

Lafayette College  
Easton, Pennsylvania 18042  
March 2, 1981

President David W. Ellis  
Markle Hall  
Lafayette College  
Easton, Pennsylvania 18042

Dear President Ellis:

Thank you for your letter of February 6. We are glad that attention is being given to procedures for dealing with sexual harassment. Enclosed is a copy of a letter which we have sent to Mr. Mignon, responding to some of the questions which you raise.

We would like also to share with you our renewed concern about the issue in the wake of the "back-to-the-womb" party held by Delta Upsilon on February 21. The party displayed not only bad taste, but also psychological and symbolic violence against women. Probably not all of the students responsible for the party intended it in that spirit, but that does not condone their participation.

Your letter suggests that in cases such as this, the Professional Women of Lafayette and the Association of Lafayette Women help to channel female students' complaints to Dean Sivulich and Dean Kissiah. We will do so when we can, but that method of redress is too haphazard to be generally effective. The kind of intimidation, hostility, and offensiveness (to paraphrase our proposed definition of sexual harassment) that occurred on February 21 is widely perceived as sanctioned behavior at Lafayette College and is therefore not usually reported to anyone. We have heard rumors of serious acts of harassment by individual students which were also unreported because the victims saw no hope of redress without embarrassing publicity.

What is needed is an official prohibition of activities like the Delta Upsilon party. We urge that the administration demand that the fraternity apologize publicly, under threat of punitive action and with the understanding that such behavior will be punished in the future. We urge further that to discourage the recurrence of such incidents, the college publicly prohibit employees and college-affiliated groups from engaging in sexual harassment (defined to include actions demeaning to women), that a female administrator be officially designated to hear reports of such harassment and to initiate investigations, and that a system of substantial penalties be announced and carried out. Such action is essential if Lafayette College is to remain a humane institution.

Yours sincerely,

*Carolyn Van Dyke*  
*Hana Weiss-Yesken*  
*Stacey Schlan*  
*Kathleen F. Mieligan*  
*Susan J. Talie*  
*Dorothy Ciechicki*  
*John R. Henderson*  
Professional Women of Lafayette

(over)

cc: President, Delta Upsilon  
Dean Kissiah  
Barbara C. Travaglini  
Mr. Joseph J. Mignon, Director of Personnel  
Committee on Athletics and Student Affairs, Board of Trustees  
Dean Sivulich

Janet L. Loe

Mercedes B. Sharpless

Mr. Lowery

Susan P. Brown

Barbara L. Hendler

Maryann M. Valiulis

Lafayette College  
Easton, Pennsylvania 18042  
March 2, 1981

Mr. Joseph J. Mignon  
Director of Personnel  
Markle Hall  
Lafayette College  
Easton, Pennsylvania 18042

Dear Mr. Mignon:

In a letter dated February 6, 1981, President Ellis informed us that you are coordinating the investigation of policies on sexual harassment. He also explained some of the specific questions which you will be addressing. Because the issue is of great concern to us and because President Ellis asked last fall for our help, we would like to share with you some of our responses to his letter. Copies of our correspondence with him are enclosed.

We endorse all of his concerns with one exception: we feel that the prevention of unjust accusations is not feasible and should not be a criterion for policies on sexual harassment. It has never been possible to prevent such accusations concerning other forms of harassment, such as slander and assault, but the protection of potential victims has generally been held to justify procedures for redress despite the risk that such procedures might be abused. To suppose that this issue is particularly likely to involve unreasonable accusations would be prejudicial to women. Perhaps the best way to minimize such accusations is to ensure that the college community understands the established procedures for reporting, investigating, and punishing sexual harassment.

With regard to the establishment of due process and the closely related issue of confidentiality, we urge that a female administrator be officially designated to hear all grievances and to initiate investigations. A director of personnel may be the logical overseer for complaints of employees, but we believe that any male official would seldom be approached by sexually harassed women unless they knew him personally. At the same time, surely a female dean would inspire enough respect to discourage any irresponsible accusations and could be depended upon to maintain confidentiality. Accusations at large could still be made, of course, but they can be made now.

President Ellis correctly points out that some of the terms in the definition of sexual harassment which we have proposed are subjective. We nonetheless strongly endorse that definition, pending the report of the Department of Education's Office of Civil Rights, because it is that of the federal Equal Employment Opportunity Commission with "employment decision" and "working environment" amended to "employment and academic decision" and "working and educational environment." As in all such legislation, the application of the definition to specific cases would be part of due process--the responsibility, presumably, of the campus official who handled the complaints and perhaps of a judiciary council.

We have written to President Ellis in response to his concern about handling sexual harassment of students; a copy of our letter is enclosed.

We are pleased that preliminary action is being taken on this important issue. We would be happy to help in any way, and we look forward to hearing from you.

cc: President Ellis

LAFAYETTE COLLEGE  
EASTON, PENNSYLVANIA 18042

CLERK OF THE FACULTY

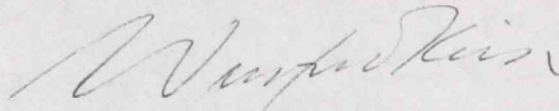
March 5, 1981

Dean Herman Kissiah

At the Faculty Meeting held March 3, 1981 the Faculty adopted the following Resolutions:

Resolved, That the Faculty deplores those activities and actions that demonstrate a blatant disregard for the dignity and welfare of any member of the campus community, and

That the Faculty instructs the appropriate agencies to take prompt and proper measures against any violations of human decency that jeopardize the integrity of campus life.



Winfield Keck  
Clerk of the Faculty

WK/rs

cc: Prof. Sam Stoddard

LAFAYETTE COLLEGE

EASTON, PENNSYLVANIA 18042

ASSISTANT DEAN OF STUDENTS  
DIRECTOR OF STUDENT RESIDENCE

March 11, 1981

nt-Delta Upsilon

This is to officially inform you that upon conclusion of my investigation of your "Back to the Womb" party held Saturday, February 21, 1981, you are being charged by the College as being in violation of the Code of Conduct, which reads, in part (pg. 17-18).....

"In addition to exhibiting maturity and self control, students and student organizations are expected to so conduct themselves that they cause no physical, emotional, or mental harm to others; that they neither break laws nor contribute to the delinquency of others; and that they do not destroy property. Participation in any activity that harms or demeans others may lead to dismissal of individuals and dissolution of groups."

Specifically, Delta Upsilon is charged with demeaning women students on campus by having some members dressed as aborted fetuses, having a sign over the bar stating "Association of Lafayette Wombs", decorating parts of the party area as a womb, etc.

This case is being submitted to the Committee on Student Conduct and will be heard on Tuesday, March 24, 1981, at 4:15 PM in room 112, Pardee Hall.

I would like you, personally, to see me prior to break, to discuss your options and preparation.

Sincerely,

*Douglas H. MacEwan, Jr.*

Douglas H. MacEwan, Jr.  
Assistant Dean of Students  
Director of Student Residence

cc: Dean Kissiah  
Members of Committee



## Delta Upsilon Fraternity

Lafayette Chapter  
Lafayette College

P.O. Box 4014  
Easton, PA 18042

March 23, 1981

Members, Student Conduct Committee  
Lafayette College

The Brotherhood of Delta Upsilon would like to address the charges as presented in the letter of March 11, 1981 which was received from Douglas H. MacEwan, Assistant Dean of Students. We have been charged with physically and/or mentally demeaning Lafayette students with actions carried out at our party of February 21, 1981.

We point out that no physical harm occurred but it has been brought to our attention that due to our lack of foresight some unintended mental anguish had been suffered by certain groups on campus. Therefore, we plead guilty to these charges as they have been defined to us in the aforementioned letter.

As always, the party was presented with the intent of social humor and it should be understood that the intent was not to degrade or humiliate any group on campus. However, almost any kind of theme party or social idea can be misinterpreted.

Delta Upsilon recognizes that the problem of sexual harassment is widespread and we as a brotherhood are willing to take an active role in somehow alleviating the present situation. We would hope that the offering of our services in this circumstance may act as a catalyst towards inspiring other organizations and individuals to do the same.

Respectfully submitted,

The Brothers of  
Delta Upsilon

March 25, 1981

Dean Kissiah:

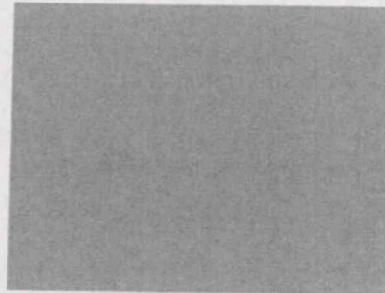
The Student Conduct Committee met Tuesday, March 24 to hear charges against Delta Upsilon. Delta Upsilon was charged with violating the Code of Conduct during the course of a "Back to the Womb" party held at the fraternity.

Specifically, Delta Upsilon is charged with demeaning women students on campus by having some members dressed as aborted fetuses, having a sign over the bar stating, "Association of Lafayette Wombs," decorating part of the party area as a womb, etc.

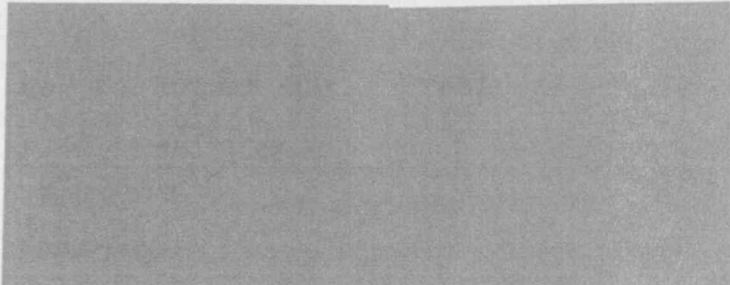
In a statement presented to the Committee, Delta Upsilon pleaded guilty to unintentionally causing mental anguish to certain groups on campus.

The Committee deliberated and charged the Chairman of the Conduct Committee with reviewing a draft of the statement that will represent the unanimous opinion of the Committee membership.

cc: Prof. Stoddard, Chairman  
Committee on Student Conduct



March 26, 1981

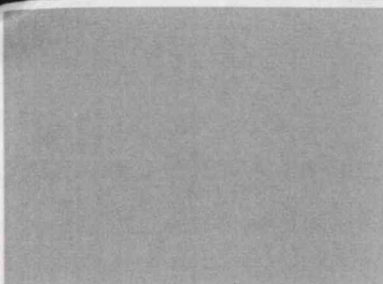


On March 24, 1981 the Committee on Student Conduct heard charges brought by the College against Delta Upsilon fraternity. These charges, contained in Dean MacEwan's letter to you of March 11, charged the fraternity with failing to meet the standards of the Code of Conduct. At that hearing, Delta Upsilon admitted to the charge and asked the Committee to take appropriate disciplinary action.

As I reported to you in our meeting of March 25, the Committee considered a number of factors in attempting to establish a disciplinary action which will be appropriate to this particular violation of College regulations. After considerable discussion, the Committee voted that,

Delta Upsilon be required to contribute to the College the sum of \$1,000.00 to be administered by the Joint Committee on the Cultural Program in support of lectures or symposia for all constituencies of the College to increase their awareness of the provisions and implications of the Code of Conduct, and in general foster better communication and respect among all students on campus. Delta Upsilon is required to participate in the planning and implementation of at least one of the programs and demonstrate its understanding of "honorable, ethical and mature" behavior.

As I indicated to you, the Committee believed that the behavior exhibited by the brothers of Delta Upsilon on the night in question fell far below the standards which this College holds for its students and student organizations. The Committee would not accept as an excuse that the group did not know that what they were doing would be considered offensive. A basic sense of human decency should have made clear to those planning this event that they had clearly stepped outside the bounds of propriety and had engaged in "behavior...that demeans others."



As a part of a statement to the campus community, the Committee on Student Conduct advises the fraternity that the behavior evidenced by members of the fraternity at its party on February 21 is repugnant, reprehensible and in clear violation of the expectations that Lafayette College has for its students and student organizations.

We have discussed the timing of this contribution to the College and the expectations that the Committee has for Delta Upsilon's participation in programs or symposia to meet the requirements of this action by the Committee. If you have any questions regarding the responsibilities of Delta Upsilon, I do hope that you will feel free to contact me.

As you know, Delta Upsilon may appeal this decision to the Faculty Committee on Appeals. Should you decide to appeal, your letter requesting appeal should be received in this office no later than three days after receipt of this letter.

From our conversation, I am confident that Delta Upsilon has learned a great deal since the evening of the party and is now prepared to meet the goal which you stated to the Committee at the time of your hearing:

Delta Upsilon recognizes that the problem of sexual harassment is widespread and we as a brotherhood are willing to take an active role in somehow alleviating the present situation. We would hope that the offering of our services in this circumstance may act as a catalyst towards inspiring other organizations and individuals to do the same.

The Lafayette College community now awaits your response.

Sincerely,

Herman C. Kissiah  
Dean of Students

cc:



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wan

April 1, 1981

Members, Committee on Appeals  
Lafayette College

The brothers of Delta Upsilon wish to appeal the decision rendered by the Student Conduct Committee on the basis of undue severity of penalty. The specifics of our appeal will be disclosed at the hearing.

Respectfully submitted,  
The brothers of Delta Upsilon

April 2, 1981

Committee on Appeals

SUBJECT: Appeal from Delta Upsilon

Delta Upsilon fraternity has decided to appeal the decision of the Committee on Student Conduct. Prior to scheduling a hearing date for that appeal, I have set up a luncheon meeting on Tuesday, April 7, in the West Wing, Marquis Hall, in order to introduce the new members to the work of the Committee.

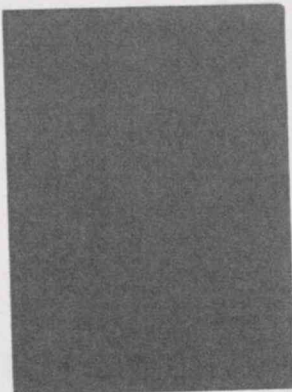
At that time the Committee will elect a chairperson for the remainder of this semester.

Attached to this memorandum, the new members of the Committee will find a document which the Appeals Committee has used as a basis for carrying out its responsibility. We will discuss this statement at our meeting.

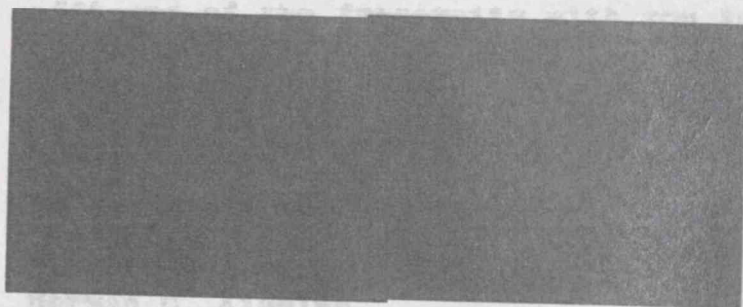
If you will be unable to attend this meeting, please contact me at once.

Herman C. Kissiah

copies to:



April 22, 1981



On April 16, 1981, the Committee on Appeals met to hear your appeal of the decision of the Committee on Student Conduct. The Committee on Appeals chose to modify disciplinary action which had been assessed against Delta Upsilon and their decision is as follows:


For a minimum of the next three years, Delta Upsilon shall propose, plan, and underwrite an annual fall event for the benefit of Delta Upsilon brothers and the campus community.

The purpose of the event shall be to foster an awareness of the provisions and implications of the Code of Conduct concerning demeaning behavior and insensitivity to others. It is our hope that such an event will result in a more mature attitude among members of the Lafayette community.

In planning the event, Delta Upsilon shall solicit the participation of other campus organizations, and shall submit the proposed programs to the Dean of Students for approval.

Further, it is required that Delta Upsilon submit an apology for "Back To The Womb" night for publication in The Lafayette.

In its action, the Committee on Appeals also wished to acknowledge Delta Upsilon's contribution in conceiving and modifying this penalty.



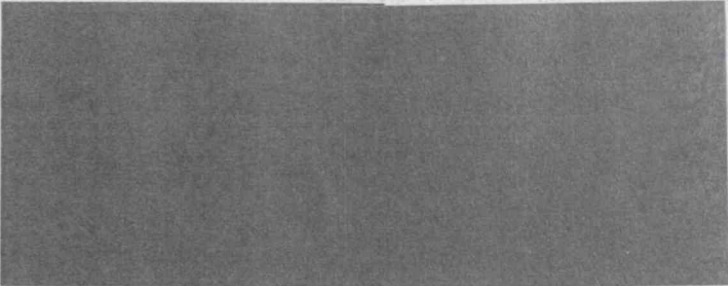
May I suggest that you make an appointment to see me in the reasonably near future in order that we might discuss this disciplinary action. You may wish to bring other officers of the fraternity with you for that discussion. At that time we will examine the meaning of this decision and the ways in which Delta Upsilon can plan a suitable program for meeting these requirements.

Sincerely,

Herman C. Kissiah  
Dean of Students

cc: Professor Best  
Professor Stoddard

December 2, 1981



Let me take this opportunity to express my appreciation to; the members of Delta Upsilon for carrying out their responsibility to "propose, plan and underwrite an annual fall event for the benefit of the Delta Upsilon brothers and the campus community." I believe that the program just completed met the responsibilities given to the fraternity last spring by the Committee on Appeals.

I congratulate Delta Upsilon for the manner in which they approached this responsibility. You have established a model for other living groups to emulate and I hope that others will follow your example in providing programs for the benefit of the College community.

Very truly yours,

Herman C. Kissiah  
Dean of Students



# LAFAYETTE COLLEGE

Department of Psychology

December 8, 1984

LAFAYETTE COLLEGE  
Dean of Students Office

DEC 11 1984

Herman C. Kissiah  
Dean of Students  
219 Markle Hall

Read by \_\_\_\_\_

File \_\_\_\_\_

Dear Dean Kissiah:

On Wednesday, November 28, 1984, Delta Upsilon fraternity displayed from its flagpole a nude female inflatable form with a noose around its neck. This object remained in full sight of the entire campus all day, until Dean Frits demanded its removal in late afternoon. We would like to charge Delta Upsilon fraternity with sexual harassment, and specifically with creating an atmosphere that is offensive and demeaning to women.

Although to any individual with a modicum of sensitivity and maturity, such a charge should need no explanation, the actions of said fraternity suggest that such sensitivity and maturity are lacking among many of its members. The display of a nude female form in and of itself is offensive and demeaning to women because it objectifies the female body, thereby dehumanizing women. The literal "hanging" of this object is even more offensive and demeaning to women because it symbolically "kills" us.

Violence against women is a serious and increasing problem in today's society, as statistics on rape, wife abuse, and sexual abuse of women and girls reveal. Violence against women also is a problem on this campus, as recent reports of attempted rapes and assaults have indicated. Displaying a hanging nude female object fosters an atmosphere in which acts of violence against women are thinkable, "do-able", and, indeed, considered to be "funny" or "humorous." Since these acts are neither funny nor humorous, displays which suggest them cannot be either; they are a form of harassment.

We would like to see appropriate action taken against Delta Upsilon fraternity. Its members' behavior cannot be condoned anywhere, particularly on a college campus where all individuals are supposed to become informed, aware, and responsible citizens. This particular fraternity's record of offensive actions in the past suggests that educational sanctions are insufficient to change its behavior. One individual member may have put the object up the flagpole, but no one else in the fraternity removed it until they were instructed to do so by the Dean's office. The entire fraternity therefore should be held responsible for the display.

We hope that prompt and serious action will be taken against this group.

Sincerely,

Susan A. Basow on behalf of  
The Professional Women of Lafayette

SAB/lm

Easton, Pennsylvania 18042



# LAFAYETTE COLLEGE

Office of Admissions

November 14, 1985

MEMO TO: Dean Herman Kissiah

FROM: Sheila Baisden

I am appalled by the account that I hear of the barbaric and reckless behavior demonstrated by members of DU during the early morning hours of Saturday, November 9. It would be bad enough if the incident had occurred in a vacuum. It did not.

There were six pre-freshmen women staying in the Black Cultural Center for the weekend who observed these antics. Other pre-freshmen were approaching the house in the midst of this senseless, and potentially dangerous, escapade.

The Lafayette women who reside in the Black Cultural Center are accustomed to the way DU expresses itself. They were frightened, so you can imagine how shaken the visiting high school seniors were.

It is hard enough to do minority recruitment here as it is. The Matriculant-Withdrawal Survey consistently each year cites fraternities and their reputation here as the reason Lafayette loses some of the more well-qualified applicants. Prospective Black applicants, especially, refer to the "dominance" of the fraternity system as reason for matriculating at other colleges.

Some of the visiting women perceived these escapades as a racial incident. I have no idea whether it was or not. It may as well have been if the visiting women perceived it that way.

My frustration comes in working for a long time to finally get the minority recruitment effort to click and then to see those efforts undermined by a group whose actions would not be tolerated in the "real world."

I am baffled by the fact that no representative from the Dean's Office appeared. From what I hear, some dean was aware of the events because the party was ordered to be shut down. From my own experiences here as a student, I know some students disrespect and disregard the campus security guards. That is evident since security had to be called in a second time to control members of DU. Perhaps, if an official representative of the administration had arrived, order could have been restored more quickly.

I have no sympathy for students who use becoming intoxicated as an excuse for engaging in dangerous and reckless acts. I am interested in hearing what quick and severe sanctions are imposed on anyone and everyone connected with Saturday's events.

cc: Dean Jeffers  
Dean Person

Dean Portlock  
Richard Haines

SLB

To: Dean Jeffers

From: [REDACTED]

Re: Incident on Friday, November 8th involving Delta Upsilon

On Friday, November 8th at approximately 12:45 am I was alerted to the existence of trouble by the screams of the six visiting high school seniors staying in the house with us for Minority Recruiting Weekend. Upon reaching my bedroom upstairs I found them clustered around my bedroom window which faces the house of Delta Upsilon. They informed me that the guys in the house next door were going crazy, yelling and throwing things out the window. I tried to calm them down and dismiss the issue by telling them to get away from the window and that it would probably continue all night but they were in no danger. They insisted that I come look and asked me whose car they were aiming the objects at. Realizing that it was my mother's car in question, I ran to the window in time to see someone hurl a wooden chair at my mother's car. It struck the roof, bounced onto the front wind shield and down the front of the car, splintering on the road. I ran out in the hall, called security, briefly explained the emergency, hurriedly dressed and ran out the front door of the house. As I rounded the front corner of the house, bottles and other objects, including a stove top, continued to fly out the window. An on-looker grabbed my arm and dragged me onto the grass warning me of the danger and advising me that they had been throwing all sorts of things out the window for some time. As he was dragging me away I looked down and saw broken glass everywhere. Assuming the worst, that my windshield had been broken, I ran in the back door of the house, and upstairs hoping to find a flashlight to survey the extent of the damage to my mother's 1985 five-month-old Honda Civic 4-door sedan. I dashed back out the front door after securing the flashlight and encountered the other two residents of the Black Cultural Center who were home that evening, who had gone outside looking for me in the hopes of convincing me to come back inside. At this point security arrived and took over. They took my name, the name the car was registered in and my phone number. They advised us at this time that a Dean was being called to shut down the party. No representative from Administration appeared on the scene throughout the entire evening however. They also informed us that D.U. was on social probation as of Saturday, November 9th for the second semester in a row. While one of the officers attempted to discover what had happened, two of the visiting high school seniors came outside to testify to what they had seen. The other security guards joined us at this point and reported that although they could see dents and scratches, neither of the windshields was broken. They advised me to get the car washed to remove all of the beer, obtain a receipt and make arrangements to get estimates done on the car so that D.U. could be presented with a bill for restoring my mother's car to its original condition.

This cannot be viewed as an isolated incident and a coincidence because of the fact that D.U. and the Black Cultural Center, or specifically I, have been at odds all semester. In September when I first drove my mother's car on campus for a weekend, the gentlemen who resided in the Black Cultural Center last year informed me that the cement carport directly adjacent to the house belonged to the Cultural Center so there was no need for me to continue fighting for a space

off campus. I was unable to park my mother's car there however, because a member of D.U. had his car there. As the weeks progressed, we had several functions at the house in addition to desiring to use our parking space as we saw fit and notified D.U. vehicle owners several times that they were using our space. They ignored our requests and even went so far as to take one of my notes down to security in an attempt to prove me wrong and get me into trouble. Security warned the individual at this time that I was within my rights and that the parking space did indeed belong to the Black Cultural Center. Security also informed the president of the fraternity on another occasion that he was to advise his brothers not to park there. They continued to ignore this and security was forced to patrol the carport on a daily basis, ticketing whatever vehicle was found there. Eventually they ceased to park in the port on a regular basis. For several weeks I have had my mother's car on campus quite frequently. It was common knowledge that this car was being placed in the Black Cultural Center space. On the evening in question, the people who threw the objects out of the window, did not break a window in the back and throw the things out into the D.U. parking lot at any of those cars but specifically at the car in the Black Cultural Center parking space. This was not a random occurrence, but an attack on myself and every other female living in the house.

After security had closed down their party, and departed, a group of males walked over to the house from D.U. and began banging on the front door of the house demanding to be let in. When we refused they did not go away but circled the house, banging on the windows, and eventually made their way around to the back door banging and yelling their desire to come in and explain that they did not mean to do anything against us with their beer mugs in hand. I ran upstairs to call security again and another resident of the house informed the crowd that we would not open the door but that they could come back the next day. When she finally threatened them with calling security the ring leader said, "Oh yeah, my name is [REDACTED] call security."

We could not discern the last name but the attitude of the crowd was definitely blase and they had no idea of the severity of what they had done. When security arrived on the scene again, they reported that a group of individuals was standing around in front of D.U. and decided to leave an officer with us in the house for protection. This officer remained in the house approximately one hour.

These people were so concerned about our feelings that they attempted to intimidate us into not pursuing this issue. Yet, outside a conversation I had with one [REDACTED] of Delta Upsilon in which he complained to me that he was going to have to pay to replace the window in his room which had been broken, and requested that I keep my estimate of the damages to my mother's car down, there has been no contact between any members of Delta Upsilon and the residents of the Black Cultural Center. No apology for the incident, nor an acceptance of responsibility for what transpired has been rendered. Where is their concern now? Surely it can not have faded so fast. I will tell you where their concern is. There is a vehicle belonging to a member of Delta Upsilon parked in the Black Cultural Center carport as I write this.

After consulting with a number of body shops in this area I have found that there is an extensive amount of damage to the left side of the car. It will be necessary to replace all three windows on that side as well as removing the dents and array of scratches left by the broken beer bottles and kegs. The entire trunk will have to be

refinished as well as the repainting of the vehicle. The estimated cost for these repairs will be \$1,173.22. This does not include the cost incurred when I was forced to take the vehicle to the car wash to remove the beer before it stained, or the expense of a rental car to replace the above mentioned vehicle for the 10-14 days which it will be in the body shop. The addition of these costs which are surely subject to refund brings the total cost for this negligence up to \$1,550.13. I hope the resolution of this matter will be expedient and sufficiently severe.

Respectfully submitted,

