

7/19/11 w/ Ernesto

Statement FIRST

- Policy Matter?

Civil Law

Threats

- Concerns about external

"Will NOT answer questions that could be used against me in court of law without legal counsel"

- Asked if context of interview was subject to subpoena - I answered yes.

Q

1) Assst Prof in Psych-demeritack

- Here since August 2010

- Just finished fourth year.

2) Met her Fall 2010 in Psych 218.

-3) Katy became advisee - ~~newer~~

- Has had sex with Katy - ~~at~~ March 2011
- multiple occurrences - 5.

- Spring 2011 - has class with her - ~~gender~~
WC

- Says not explicitly forbidden in university policy to engage in such conduct.

(2)

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- Romantic involvement comment: has had past experiences as a young faculty member + w/ grad students - said this

- ~~The~~ "Intimate aspects" - deep kind of interpersonal sharing. - Shared personal life.

- Use of controlled substances + distribution

- Has a son. - critical condition. doesn't have custody.
- shared aspects of personality don't share w/ others.
- shared very personal info about relationship w/ mother.

- Socialize w/ other students like this? Yes and it is a matter of degree.

As long as it is welcome - lab + student chptr (he is faculty advisor) - becomes friends.

Always explicit - multifaceted relationships - one facet doesn't relate to the other.

- Kathy was a very close friend.

- Lab. social context - yes - sexual discussion

- non-work lab - conversations with context of a sexual nature.

- Doesn't feel its inappropriate

- Why would she say this? - Ask her - inappropriately is a matter of state of mind

- Kathy has seen some of his former

- UTA concerned about - Not correct.

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- 1st 2 incidents:

- Feeling suicidal:

Told her he was not her psychologist or psychiatrist

- No gun visible to her.

- Not correct: Didn't hold gun to her head

- No, not correct, that carries gun everywhere

- Yes - has had other ^{sexual} relationships w/ students at U of
Who: - reluctant to answer.

States other students he slept with were not in his lab, class or advisee - I re-stated twice

- Last contact w/ Katy - last lab meeting was FRIDAY - needs to look at calendar - probably June 24 or June 17

- Last time he saw her as friend - when she returned pills during week of finals.

- Confine relationship to strictly professional

- Did lay down in her apt.

- "Good question" - why he was at apt @ May 23 "My recollection may be off as to last time I saw her as a friend."

- Also after pills she asked & he agreed to

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Psych

store her belongings in a locker in her apt & she has since got her belongings.

- faced a gun about pills: resolved amicably as she returned pills. (would go to police if she hadn't).

- Hotline - Distinction between impropriety & having sex.

What is the distinction: Some see a friendship as an indication of impropriety.

Is sex improper - depends on nature of the sexual relationship.

It was based on "my legitimate power as prof, mentor, supervisor" as a form of quid pro quo or threats of retribution.

- Sexual involvement of students permissible

- I brought up sex harassment prevention training & literature that the peer relationship

means implied and/or explicit need to have sex to be advised, get good grade, etc.

- His questions:

Formal or informal

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Specific comments of her complaint

- No Threats of violence to her person.
- Read policy to us on sexual harassment
- Said she doesn't meet standard → told her she now feels it was coercive
- he disagrees - says all he does as prof, advisor & mentor is her skills, not water or academic abilities.

- Contesting info in her statement due to "Resolution of Complaints" - no foundation - malicious -

- Has not yet filed complaint with Dean of Students.

- Denies they were sexually active by end of Fall 2010

- Utah concealed weapons - not true

- carry everywhere, including campus - not true

- traveling w/ weapons - not true

- capital "everywhere" - not true

"- Has revealed several people out together" - not true

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- "mass murder" notice - malicious

- "University out to get her" - lawsuit against University - false statement - did not tell her that.

- There was no termination of relationship

"Safety of investigating team" - "feel" statement can't contest, but feels its malicious.

#4 - He will be pursuing a formal complaint against her pending outcome of this process.

Retaliation. Applied to grad program. Was accepted.

Sharp decline in performance in Spring & her addiction "I feel responsible to bring this up to the Dean of students"

"We have an interest in our grad students & outcome is graduation & placement"

- Capable individual of great potential

- Substance abuse is a problem.

- I cautioned him that as he had not brought this up (his concerns of her ability to finish program) - ~~it was not~~ ~~his concern~~ could be construed as retaliation - told

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him appropriate person to bring complaint to
to Axen

Questions on time frames

- JS took another job, ~~what~~ what happens w/ investigation

- If resigned - would I continue investigation
lengthy response, on my part.