N. Melky, Ed.S.*

Director  
Equal Employment Opportunity/Affirmative Action/University ADA Services  
Title IX Coordinator  
Western Kentucky University  
1906 College Heights Blvd. #11009  
WAB Room G33  
Bowling Green, KY 42101  
Phone: (270) 745-5121  
Fax: (270) 745-3199

---

**From:** Johnson, Kenneth  
**Sent:** Friday, April 25, 2014 12:54 PM  
**To:** Hayes, Joshua; Melky, Huda  
**Subject:** Re: Follow Up

Good Afternoon,

I am following up in regards to the findings of your investigation. Are those findings currently available, if so what is my process for receiving them? Thank you.

Kenneth R. Johnson  
Assistant Director of Student Activities  
Western Kentucky University  
1906 College Heights Blvd. #11044  
Bowling Green, KY 42101-1044  
Ph.# 270-745-2459  
Fax#270-745-5795  
[www.wku.edu/cab](http://www.wku.edu/cab)

On Apr 14, 2014, at 1:57 PM, "Hayes, Joshua" <[joshua.hayes@wku.edu](mailto:joshua.hayes@wku.edu)> wrote:

Good Afternoon Kenneth,

We (EOO) are finalizing our notes and transcriptions related to the investigation and will be in communication with you tomorrow or Wednesday.

Thanks,  
Josh

Joshua D. Hayes, M.A., M.A.E.  
Assistant to the Director  
Equal Opportunity/Affirmative Action/University ADA Services  
Western Kentucky University  
WAB Room G33  
1906 College Heights Blvd. #11009  
Bowling Green, KY 42101  
Phone: (270) 745-5121  
Fax: (270) 745-3199

---

**From:** Johnson, Kenneth  
**Sent:** Monday, April 14, 2014 1:56 PM  
**To:** Melky, Huda; Hayes, Joshua  
**Subject:** Follow Up

Huda & Joshua,

Good Afternoon, I am following up in regards to the claim and investigation. Where in process is it? I'm assuming there will be a follow-up meeting. Is there a time frame in regards to that meeting. Thank you for your time.

Kenneth R. Johnson  
Assistant Director of Student Activities  
Western Kentucky University  
1906 College Heights Blvd. #11044  
Bowling Green, KY 42101-1044  
Ph.#270-745-2459  
Fax#270-745-5795  
[www.wku.edu/cab](http://www.wku.edu/cab)

## Hayes, Joshua

---

**From:** Melky, Huda  
**Sent:** Friday, April 25, 2014 3:39 PM  
**To:** Hayes, Joshua  
**Subject:** Fwd: Update

FYI

Sent from my iPhone

Begin forwarded message:

**From:** "Pride, Charley" <[charley.pride@wku.edu](mailto:charley.pride@wku.edu)>  
**Date:** April 25, 2014 at 3:16:00 PM CDT  
**To:** "Melky, Huda" <[huda.melky@wku.edu](mailto:huda.melky@wku.edu)>  
**Cc:** "Bailey, Howard" <[howard.bailey@wku.edu](mailto:howard.bailey@wku.edu)>, "Glisson, Tony" <[tony.glisson@wku.edu](mailto:tony.glisson@wku.edu)>  
**Subject:** Update

Huda,

In consultation with Vice President of Student Affairs Howard Bailey and Director of Human Resources Tony Glisson, we concluded given the findings that policies were violated that Kenneth Johnson's employment with WKU must be terminated. I will immediately begin steps for termination details with HR Director, Tony Glisson.

Charley Pride



#2

1:30pm

4/1/14

# meeting with [REDACTED]

"oh my god... I was"

"I don't know anything, general; he gives off a  
"creaky vibe"; knows a student [REDACTED] stayedTopNet experience; [REDACTED] kind of keeps her  
distance from K.T.; doesn't want to have  
to live with him; not sure if anyone  
will speak up about it; no one's name  
will be shared with him; looks at people  
a certain way, will make little comment  
similar to those towards [REDACTED]; observedother students who want to stay, my [REDACTED]  
[REDACTED] 2 friends (male; close relationships  
with female); "I've only known of females";  
K.T. had his own seat on bus to  
con trip to TX; "I just keep my distance";  
"Hospital and all the kids."

#3

3:10pm

# meeting with [REDACTED]

"I hear like rumor..."; worked with him  
in several capacities; [REDACTED] when she  
was prior

Asst. Dir.; outside of class

when I first came to campus heard about  
many people; rumor: K.T. refers to work  
with women engaged to married; I did  
not say it myself; eye movement → HINT HINT  
"Lain's experience 1st hand issue; never asked for

[redacted] would go to dinner; never  
found bdd on record behavior

[redacted] she asked Jim to take her  
place due to not having a vehicle  
never felt uncomfortable around him  
maybe my friend

• KJ works out in the morning; said she  
wouldn't work out with him anymore;  
said it was something => but did not  
state discomfort

[redacted]  
• a lot of sisters don't like KJ;  
bad idea to => not give answer

[redacted]  
30%, other org => volunteers

• "I don't think he tries to get close  
with people, from what I see"

• he may say jokes, make may make people  
feel uncomfortable

\* meeting with K.J.

3:35pm

• 100% deny; never something I have said or  
would say; never even joked about it  
• occasionally take male/female students to  
lunch

- female to male doesn't start now
- students come in; no
- not student feels uncomfortable

4/12/14

\* Meeting with [REDACTED]

2:00pm

- ask male + female to drink
- asked for one - or - one leader
- never been off campus to eat with him
- "you look nice today"
- ede in his office from [REDACTED] to [REDACTED]
- people confide in him
- "I want to [REDACTED]"

[REDACTED]

XX

2:50pm

#7

\* Meeting with [REDACTED]

- "he did ask, but we never went"
- he & she didn't feel awkward by his saying
- no bold or word complaint heard

February 2014 last time she visited  
 gym without April/May 2013; workout  
 run around; doing what she do &  
 approve, was told

- told one of my friend; "he did make a comment one time that was a little off"
- "look at you, it's eating Monday" (figure of material); one of the [REDACTED] she worked out with him; make her feel insecure

... birthday around the same, asked to leave  
- heard complaint for when she brought up  
noise of a gate  
can't recall other students being complimented

meeting with a [redacted]

'yes' [redacted]

[redacted] on room

[redacted] & KJ had a room

3 ladies

(KJ & [redacted] were flirty) came  
down and said she would be  
staying in KJ's room the rest of  
the event

[redacted] stated that after that

[redacted] was concerned for [redacted]  
K.S. expressed concern, [redacted] told her  
that, kissed, but not sure of sex

[redacted] ⇒ really liked her;  
when she was sleep close with  
K.S.; [redacted] voiced her concern

• K.S. had a group of "female followers"  
and worshipped him like that

• [redacted] will be living; didn't see who  
K.S. really was

• for me, every time [redacted] was charging,  
relationships with [redacted] to get her on his

119  
3:15pm

- telephone  
interview

side

"you look nice today" in flat tone)  
made skin  
one friend told, uncomfortable situation with K.J.

- time where she was going to conference)  
K.J. & he was talking) made [redacted] feel  
uncomfortable

• go to lunch & since were all graduated now,  
some for the graduation go to lunch with  
him now

\* Meeting with [redacted]

• met him in Freshman year, would ask her  
to stop, [redacted]

• advise to friend (confiding) K.J. opened  
many doors, used about his students

• felt weird that he paid for lunch;  
asked around, no big deal; took for the  
CTC; usually, it was going through some  
steps. Self-image none

• drew line

• let me stay in  
never get that crop like

• during that time she went to dinner a couple

• rumor mill to be talk to students  
• by another figure  
• exposed with him; ran around corner;  
last winter

#11

3:50pm

telephone  
interview

\* Meets with

• went to several conferences with KIP.

• not over

• master (mentee)

direct

• never unhappy

• never lead; met outside of "Zambles  
great"

• lunch with group or one-on-one

#12

- 4:00pm

- telephone interview

\* those individuals "he has been playing  
with will not speak against him"

• laughing joke

• they didn't know

• didn't know about it

• when he went, with [redacted] to [redacted]

to [redacted] visited a school; took some

students [redacted]; while on trip,

was not there; one of the girls

slept in same room with him; they

36 Rbo; [redacted]

Called  
me &  
left  
message  
etc  
2:45pm  
@

given it when they returned  
↳ could have been Reggie, [redacted] was already  
gone (he left earlier) K.J. was person  
in charge) but were coming back &  
talking) wasn't a lot of people who  
went out trip; not sure if [redacted] went  
or not  
• no holds, barely heard  
• if you want to hear [redacted] saying  
him (sleeping with  
• beautiful comment, can't recall)  
may replay in for [redacted]

#13

4:07pm

Meeting with [redacted]

"I cannot say for sure", a lot of people  
friends, not sure if he crosses the line, just  
"just the envelope", take care of  
people steady out to eat;  
friend for getting ahead last

11

[redacted] - current student  
went to dine with him  
• SBC, rarely being with administration in  
TWO other  
• worked a cab with him } K.A.A. one  
year; K.A.A. & [redacted] was coming out of  
K.J.'s room at 1am in the morning  
not now

freedom, experience, observed awkwardness  
[redacted] one of the grand  
question was if he & [redacted] date; occupies  
nearly for her } helped her move from  
[redacted] of many married ones  
[redacted] doesn't say a hell  
if you worked in [redacted] and he found you  
attractive

• Aphro = gay & ended  
"students' activities" don't ask don't tell.  
envelope sits under the rug"  
never knows a way to go to dinner with K.J.  
gift to [redacted]  
↳ [redacted]

slight to get bigger gift  
• hold on account → plants it; forward  
this; Nantz power he can abuse  
Aphro ← [redacted] been out to eat  
multiple times in [redacted]  
[redacted]

#14

telephone  
interview

4/3/14

\* Meeting with [redacted] 10:00am  
• does not feel K.J. pushes the envelope  
with female students  
• pretty private for pop; hasn't crossed the  
line  
• He & I had plenty of conversation



relationship was rocky"

'not until [redacted] comment

HVS

10:25 AM

\* meeting with [redacted]

• works with KJ stray student on  
went to lunch with him; didn't feel  
uncomfortable; ask about various go on life,  
person, school

1st met him, wasn't comfy; after a while,  
now he's okay

'take now further out to lunch; 'not  
sure if he has ever taken a note out  
to dinner"

'rumor about dating student

'original rumor  $\Rightarrow$  rumor  $\Rightarrow$  girl into graduate,  
[redacted] relationships ended

poorly; not [redacted] & [redacted];

[redacted]

✓  
not a common  
name

Had a very close  
relationship with  
KJ; [redacted] is friend  
with [redacted]

'KJ favorite; was asked by [redacted]  
to speak for give feel about KJ.

Anyone [redacted] coming forward, favoring  
black mail; has asked M.L. to do  
'dirty work'

Lo 11

don't feel uncomfortable"

<sup>a</sup>  
"when he hugs you, he hugs you  
around your waist"

█████ got in an accident, KJ drove  
Jana + helped her █████

"all your kind of boy are made done"

• █████ wants to know personal  
level → know too much, he knows  
my ambition and I wish he didn't  
• uses people to manipulate, "he is  
out there on the hunt"

• hasn't been told

when we got a hotel, he got  
his room far away, █████ walked  
out of his room, she turned red  
& dived into her room & about  
2 am → rumor, █████ shared this  
with her █████

• fear of his power, Allison left,  
█████ got no power, █████  
is less manipulative, you don't cross him,  
level of manipulability

• to get on █████ by a gen. manager, intense  
process, █████ didn't have to go through  
it, KJ had pick female or male  
"he never pick an ugly girl but was  
only there for 3 months) Taylor"

to V8 from Lect.) [redacted] (convinced)  
further out; K5 forever; K5  
chomping; doesn't love it anymore)  
Can't wait to resign from his position  
don't want to jeopardize that  
chance;

"people would call me little Sylvia";  
didn't know what that meant at  
first; [redacted] sniffed out relationship  
with K5; told her she would have  
to cut off all connection with K5)  
"he runs too much"; they should have  
had someone in Alison's place... he  
shouldn't have so much power"  
"use his power, for never has to  
come to him"

[redacted] AND him  
"he is a dog in his love life"  
[redacted] better try in  
apt. with students

a lot of time [redacted] never see  
what he needs to

K5 gives so much time to [redacted] + RAN  
graduates in ~~2000~~ <sup>2001</sup>

he picks you up, appetizer, dinner, drink, dessert  
romantic music in the car, kid of autism  
take you back

■ was dating a guy who is Greek;  
was meddling in his business; a bunch of  
guys took ~~shots~~ at them  
uses ■ for info.; he who had  
one convo with him & then he called her  
several times, stayed too  
"not does with K3, most convs with  
his creeps"

has several investments & homes; additional  
income; stays in 5 star hotels when they  
travel

• NACA conference hotel needed card to  
get to rooms; lounge (pool) could be  
access

"Got ■ gifts before; ■  
■; ■ face stayed on ■  
■) ■ was still cpy for  
all the time even after she graduated  
■ depends on a lot - definitely depend  
his home"

he donated ■ it from ■ to  
■ she was there with  
him

• ■  
"K3 doesn't follow <sup>his own</sup> <sup>principles</sup>  
"secondly on the team" (had to pay  
guys on the team" ? ■ the Greek  
11th

"you can't cross him"  
very stressful to work with KT; "you  
tread very lightly"  
he sent him for damn before & during  
[redacted] [redacted]; "he knows that if I  
were to do it I would cut him  
off"

manipulate & fear  
uses power to deny or accept; hostile  
work environment, sexual harassment  
- dinner with KT  $\approx$  3 times per week  
one-on-one

hidden or ignored  
[redacted] as very good friend

cut off  $\rightarrow$  dangerous  
Oct. 2012  $\rightarrow$  the end

love life  $\Rightarrow$  KT is especially interesting  
in this aspect; feels [redacted] should <sup>forever</sup> <sup>positive</sup> <sup>body</sup>

#16  
\* Meeting with [redacted] 11:15 am  
used to work with KT.

"this is weird"

[redacted]; know him for a while  
[redacted] times where she felt uncomfortable  
no report; went to lunch;  
would talk with him about this & others

course is a relationship; dates - anyone  
comes he wants to know "personal stuff"; I would try to keep it professional; "why is he wanting to go to lunch with him; never declined lunch, didn't want to be rude; going with me to conf  
"student-to-KS relationship was kind of unusual  
→ brief answer: no; not dates... series  
- a couple of weeks ago; KS said he was not interested in students; relaxed interest in professional work  
his power & she would not be surprised if he  
complained for look > "unusual" I am not a big hussy... he would always want a hug; hug from the front) not touching or feeling or you  
- never thought about this complaint; never felt it was necessary due to what she experienced; I've seen other student relationships form; gave students nicknames  
- not heard of Tephos hold or occurs  
→ only had relationship with female; seemed a little more than professional

frankly

were pretty close, but not sure of  
closeness; were close, but [redacted] flipped  
on her

gen. never → (balding) [redacted] never  
not how her set in stone; began to lead

Meeting with [redacted] #17 12:15pm

• wanted to have a dinner with KJ. → never  
didn't feel weird

• has only seen KJ be a mentor to students  
never uncomfortable

• nobody had to look a certain way to  
join or be a leader

• no pressure about love life

Meeting with [redacted] #18 Telephone interview  
12:34pm

• KJ. is just really friendly; never made  
her feel uncomfortable; went to lunch,  
but felt comfy

• in [redacted]; never have been someone else  
asked about school; [redacted]

• so into

• never complain

• looked surprised

• now head of [redacted], head of [redacted] team  
head of relationships outside of [redacted]

#19

telephone  
interview

12:53 pm

\* meeting with [REDACTED]

- had relationship with KJ.
- one 4 years ago; I was a [REDACTED]
- country / casual dating relationship
- rel. developed  $\Rightarrow$  KJ worked at [REDACTED] transducer inside of [REDACTED]
- KJ asked [REDACTED] to lunch dinner, how rel. dev.; was comfy; consensual
- [REDACTED]  $\Rightarrow$  did not spend night in his room
- did not spend night
- by my collection
- dating after the [REDACTED] after they returned; didn't know him all that well at conference
- at one point the relationship was sexual; not aware of other rel. with [REDACTED]
- rel. ended
  - $\hookrightarrow$  on his part, didn't give a [REDACTED], wanted to see other people;
- no relationship at all with KJ
- speculation NOW
  - $\Rightarrow$  result of [REDACTED] org.; alum. member; close ties with [REDACTED] advisor, undergrad events; included the advisor  $\Rightarrow$  board of [REDACTED]



this on his part, closeness & they may  
view, be getting chummy, however over,  
meeting in his office to conf / chummy

[REDACTED]

#20  
\* Meetings with [REDACTED] [REDACTED] 1:08  
witnessed [REDACTED] spent the night in [REDACTED]  
room; [REDACTED]  
[REDACTED] went to his room; 3:45  
had room, [REDACTED], there was  
talk from her about the spend  
time together;

#21  
\* Meetings with [REDACTED] [REDACTED] 1:30pm  
[REDACTED] inappropriate  
[REDACTED] is aware of lunch with [REDACTED],  
one or the nature of the work; [REDACTED]  
meal out of [REDACTED] pocket; [REDACTED]  
dinner [REDACTED] dinner or [REDACTED]  
[REDACTED] about female to male ratio,  
can fix  
[REDACTED] [REDACTED] [REDACTED]  
[REDACTED] & [REDACTED] & [REDACTED] [REDACTED] [REDACTED]  
[REDACTED] from [REDACTED] - [REDACTED]  
[REDACTED] of [REDACTED] / [REDACTED] school  
[REDACTED] [REDACTED] [REDACTED]

[REDACTED]

much more of the lunch or dinner  
app → dinner - dinner - music → [REDACTED]

"I take it for student in general, there  
is any compromise situation"

telephone  
interview  
1:55 pm

\* meeting with [REDACTED] #22

• didn't really have much of a concern  
times where she was uncomfortable

• somewhat uncomfortable

• has asked her to lunch & dinner one or

• uncomfortable & when she comes to visit  
he stays with her, gives her, hands

near her bottom) he will go  
through her phone) he will tell

him things in there he may not want  
to see; "nothing I haven't already seen"

leave off computer → not uncomfortable)

"are we allowed to do this, was it  
if it was professional"

"said you look nice"

• lunch or dinner one & didn't get a  
invite → [REDACTED] cooked, his reply;

may be other, but not me, nothing  
lately

"he also said he is sketchy & doesn't  
trust him"

two  
weeks  
ago  
was the  
latest

while KJ dated [redacted] he would still  
try to hit on [redacted] & other [redacted]  
#23 [redacted] → telephone interview

\* Meeting with [redacted] 3:13pm

• works with → tend to have more female  
around [redacted]

• personal → more than an admin. & student  
should be

• not personally affected, never witnessed

• rumor → inappropriate convo; may look  
inappropriate or may not be

• not aware

• no rumor about looking → [redacted] was already  
before KJ.

• I can see perception of needing to look  
good

• heard rumor about look

• lunch → group in DUC

• dinner → no

• one-on-one meetings for dinner → aware,  
relationships started from potentially, even  
under

• not sure about hugs

→ telephone  
interview 4/7/14

\* Meeting with [redacted] 3:42pm  
#24 [redacted]

• heard similar story, not 1<sup>st</sup> time; KJ  
took students on date)

• no names

"I ~~stop~~ I don't go to the office close  
because he would try to hit on  
students

not around RJ enough) [redacted] may  
have to work with him in fall 2014  
he is in [redacted] degree program

encouraged Bryant to speak

"RJ is a bit much"

his inappropriate behavior could  
impact many

himself students only; 1-on-1

Called [redacted] - 12:05 pm

4/11/14

Left voicemail with [redacted]

[redacted] is out of the office today, but will return tomorrow

4/12/14 1:15 pm

44

\* Observations  $\Rightarrow$  always flied

(28)

Common knowledge  $\Rightarrow$  that he dated students

[redacted]  $\Rightarrow$  name escaped her; she stayed in her room  
 $\Downarrow$   
[redacted]  $\Rightarrow$  was in home

Good Request

\* [redacted]  $\Rightarrow$  can fill me in; there on the

no one is [redacted] direct circle  
- "winning job"  $\Rightarrow$  if you want to get ahead

[redacted]  $\Rightarrow$  [redacted]; [redacted]  
[redacted] other thing; while still a student; [redacted]

[redacted] at KS + [redacted] rode in golf  
cart together; went to [redacted]  
them two only;

(11)

4/2/14

45

1:25pm

Stop [redacted] tell  
I [redacted] [redacted] [redacted]

Re ~

[redacted]

[redacted]

9 floor out right  
before  
=> event

[redacted]

grad student

[redacted]

= [redacted] he  
slept in the  
same room  
with

+ [redacted] can provide talk to her  
on a daily basis

"he's really close to female students"

run mill, everybody felt; [redacted] all female;

[redacted] has been a female student  
very close, does stuff for them

taking to lunch, "internship"  
placing them in position

~~sender~~

would have people have transcribed

Amara

[redacted]

- little [redacted]

for "K5", "he sets the up - doesn't take nearly  
the amount of interest in making

last night we were there) taking under her wing  
[redacted]; [redacted] K.3 & [redacted] come to

[redacted] next morning when [redacted] come back

[redacted] can confirm a relationship; K.6. shared  
good info; Three girls do frame out

[redacted] ⇒ one

[redacted] girlfriend ⇒ [redacted] prior before

[redacted] may have different last name

Hopson was in CAB

"I hope you get his ass"

4/1/14

#1

[redacted] 1:02pm

Telephone Interview  
- witness  
- no sexual  
misconduct  
- no holds on  
Taped  
goes into  
about

#8

4/2/14 1:45pm; 3:02pm

always knows that he messed with students;  
certain privileges; never had hard core  
evidence

one entrance I walked in ~~was~~ was ahead;  
knocked on door, took a while, finally, one  
heard a few girls say K.J. He ~~depts~~ me

heard about m.6.

in the hallway - in told in?

→

was

[REDACTED]

- [illegible]

Trench  
cones between  
[redacted] (collg)  
[redacted]  
[redacted] [redacted]  
[redacted] [redacted]  
[redacted]



4/4/14

## \* A Reflection of Points Related to the Interviews

### Initial Complaint (Points from it)

- asked KJ asked female student to lunch or dinner
- threatened to place told on Facebook act. if she did not stop by to see him or go to lunch or dinner
- called said she looked beautiful

### Points from Witnesses

- 1) KJ gave off "creepy vibe", flirtatious
- 2) Keeps distance from KJ
- 3) doesn't want 1-on-1 lunch with KJ, refused
- 4) common knowledge that KJ dates/counters students
- 5) common knowledge that KJ has sex with students
- 6) [redacted] female student slept with KJ at [redacted]
- 7) [redacted] female was caught leaving KJ's hotel room at  $\approx$  2am in the morning [redacted]
- 8) "running joke" = if you want to get ahead you date and/or sleep with KJ
- 9) KJ is really close to female students; rarely spends time with male students
- 10) KJ asks several female <sup>students</sup> to go to lunch
- 11) KJ takes several female students to lunch & dinner
- 12) KJ wines & dines female students (romantic music, appetizer, dinner, dessert, alcohol)
- 13) KJ & the [redacted] female student's dating & sex rel. started from a lunch-dinner request
- 14) [redacted] KJ has to [redacted] to [redacted] (5)

- 5) female student keeps distance from KJ
- 6) female student expressed that they are not sure if anyone will speak up against KJ; fear, retaliation, grades drop from joining Greek, etc.
- 7) KJ looks at females a certain way
- 8) female student was warned about KJ; eye movement, HKT, AINT, watch out
- 9) to be [REDACTED] you have to be pretty
- 10) KJ commented on female student's attire; [REDACTED], made her feel weird
- 1) KJ had ~~the~~ group of "female followers who worshipped him back then"
- 2) felt weird that KJ paid for lunch
- 3) drew line / boundary with KJ
- 4) one staff said that into KJ "has been playing with will not speak against him"
- 5) KJ "pastes the envelope"
- 6) KJ hugs students; stays seated, places arm around waist, touches booty
- 7) during drunken awkward moments with KJ during freshman sophomore years
- 8) KJ has traveled to Brazil with female students
- 9) KJ helped travel out of BK to help female student get new vehicle
- 10) student admits "ever sit underneath rug"
- 11) female student was petrified; scared that KJ could access files in EOO office & retaliate against her
- 12) KJ gave female student/girlfriend a [REDACTED] never happened before; major controversy

- 33) KS plants power / abuses power
- 34) KS was deemed dating [redacted] female student / girlfriend
- 35) KS ended relationship with [redacted] student to date other people
- 36) female student was asked to ~~find~~ do "research" inappropriate relationship that other female had experience with KS
- 37) student asked to come forward against KS if seeking to go [redacted]; if ~~seek~~ not graduating or an alum; "we all just kind of began months' later"
- 38) female student was unfairly taken over by KS for the first time
- 39) KS seeks to know personal life of female student
- 40) KS has too much power, ~~abuses~~ <sup>crosses</sup> ~~in~~ <sup>in</sup> ~~the~~ <sup>the</sup> ~~field~~ <sup>field</sup> "you don't
- 41) KS uses people to manipulate
- 42) KS gets his hotel room far away from others who also traveled from WKU
- 43) [redacted] policy + procedure not followed; 1 year sen. member before able to serve in leadership role
- 44) KS never picks on ugly girl to serve on [redacted] [redacted] like "eyesore" on his team"
- 45) student was often referred to as [redacted]
- 46) KS favoritism; [redacted] / ~~resign~~
- 47) resigning from dead positions in org(s)
- 48) ~~street~~ [redacted] would order student to cease all communication with KS if a member;
- 49) female student "ran [redacted]" KS

- 50) [redacted] is not always made aware of issues; KJ houses them) end all, he all
- 51) student was dating a guy; KJ kept meddling in their business; prying
- 52) KJ denied <sup>female</sup> student who didn't "give him the time of day"
- 53) # after one convo with a female student, KJ called & talked her several times 2 onward; "wasn't comfortable with his creepiness"
- 54) students stay in 5 star hotels; needed card to use on elevator to access floor group was [redacted]
- 55) ~~student~~ female student's picture stayed on KJ's [redacted] student + then were seen together during [redacted]
- 56) KJ uses [redacted] as dictator/gateways to [redacted]
- 57) very stressful to work with KJ; you tread very lightly
- 58) manipulator + fear 3) described experience with KJ
- 59) uses power to deny or accept; quid pro quo, poisoning, hostile work environment, sexual harassment
- 60) [redacted]
- 61) hidden or ignored = reason 6) ~~student~~ complaints may not have been brought forward
- 62) [redacted] are very good friends; getting buddies
- 63) KJ to student relationship was kind of [redacted]

64) female student would try to keep convo with KS professional) he would want to know personal stuff) fabric response →

65) KS showed he is interested in professional women with degrees

66) female students, not a big hugger, but KS would always want a hug

67) saw the relationship with students form

68) gave student nicknames

69) KS gets humans, honors over you

70) KS <sup>went</sup> ~~goes~~ through a student's phone multiple times, would he may see something he does not want to, KS said

he has seen it all before

71) the female student coded; KS asked why he didn't get an invite

72) told he is sketchy & doesn't trust him

73) while KS dated female, he would sit on her



