

Chapter 13. THE SECOND DAY OF THE HEARINGS: SATURDAY,  
JUNE 7, 1975

On the morning of Saturday, June 7, 1975, at 8:25 A.M. in Room 483 of the KSU Business Administration Building, the second day of the hearings began. Professor Glenn Frank, the Hearing Committee chairperson, after calling those assembled to order, read a letter he received on June 5, 1975 from my attorney Eugene Bayer. That letter dated June 3, 1975, requested that Professor Frank resign from the Hearing Committee because of his obvious bias toward me, this bias having been manifested in the comments made by Prof. Frank both to Mr. Bayer and me at the end of the first day of the hearings, that is, on May 31, 1975.<sup>1/</sup>

Those comments made by Prof. Frank said, in effect, that he thought that I was guilty of harassing students and faculty and that if he had had to vote at this point in the hearings he would have been duty-bound to vote for my dismissal. Prof. Frank also suggested that he thought, after a very disturbing dream, that it would be best for me to resign from KSU and call off the hearings because the cards were stacked against me and that my future would be bleak if I choose to fight to stay at the University.

Prof. Frank seemed to be very hurt by the Bayer letter, by the suggestion that we felt he was biased. He denied that he had made such comments to Mr. Bayer and me and protested the idea that we even thought he had done

<sup>1/</sup> See Appendix page 22

such a thing. He suggested that the only proof that such conversations occurred would be if Mr. Bayer and I were able to furnish tape-recordings of those conversations. Such tape-recordings would then be sent to President Olds as proof of his bias. If such proof is forthcoming, then, and only then, would he resign from the Hearing Committee. Of course, this whole defensive posture of Prof. Frank was a theatrical more than a serious one because he knew very well that Mr. Bayer and I did not make any recordings of our conversations with him.

Prof. Frank then asked the Hearing Committee whether they wanted him to continue as chairperson. Naturally, they said they did, and, Dr. Schwitter, a very orderly man, emphasized the point that anything said outside of these official hearings is not relevant to the hearings.

At this time, Mr. Bayer asked: "May I have a few minutes to make a statement?"

Doutt: "You've made enough statements."

Bayer: (( with some anger and disgust))"Well, then may I talk to my client?"

Permission was reluctantly granted for this. After Mr. Bayer and I talked for a few minutes, Prof. Frank asked me: "Dr. Frumkin, do you have a statement to make?"

Frumkin: "Prof. Frank's response to Mr. Bayer's letter was a serious evasion of the issue raised by that letter. In so evading that issue it becomes a violation of due process because due process is difficult or next to impossible if any of the decisionmakers who make a judgment on this case is biased. Furthermore, I must re-emphasize the point that I have no real advocate here because my attorney has been denied full participation in the hearings. It is obvious that I need his help because some of

the issues we discuss are very emotional issues and I am personally involved in them. Because of my involvement and because I am in fact a rank amateur in the art of cross-examination, I cannot fully defend myself.

There are other requests I have made which the Hearing Committee has ignored, namely, my request that a licensed psychotherapist be present at the hearings because already two of the witnesses we have heard have expressed fear of being killed by me and one of these witnesses expressed fears of my killing members of his family and hundreds of people on a jumbo jet. The expression of such fears, if they are allowed to continue, demand some competent psychological evaluation of both the witnesses who express such fears and of me if there is any question as to whether I am, in fact, any real danger to the lives of so many people. The callous and sometimes disdainful attitude of the Hearing Committee makes me wonder about the objectivity of the Committee. I think that this whole business about the fears of being killed by me strongly suggest hidden charges against me that should and must be made into formal charges so long as they continue to be discussed. Now these informal charges against me cannot but help to turn the Hearing Committee members toward dismissing me even though such charges are not, as yet, part of the formal charges."

Schwitzer: "The Hearing Committee doesn't make any charges. The proper person to see about charges is Dr. Olds or the Faculty Senate and not us. Since the threats to kill and the fear of being killed are a part of your behavior then we must discuss them whether or not they are formal charges."

Frumkin: "It is precisely because of their emotional impact that I think it is grossly unfair to bring these things up unless they are made into formal charges. Otherwise, I think we have no business discussing them."

Hartman: "Dr. Frumkin, do you or don't you want to proceed with the hearings."

Frumkin: "Sure I want to continue with the hearings but I honestly feel that the Hearing Committee is not completely objective and fair, especially the chairperson."

Hartman: "Let us proceed. Chairman, please call the first witness."

Prof. Frank accepted Dr. Hartman's directive and called the first witness. The witness was Dr.

Keith Palmerton, a man about 5 feet 10 inches tall, of medium build, with short, thinning, light-brown and graying hair and a well-trimmed beard. He was in his late thirties, a mod dresser, and associate professor of rehabilitation counseling in the CPSE department. Dr. Palmerton was a former Methodist minister. He was a status-oriented fellow who was known to be suffering from a peptic ulcer.

Dr. Palmerton came into the room and sat down in the witness chair. He was asked to identify himself and then Dr. Sites asked the first question.

Sites: "Dr. Palmerton, when did you first learn that Dr. Sakata might be leaving?"

Palmerton: "I can't recall. He must have been looking for a job for almost four years. I don't recall any specific date."

Sites: "Please try to remember."

Palmerton: "Maybe around February or March of this year."

Hartman: ("addressing Dr. Palmerton with the unusual familiarity hitherto undisplayed)"Keith, did Dr. Frumkin distribute any dating service material to his classes?"

Palmerton: "Yes he did. Many students have mentioned this. One student showed me a copy of the material he distribute but took that material back."

Frumkin: "I object."

Frank: "Dr. Frumkin, you'll have a chance to respond to Dr. Palmerton's testimony later."

Schwitter: "Dr. Frumkin, are you the director of a corporation involved in dating services? Have you made reports to the Internal Revenue Service?"

Frumkin: "Yes I am. It's a non-profit corporation. I have completed reports for IRS."

Schwitter: "Did you distribute any matter on this dating service in any of your classes?"

Frumkin: "Yes. In my course in Community Resources, back in 1970, the matter of dating services for lonely, isolated people in general came up. I discussed those services in general and mentioned specifically how the service I was connected with works. A few students in that class asked for information on the service I was connected with and so I gave them that information and that was the end of that. I do not think that we should be discussing this kind of thing here because it was stated in the agreed-upon procedures for the hearings that only issues occurring after September 1, 1973 would be dealt with. Are we now abandoning that criterion for the hearings?" ((the question fell upon deaf ears))

Hartman: "Keith, do you have any knowledge of student complaints?"

Palmerton: "I have had numerous complaints from students and faculty about Dr. Frumkin. They started back in 1969 when I became coordinator of the Rehabilitation Counseling Program at KSU."

Frumkin: "Dr. Palmerton, how many students and faculty have made complaints? Who are those making complaints? What kinds of complaints have been made?"

Palmerton: "I don't know for sure because there have been a steady stream of them as long as I can remember."

Frumkin: "There you go again, Palmerton, making up stories. How many students and faculty have complained? What were their specific complaints? When did these complaints occur?"

Palmerton: "I can't recall but take my word for it, there were complaints."

Frumkin: "What kind of answer is that? You made serious charges and yet you persist in avoiding the responsibility of backing up those charges. To make allegations is not to prove them!" ((Are you an admirer of the late Senator Joseph R. McCarthy, I wanted to ask him))

Sites: "Dr. Palmerton, it seems like members of the department were explicitly trying to build a case against Dr. Frumkin. Do you care to comment on this?"

Palmerton: "It might appear that way but we were simply responding to things he did, mostly things he wrote."

Beer: "Dr. Palmerton, when did the problems with Dr. Frumkin begin?"

Palmerton: "From as long back as I can remember."

Schwitter: "Dr. Palmerton, what is meant by harassment  
What does harassment mean to you?"

Palmerton: "Dr./Frumkin charged me with misuse of  
Federal funds, embezzlement, and fraud. I call that  
harassment. He made these charges even after the  
University cleared my name of all wrongdoing. I had  
to spend a lot of time responding to his charges. If  
Dr. Frumkin has any new evidence to support his  
charges I challenge him to present that evidence here  
and now so that I can respond to it."

Schwitter: "Dr. Palmerton, can you give any instances  
Where Dr. Frumkin has been supportive and cooperative?"

Palmerton: "Publishing articles. We published four  
articles together."

At this time I took out two bananas from one of  
the KSU plastic tote bags I brought to the hearings  
with various documents, materials, and things of  
relevance to the conduct of the hearings. One banana  
was very yellow and not very ripe and the other was  
yellow with brown spots, that is, somewhat ripened.  
They were both about the same size. I asked Prof.  
Frank if I might make a little demonstration using the  
bananas with the witness. When I made this request,  
Dr. Doult shouted: "I object!" However, Prof. Frank  
and others had their curiosity piqued and said "Give  
the man a chance." Dr. Beer smiled in anticipation  
of what might occur. Dr. Doult grumbled over the  
thought of what I might be up to.

Palmerton: "Must I subject myself to this?"

Frank: "Please do, Dr. Palmerton."

Frumkin: ((Raising the bananas in the air so that  
Dr. Palmerton could see them )) "What do you see in  
my hands, Dr. Palmerton?"

Palmerton: "Two bananas."

Frumkin: "Do you see any similarities between them?"

Palmerton: "Yes, they're both yellow and about the same size."

Frumkin: "Very good. Do you see any differences between them?"

Palmerton: (( looking very carefully at the bananas))  
"Yes. One banana is very yellow, more yellow than the other. One has brown spots on it."

Frumkin: "Very good, Dr. Palmerton. Thank you for your cooperation."

Doutt: "Well, Dr. Frumkin, what did you demonstrate?" (( said with great disdain))

Frumkin: "I demonstrated that Dr. Palmerton is capable of making comparisons and distinctions and of giving straight answers to straight questions, that is, to some straight questions. Most of the time, however, he is very elusive and evasive when asked any questions which might help us get closer to the truth. That is the only point and the point of the demonstration."

Frank: "Dr. Frumkin, do you have any further questions?"

Frumkin: "Yes. Dr. Palmerton, how did the charges come about, that is, how were they organized? How did the big green book come into being?"

Palmerton: "I don't know exactly. I know only that, as a member of the Executive Committee of the department, we discussed our concerns about Dr. Frumkin and that we decided to make formal charges against you which we later incorporated into the dismissal proposal."

Frumkin: "Was this put together during the Winter Quarter of 1975 or the Fall Quarter of 1974 ?"

Palmerton: "During the Winter Quarter of 1975, I believe"

Frumkin: "In your estimation, what charges are the most serious?"

Palmerton: "Faculty and student harassment I feel are the most serious charges."

Frumkin: "How many students have I harassed?"

Palmerton: "I don't know."

Frumkin: "You must have some idea. Was it 10, 20, 5, 100, 1000, less than 3 ? How many?"

Hartman: "Keith, how many students has Dr. Frumkin harassed?"

Palmerton: ((reluctant to answer)) "I have no idea. I'm just aware that there are students who have been harassed by Dr. Frumkin. Some are afraid of testifying for fear of what might happen to them if they do." (emphasis added)

Frumkin: "Since you refuse to answer then I'll answer for you. There was one student which I allegedly harassed. Why is that so hard for you to remember?"

Palmerton: (( He gave no answer to my question. He just sat there waiting for someone to change the subject)) "Well, I ---I ---"

Schwitzer

Schwitzer: "Dr. Palmerton, how has the department been cooperative in relation to Dr. Frumkin?"

Palmerton: "In relation to Dr. Frumkin's allergy to smoke. The smokers stopped smoking at meetings after he requested them to."

Frumkin: "That's not the whole story. It took about two years before that goal was accomplished at department meetings. It wasn't until I protested the smoking at meetings by not attending or walking out of meetings and until a physician wrote a letter to Dr. Litwack, then chairperson of the department, did my request for no smoking at meetings begin to get honored."

Note: At some point in my questioning of Dr. Palmerton, some time after this exchange, the tape ran out and this was later discovered by Prof. Frank. He apologized for this error but his apology doesn't remedy the fact that this testimony was lost. This incident supports my original request that an expert record the hearings so that they might be of use to any parties reviewing the hearings.

Schwitzer: "Dr. Frumkin, how have colleagues been cooperative with you?"

Frumkin: "The department approved of my teaching three new courses which I created, namely, my courses on Sex and the Handicapped, Writing for Professional Publication which were taught through the department, and my course



in the Social Psychology of Art which was taught for the Sociology Department."

Frank: "Any further questions, Dr. Frumkin?"

Frumkin: "Yes. Dr. Palmerton, do you think the four articles we published together have had anything to do with the fact that you got promoted from assistant to associate professor and became a full member of the Graduate Faculty?"

Palmerton: "Yes. I suppose they might have helped but promotion guidelines are not that clear."

Frumkin: "Dr. Palmerton, when you applied for Graduate Faculty status did you include my name as the co-author of the four articles we had published?"

Palmerton: "I don't recall. I suppose I did."

Frumkin: "Did you publish an article in the REHABILITATION RECORD?"

Palmerton: "Yes. I think I might have."

Frumkin: "Do you recall if there was a co-author to that article?"

Palmerton: "I think it was some graduate student."

Frumkin: "Was it Ron Joyce?"

Palmerton: "I guess so."

Frumkin: "When you mentioned these five publications of yours in applying for Graduate Faculty status did you make any mention of the fact that all five articles had co-authors and on four of those I was your co-author and on one of them Ron Joyce was your co-author?"

Palmerton: "I don't recall."

Beer: "Dr. Palmerton, how many publications do you have altogether?"

Palmerton: "Five articles."

Beer: "Do you mean to say that you can't remember who the co-authors are?"

Palmerton: "I don't have any great interest in writing and publishing."

Frumkin: "Dr. Palmerton, let me refresh your memory. The fact is that you did not make any acknowledgment of any

co-authors at all in your Graduate Faculty status application. Your listing suggests that you were the sole author. How did this happen?"

Palmerton: "I guess it was an oversight on my part."

Beer: "That's hard to believe."

Frumkin: "Have you ever made any other oversights, as you call them, in listing your publications?"

Palmerton: "I don't think so."

Frumkin: "You have. You did the very same thing in listing your publications for the KSU Information News Service. It was just another oversight I imagine. Is that so?"

Palmerton: "I guess so."

Doutt: "Dr. Palmerton is not on trial here!"

Frank: "Dr. Doutt, I think Dr. Frumkin is trying to challenge the credibility of the witness. I can verify the fact that Dr. Palmerton did not acknowledge the co-authors to his publications in his Graduate Faculty application. I don't know about the KSU Information News Service data."

Frumkin: "Here is a copy of the News Service form in which Dr. Palmerton presented his publications without acknowledgment of his co-authors."

Frank: "Any further questions, Dr. Frumkin?"

Frumkin: "I would like to bring up the new evidence I have concerning Dr. Palmerton's misuse of federal funds."

At this point members of the Committee requested that the documents I had as new evidence should be xeroxed for members of the Committee. We, therefore, had a short recess after which Dr. Schwitter was the first person to speak.

Schwitter: "We have another witness waiting. Maybe we can continue with Dr. Palmerton at another time?"

Palmerton: "That's fine with me. I'd be glad to come back at another time."

Frumkin: "O.K. then, call the next witness."

Dr. Palmerton was excused. As he hurried out of the room, Dr. Lawrence Litwack hurried in and took his seat

on the witness stand. Dr. Litwack was a tall, about 6 foot, 1 inch, very thin man in his late forties. He was reared in Boston and had a rather distinctive Bostonian accent. He dressed conservatively and was conservative in his thinking and behavior. A very tense man with an acne-scarred face and sallow complexion, his dark eyes seemed twice their size because of the magnification provided by his thick eyeglass lenses. He would be described by Germans as a "pichlich und deutlich" type of person, that is, a compulsive stickler for details and order. I regard myself as an antithetical personality type. Because of this fundamental personality difference, conflicts between us were inevitable.

Dr. Schwitter was the first to ask Dr. Litwack a question.

Schwitter: "How long were you the department chairman?"

Litwack: "I was chairman from 1966 to January 22, 1973."

Schwitter: "Did Dr. Frumkin help or support your efforts to build a department?"

Litwack: "For the most part, he was a passive member of the department."

Schwitter: "Can you tell us what happened at the department's meetings at the Yankee Clipper (a restaurant-hotel in the Kent area)?"

Litwack: "At those meetings we spent a lot of time trying to determine what to do with Dr. Frumkin in order to make him a productive member of the department."

I would like to point out the fact that at the

time of those meetings at the Yankee Clipper, about 1971, I had the best scholarly publishing record in the whole department (actually one of the best in the whole university of over 1000 faculty), was selected for inclusion in CONTEMPORARY AUTHORS, AMERICAN MEN OF SCIENCE, and other honors, had chaired a successful symposium at a national professional convention, was an active member of the KSU Artist-Lecture Series Committee, had created and taught three new courses, helped three colleagues gain Graduate Faculty status, etc. And in spite of all this, Dr. Litwack felt I was an unproductive "passive" member of the CPSE department.

Sites: "Dr. Litwack, how did your chairmansip end?"

Litwack: "The department voted me out. It was in January, 1973, when all departments were asked to vote for or against the retention of their current chairmen."

Schwitter: "Dr. Frumkin, were you involved in that vote?"

Frumkin: "Yes I was. I voted against Dr. Litwack's continuing as chairperson. I felt he was too biased and unfair a person to hold such a job. I recall that the vote was 6-5 against his remaining as chairperson."

Sites: "Dr. Litwack, when did you learn about Dr. Sakata leaving?"

Litwack: "About February or March of 1975."

Sites: "Why do you think he decided to leave?"

Litwack: "He had been looking for another job for the last four years. He wasn't happy the way things were going at KSU. Frumkin's charges were the last straw. That made him decide definitely to leave Kent."

Beer: "Do you think Dr. Sakata's leaving will weaken the department?"

Litwack: " Hell yes! Most certainly! He has been one of the strongest members of the department, particularly in research. He has been the only Kent State graduate hired by our department. The Dean of the College of Education and most members of the department view him with the utmost respect."

Sites: "Dr. Litwack, in the Spring of 1974, why was Dr. Frumkin to be dismissed?"

Litwack: "It was strictly because of a financial exigency. He was on soft money and we couldn't see how we would pay him if the rehab grant was not renewed."

Sites: "Do you think that Dr. Frumkin has been harassed?"

Litwack: "No. He has not been harassed. It has been just the reverse. I can't answer for Dr. Frumkin but if the same things had happened to me I would have left in January, 1971 when the department voted to begin dismissal proceedings if he didn't resign."

Beer: "How are faculty evaluated?"

Litwack: "Teaching and advising are the most important things. Faculty must be strong in these."

Hartman: "Are faculty and staff afraid of retaliation from Dr. Frumkin?"

Litwack: "I am personally not afraid. Others will have to speak for themselves."

Sites: "Did you vote for Dr. Frumkin's tenure in 1969 ?"

Litwack: "No . There was no vote. He automatically got tenure when he received his third year contract."

Sites: "Did you object to the use of the word 'massacre' in the title of the symposium which Dr. Frumkin led at the 1971 national APGA (American Personnel and Guidance Association) meetings in Atlantic City?"

Litwack: "Yes. That was my personal opinion. I felt it was an unprofessional, unscholarly title."

Sites: "Do you think that scholars who refer to the Boston Massacre are unprofessional?"

Litwack: "That's just my personal opinion. I feel that there could have been a less provocative, more professional title for the symposium but I was overruled."

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Frumkin: "Dr. Litwack, how were you involved in the College of Education Executive Committee decision that I be dismissed?"

Litwack: "I served on that Committee but I didn't vote on that issue because I had already voted at the departmental level. However, I did speak to and did answer questions raised by other members of the Committee."

Frumkin: "When did Napoleon Peoples take his doctoral orals?"

Litwack: "I don't recall exactly."

Frumkin: "Mr. Peoples indicated to me at that time, sometime in February, 1975, I believe it was, that Dr. Sakata had transferred all his doctoral advisees over to you. Why was that transfer made?"

Litwack: "Sakata I suppose was planning to leave."

Frumkin: "Dr. Litwack, during the 1972-73 academic year, did you make an evaluation of my work at KSU on a so-called Faculty Evaluation Form?"

Litwack: "Yes I did."

Frumkin: "Did you give me a rating of four on my teaching? That rating you, of course, are aware means barely acceptable. What did you base that on?"

Litwack: "Yes I did give you a rating of four on teaching. I based it on student reports."

Frumkin: "What kind of student reports? How many students did you ever visit my classes?"

Litwack: "Students came to my office and gave me oral reports. I can't recall how many students. I never personally visited your classes."

Frumkin: "Is that all you used for your rating? Only oral reports from students who happened to drop into your office?"

Litwack: "Well, you never submitted teaching evaluations by students."

Frumkin: "That's not true! That particular year I did and, although, from what you have already said, you might not remember it, you said, after looking at those evaluations that they were fine. Do you have any recollection of making such statements?"

Litwack: "I do not!"

Schwitter: "What do you consider harassment of a colleague?"

Litwack: "Making charges against colleagues without talking to them."

Schwitter: "Dr. Litwack, was there any way in which Dr. Frumkin has been cooperative?"

Litwack: "Yes. Dr. Frumkin agreed to chair the racism conference in 1972."

Sites: "When did Dr. Frumkin begin harassing faculty?"

Litwack: "About 1½ years ago."

Sites: "Wasn't that about the same time Dr. Frumkin's colleagues began seriously trying to dismiss him? Maybe Dr. Frumkin was simply trying to keep his job and in order to do that was defending himself. Is that harassment?"

Litwack: "It was harassment as far as I was concerned."

Frumkin: "Why did you give me a rating of four (barely acceptable) on publications?"

Litwack: "I had no data so I assumed you nothing to report."

Frumkin: "Come now, Dr. Litwack, you know very well that my publication record has been much better than average since I've been at KSU. What kind of excuse is that? If you had no data you should have rated me zero instead of four. A zero means you have no data upon which to make an evaluation. That would have been the honest and right thing to do."

Sites: "I think that since there seems to be a lot of questions about the publication record of the members of the CPSE department that we should request the publications of all faculty in that department during the 1967-1975 period. I make this recommendation to the Hearing Committee."

Frank: "The Committee has heard your recommendation and takes it under advisement."\*

Frumkin: "Dr. Litwack, how did you arrive at a four rating on my university service?"

Litwack: "This was based on data I had."

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\* The Committee did nothing about Dr. Sites' proposal.

Frumkin: "What data? During the 1972-73 academic year I served on the Artist-Lecture Series Committee, the University Press Committee, I organized the Middle East Friendship League, I chaired the Racism Conference, and completed the NCATE report. And for that I get a rating of four. Don't you think that is unfair, Dr. Litwack?"

Litwack: "I did my best."

Frank: "Dr. Frumkin, do you have any further questions of the witness?"

Frumkin: "I do. Dr. Litwack, why do you think that dismissal is necessary?"

Litwack: "I believe it is in the best interests of the department and best for you."

Frumkin: "Dr. Litwack, in the FACULTY CODE OF PROFESSIONAL ETHICS of KSU it states: 'Neither in nor out of the classroom or office may the teacher take advantage of his relationship with the students to exploit them for his own private purposes. It is the responsibility of the teacher to bear in mind (and act accordingly) that his own personal deportment and intellectual style may be taken as a model by the student. The teacher will neither practice nor condone plagiarism in lectures, publications, or other public presentations, nor should he attach his name for credit to a paper or publication toward which he made no professional contribution.' How do you feel about this CODE ?" (emphasis added)

Litwack: "I'm for it. Certainly faculty should not exploit students. They should be good models for students. And for sure they shouldn't be involved in plagiarism."

Frumkin: "Since you apparently agree with the CODE , how would you feel about a colleague who took a student's research and published it as his own? Would you recommend that this colleague be dismissed?"

Litwack: "I would need specifics."

Frumkin: "In 1971 did you publish an article with Dr. Robert Sakata entitled ' Recidivism among Juvenile Parolees' in PSYCHOLOGICAL REPORTS ?"

Litwack: "Yes. I believe I did."

Frumkin: "What was the nature of your sample?"

Litwack: "I believe we got our sample from Massachusetts parolees."

Frumkin: "Let me refresh your memory. The sample was from Ohio. The whole article was taken from the 1967 M.A. thesis



of John R. Cullen without his knowledge and without his permission. He doesn't even know Dr. Sakata. How do you explain that Dr. Litwack?"

Litwack: "I'm sure I can explain it to the Committee."

Frumkin: "I'd like to point out to the Committee that in all my years of research, over 25 years, this has been the clearest case of plagiarism I have ever seen and was able to prove without a shadow of doubt. For example, the tables used in the article were an exact replica of those in the Cullen thesis, as was the nature of the sample. The probability of two population samples and two population results being exactly alike, as in the thesis and Litwack-Sakata article, is greater than a billion to one."

Litwack: "But Cullen based his thesis on my doctoral dissertation. His thesis is only an extension of my dissertation!"

Schwitter: "If Cullen's thesis was a replication study that is a scholarly contribution which belongs to Mr. Cullen. He owes you no more than does any student owes his thesis adviser."

Litwack: "I disagree. I can explain. Give me time to look this whole business over."

For some reason, I'm not sure why, this exchange was ended and Dr. Sites then asked Dr. Litwack a question

Sites: "When, Dr. Litwack, was it decided to come up with the charges and write the dismissal document?"

Litwack: "In January or February of this year."

Frumkin: "I hope we're not dismissing this plagiarism issue, are we?" [ ]

Frank: ((Ignoring Frumkin's question)) "Our time is running out. We agreed to adjourn by 12:30 P.M. If there are no further questions of Dr. Litwack, I'd like to excuse him and wind up today's hearings."

Frumkin: ((reluctantly)) "I have no further questions of Dr. Litwack at this time."

Frank: "Dr. Litwack, you're excused. Thank you for your time."

Dr. Litwack left the room. All eyes turned to Prof. Frank who had been readying himself to tell us

[1] In fact it appears that the effort to dismiss me was an effort to protect the reputations of Drs. Litwack and Sakata and the Kent State University which was involved for several years with the alleged plagiarism of Andres Bermudez whose plagiarism was reported in the NEW YORK TIMES, CLEVELAND PLAIN DEALER, AKRON BEACON JOURNAL, and other leading newspapers. See A. Adnavourin, op.cit., and R.M. Frumkin, THE KENT STATE COVERUP, VOL.2 (Frontiers Press: Union, NJ, 1983). The three universities, namely, Kent State, Northeastern, and North Carolina, as far as is known, never took any action against Professors Litwack and Sakata but I spent years in poverty for my behavior which had no just cause for dismissal of a tenured professor.

something of importance.

Frank: "Before winding it up, I have a letter from President Olds which I want to discuss and some personal comments I'd like to make. Dr. Olds requests that all persons connected with the hearings have been asked not to discuss the hearings with outside persons. The hearings are private. There have been too many leaks to the newspapers. This must stop!" Several people

Several people indicated that they did not leak anything to the newspapers and that they were trying to keep the whole affair private.

Frank: "I would also like to emphasize the fact that my discussions with Mr. Bayer and Dr. Frumkin on May 31, 1975, were based on feelings I had that were related to a dream I had about Dr. Frumkin. I was merely concerned about Dr. Frumkin's welfare."

Schwitzer: "Nothing said outside the hearings is relevant to us. Let's keep that in mind."

I thought to myself that not only is anything said outside the hearings irrelevant but also maybe inside the hearings as well. I was upset by the ease with which the Committee sloughed off the plagiarism issue in relation to Dr. Litwack and the misuse of federal funds in relation to Dr. Palmerton. The Committee suggested that these issues will be attended to later but I felt I couldn't count on that. It seemed that, with maybe the exceptions of Dr. Sites and Dr. Beer, that the Hearing Committee was relatively deaf, dumb, and blind and not more than a desk piece to be manipulated in whatever direction the administration wished. The call for privacy and secrecy by President Olds appeared to me to be a call for a continued coverup. I was right in asking for a public, open hearing. Now

I really understood why that request had been denied.

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Chapter 14. THE THIRD DAY OF THE HEARINGS: TUESDAY,  
JUNE 10, 1975

The early morning fog had cleared and eyes of sunshine peeked through some lingering gray clouds. It was a little after 10 A.M., Tuesday, June 10, 1975, and the Hearing Committee was ready to continue my dismissal appeal in Room 483 of the KSU Business Administration Building.

At exactly 10:22 A.M. the third day of the hearings officially began. Professor Frank, chairperson of the Committee, then introduced Dr. Byron Lander. Dr. Lander, a political science professor and practicing attorney, on June 7, 1975, and on this day, was acting as an observer for KSUFA and the ACLU. Dr. Lander was not present at the May 31, 1975 hearings. Following that introduction, Prof. Frank read a duplicated statement which was distributed to all present. It read as follows:

"The committee has heard the testimony of witnesses, and the comments as well as rebuttals from Dr. Frumkin. At times, the committee has been sidetracked to the extent of the establishment of motives and reasons for an alleged act by Dr. Frumkin, rather than whether the alleged act was committed. We feel that motives and case background are important in establishing grounds for dismissal and we do not regret the presentation of this information.

On Saturday, June 7, Dr. Frumkin and Mr. Bayer established through questioning that one witness appeared to be suspect regarding his credibility. This was used as evidence that all testimony and involvement of this witness is suspect. The committee is not aware of the legality of this implication; however, it does give the committee pause for reflection.

Many alleged charges and countercharges have been brought out. Many perceptions have come to light, some based on fact and others with apparently no basis in fact.

There is one allegation that cuts to the quick of the responsibility and obligation of an academician, and that charge relates to the relationship of professor and student.

A mutual trust is paramount and must be preserved.

We have discussed what the term harassment actually means. There doesn't seem to be a legal definition at least according to BLACK'S LAW DICTIONARY.

Some definitions of harassment according to WEBSTER'S DICTIONARY are as follows: "1. to worry and impede by repeated raids; 2. to annoy continually." (emphasis added)

At first it was not clear why Prof. Frank read that statement and distributed a copy of it to everybody. His next act, however, did make it clear why that special statement was read into the record. Prof. Frank was introducing the Gabalac issue and Nancy Gabalac was supposed to be the one of the witnesses during this morning. In addition to distributing his opening statement, Prof. Frank distributed copies of a second document which he then read into the record, namely, a list of dates and related behaviors and events which center around my relationship with Nancy Gabalac from the fall of 1974 to June, 1975. That list of dates and events was as follows:

- "1. October 12, 1974. Letter from Nancy Gabalac to Dr. G. Saltzman.
- 2. October 19, 1974. Dr. Frumkin called Kay Schotzinger about Gabalac.
- 3. October 23, 1974. Letter from K. Schotzinger to Dr. G. Saltzman about Dr. Frumkin's phone call about Gabalac.
- 4. November 4, 1974. Letter from Dr. G. Saltzman to Dr. Frumkin about the meeting which took place with Nancy Gabalac with reference to her October 12, 1974 letter to Dr. Saltzman. (( meeting took place on Oct. 30, 1974 ))
- 5. May 1, 1975. Letter from Dr. Frumkin to Mr. Herbert Chereck, Registrar.
- 6. June 2, 1975. Letter from Dr. Frumkin to Nancy Gabalac.
- 7. June 2, 1975. Article enclosed with Dr. Frumkin's letter Article is a reprint from the JOURNAL OF HUMAN RELATIONS
- 8. June 2, 1975. Article written by Dr. Frumkin, July, 1969, enclosed with June 2, 1975 letter."\*

When completing the introduction of the above

\* It is most interesting that my June 4, 1975 letter to Mr. Chereck, in which I stated that the KSU Police and I have uncovered new facts which eliminated Gabalac as a suspect, was not included. I requested my May 1st letter back and refused

dates and events into the record, Prof. Frank asked:  
"Are there any comments before we call the first witness?"

Bayer: "If the Committee has no comments, Mr. Chairman, I'd like to make a comment, a short comment."

Frank: "All right, Mr. Bayer, make your comment."

Bayer: " I have a proffer for the Committee. The items with reference to Mr. Chereck came after the dismissal document was completed, and because they were not the basis for the dismissal, they do not properly belong here. They should not be considered here. If these recent events are considered significant factors relative to dismissal, then new charges must be made if they are to be properly considered. We have no business discussing them at this time.

Finally I would like to add that, if I had a chance to cross-examine witnesses, I would have shown the consultation between witnesses and the conspiracy which has been calculated to gain his dismissal. Dr. Frumkin's inability to cross-examine witnesses is a real handicap to his defense. As the banana incident demonstrates, he doesn't have the skills needed for a proper defense."

Frank: "If harassment is a continual thing, then we think that recent events are to be properly included in these hearings. Dr. Frumkin agreed, as related in Dr. Saltzman's letter to him on November 4, 1974, that he harassed Mrs. Gabalac."

Frumkin: "May I make a comment."

Frank: "Yes, you may."

Frumkin: "I never agreed, as Dr. Saltzman suggested in his letter, that I felt that I harassed Mrs. Gabalac. All I said was that I agreed that Mrs. Gabalac might have felt she was being harassed. That is all I agreed to."

Frank: "The Committee feels that the letter to Mr. Chereck represents a continuation of the previous harassment of Mrs. Gabalac. It is, therefore, proper in the eyes of the Committee to use it."

Bayer: "I disagree! It is inappropriate for the Committee to hear it because it was not the basis for the dismissal proposal even though it might be related to the Gabalac matter. Only charges in the Green Book should be discussed here. There is a private remedy if Mrs. Gabalac feels

that she has been injured. The Chereck letter is not part of the indictment."

Frank: "Can the Committee take a vote on this issue? Should we include the Chereck documents?"

Beer: "I'd like to hear from Mr. Adler on this issue."

Hartman: "Let us proceed. " (( From ALICE IN WONDERLAND, loosely translated: "Off with Frumkin's head!" ))

Schwitter: "I don't consider this proper."

Sites: "Let's hear from Mr. Adler( assistant attorney general). Do you think it proper for the Committee to discuss the Chereck letter?"

Adler: "In my opinion it is proper."

Lander: "What is my role here? Can I make comments? What is Mr. Adler's role?"

Frank: "You can't make comments. You're here as an observer for KSUFA and the ACLU and that's all. Mr. Adler is an observer also. He's from the Attorney General's Office and attached to KSU. Now let's vote on this issue."

Why was it that Mr. Adler as an observer had the right to make comments and that Dr. Lander, also an observer, did not have the right to make comments? That question was never satisfactorily explained.

After some discussion, although Dr. Sites raised a question about whether Mr. Chereck was ethical in his handling of my letter, Dr. Sites and the other members of the Committee agreed that the Chereck letter be discussed and Mr. Chereck be called as a witness.

Mr. Chereck introduced himself and stated that he was the Registrar at KSU. He is a tall, about 6 feet, dark-haired man of husky build. He was in his middle thirties, wore his hair relatively short and sported a well-trimmed small moustache. He was relatively plain in dress. In his speech and manner he reminded me of some

kind of robot, that is, he was rather stiff and cold in his relating to people. In some ways, he seemed to be made of wood and metal and not fully human. Yet, in spite of this, there was something very sad-looking about him. He seemed always to be somewhat depressed. His manner of speaking was like a tape recording slowed down so that a fast typist might easily catch every word.

Hartman: "Can you tell me about Mr. Frumkin's involvement with you? Did you know about the missing materials?"

An explanation is needed here. Between March and June, 1975, I had about 20 boxes of personal belongings stolen from departmental premises. In attempting to find out who was stealing those boxes, most of which were stored in a classroom, nextdoor to departmental offices, which had a long, high wall with floor to ceiling shelves which were used by me and three other faculty to store personal belongings (mostly research materials, data, etc.) in carefully marked boxes, I had discovered that Nancy Gabalac was a person who was a co-instructor of a course in that classroom at times close to those times I had found new thefts had taken place. Because she had written that, to me, strangely hostile letter about me to Dr. Saltzman on October 12, 1974, and because of her proximity to strange thefts which had been occurring, singling out my possessions but not disturbing the possessions of the other three faculty, I was, at that time, in a frame of mind, which could easily have and did suspect Nancy Gabalac as somehow being involved in those thefts. I, therefore, went to Mr. Chereck in order

to find out specifically when Nancy Gabalac taught in that classroom and when she was in there as a student. The thefts occurring during those difficult times led me to be very suspicious of anyone who manifested any negative attitudes and actions toward me. It was in that context which I went to Mr. Chereck, the Registrar for information about Mrs. Gabalac's student and teaching schedule because that information was not available from either the department in which I had been working or College of Education office.

Chereck: "I didn't know about the missing materials until I received his letter." (( Mr. Chereck had told me when I requested Mrs. Gabalac's records that he could not consider giving me them until he received a letter from me requesting them and explaining why I wanted them. I, therefore, wrote a letter to him making my request and explaining that I suspected that Mrs. Gabalac might have had something to do with the missing materials.))

Beer: "What is the procedure for getting student records?"

Chereck: "Usually the faculty member makes a request in writing. The request must be in the educational interest of the student."

Schwitzer: "What is meant by 'in the educational interest of the student'?"

Chereck: "For example, if a faculty member wants to know what a student's high school background was in relation to his subject because the student wasn't doing well."

Beer: "How did you handle Dr. Frumkin's request?"

Chereck: "He came over to the office to seek information about Mrs. Gabalac. I asked him to put his request in writing. He left and, then, in about one-half hour, he returned with a written request. I refused his request." (( As it later turned out, in further testimony Chereck stated that he never gave faculty student schedules but requested a letter from me anyhow. Why? A simple explanation is given later on this chapter by Helen Samberg ))



Beer: "Why did you refuse?"

Chereck: "His request wasn't, in my judgment, in the educational interest of the student."

Sites: "Why did you call the University lawyer? Did you ever do that before?"

Chereck: "Because of my prior knowledge of what was going on through reading the newspapers." (emphasis added)

Sites: "What did you do with Dr. Frumkin's letter?"

Chereck: "I gave it to the University lawyer."

Frank: "Mr. Chereck, what did you think the letter was written for? How did you interpret it?"

Bayer: "I object to that question. It is inappropriate."

Frank: "O.K. I withdraw the question."

Hartman: "Mr. Chereck, why did you refuse Mr. Frumkin's request?"

Chereck: "The request was not in the legitimate/educational interest of the student. It seems that his concern was regarding stolen boxes."

Frank: "Any further questions? If not, Dr. Frumkin, do you have any questions?"

Frumkin: "Mr. Chereck, are you familiar with the PROFESSIONAL CODE OF ETHICS, that is, KSU's CODE ?"

Chereck: "Yes I am."

Frank: "The CODE refers only to faculty. Are you suggesting that Mr. Chereck comes under this CODE ?"

Frumkin: "The STAFF CODE is very similar. I should get a copy of it. My point in any case is still appropriate. In professional ethics when colleagues share confidential materials it is their responsibility to keep them confidential. Did you speak to anyone in my department about my letter to you?"

Chereck: "After I received it. Yes I did. I consulted with Dr. Saltzman. I told him about your request for Mrs. Gabalac's schedule and record. That's all we spoke about."

Frumkin: "Did you know anything about me before today?"

Chereck: "Yes, from what I heard about you from other faculty and in the newspapers. Never met you before you came to my office with the Gabalac request."

Frumkin: "When did you receive my written request?"

Chereck: "On May 1, 1975."

Frumkin: "Did you ever show the letter to Mrs. Gabalac?"

Chereck: "Yes I did. It was in her file."

Frumkin: "How did she know it was in her file?"

Chereck: "I told her about your request."

Sites: "Are you in the habit of informing students that there are materials in their files they should see?"

Chereck: "No, because I don't know every student."

Frumkin: "Knowing the nature of the letter and of my situation, didn't you think that Mrs. Gabalac would be upset by the letter?"

Chereck: "I didn't know that."

Sites: "Are you able to explain the circumstances which led to your informing Mrs. Gabalac about the new material in her file?"

Chereck: "Mrs. Gabalac has an office very close to mine. I've known her for more than a year. It was just part of a conversation with her."

Sites: "In this case, therefore, you used particularistic criteria rather than universalistic ones. You initiated the contact with Mrs. Gabalac, didn't you?"

Chereck: "I guess in my humanness I mentioned that to her"

Frumkin: "In your humanness you say."

Chereck: "Yes."

Frumkin: "How so?"

Chereck: "As a human being."

Frumkin: "Did you, prior to my meeting you, ever discuss-

Hartman: (rudely interrupting) "I'd like to ask Mr. Frumkin a question."

Frumkin: "Sure."

Hartman: "You asked Mr. Chereck if he had talked to Glenn Saltzman about the letter. How did you know this occurred?"

Frumkin: "I didn't know."

Hartman: "O.K. Why, if you were interested in Mrs. Gabalac's schedule, didn't you check in your college office?"

Frumkin: "I did check there. They didn't have that information. That is why I had to go to the Registrar's Office."

Doutt: "Your college doesn't have those?"

Frumkin: "Not as far as I could determine. I'd like to ask Mr. Chereck more questions."

Frank: "Go ahead."

Frumkin: "Before I ever met you, Mr. Chereck, had you ever talked to Mrs. Gabalac about the class of mine she was in last fall?"

Chereck: "No."

Frumkin: "If you are a friend of Mrs. Gabalac, why did you talk to her about the matter I asked you to hold in the strictest of confidence? Why did you do that? Didn't you have any idea that the letter would upset her?"

Chereck: "No."

Hartman: "Do people have to have motives?"

Frumkin: "Why not? This is very pertinent. Mr. Chereck, of you were a friend of Mrs. Gabalac, you would know that that kind of letter would be upsetting to her, wouldn't you?"

Chereck: "It could very well be. I don't know that it would."

Frumkin: "You don't know! How old are you?" (( said in great frustration))

Frank: "Is that pertinent?" (( said sharply and disdainfully))

Frumkin: "Yes it is. If a mature person doesn't know and understand that making a suggestion that a woman is having an extramarital affair is not potentially upsetting, I think that is very naive." (( An explanation is needed here. In my letter to Mr. Chereck I suggested in a rather sardonic frame of mind, that Mrs. Gabalac and her alleged extramarital lover, because of rumors circulating around campus, might be involved in the theft of my belongings. I could not understand how Mr. Chereck, who had a masters degree in counseling, could not have understood that the suggestion I had made in my letter would not have upset Mrs. Gabalac. My enemies at the University regarded my sardonic allusion as a new key weapon against me. Was there vengeance in my allusion? Was I secretly hoping Mrs. Gabalac would see it? I'm really not sure. In retrospect, it was an unwise letter.))

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Doutt: (pontifically) "Then you intended to upset her!"

When Dr. Doutt asked that question of me, I felt more than ever that I was not in a professional hearing where colleagues were making an impartial inquiry or in a court of law where fair-minded persons are attempting to examine the evidence. Instead I felt that most of the people on the Hearing Committee were members of a Kangaroo Court or a Star Chamber, and their only real interest was establishing my guilt so that they could feel comfortable about recommending my dismissal and / or providing alleged evidence for the charges against me. So I then answered Dr. Doutt with some anger in my voice.

Frumkin: "No! It was not my intention to bring that to her attention." ((In my letter I made it quite clear that my letter was to be held in strictest confidence, that my letter was inquiry, an attempt to find out who might be involved in the continued thefts of my belongings.))

Doutt: "What was your intention?"

Frumkin: "My intention was to find out what happened to those boxes of books and materials."

Frank: "In what way is your finding those books related to your final sentence? 'I think her alleged extramarital lover is also involved and might even have persuaded her.' In what way is that a request for information? I don't understand it? You asked if Mr. Chereck is a friend of Mrs. Gabalac. Are you a friend of Mrs. Gabalac?"

Frumkin: "Apparently not. Let me make a short statement about this letter."

Schwitzer: "This is not an official letter. I'd like to know why you were thinking about extramarital lovers? Why is this within the scope of your department? What is the rationale for this?"

Frumkin: "I don't understand what you're asking."

Schwitzer: "I can't explain your interest in the extramarital life of a student. For what official basis was it?"

Frumkin: "I tried to explain that in this letter. I felt that there were two persons working together in removing the boxes. I believed it was a man and woman." 1/

Hartman: "Mr. Frumkin, did you have evidence that there was an extramarital lover, and, if so, why did you chose to use this is in a letter?"

Frumkin: "That answer will be included in my statement which I'm about to make."

Doutt: "May I ask one further question? You said in your letter that last fall Nancy Gabalac wrote a vicious letter to my department chairman, Dr. Saltzman. Does that statement speak to your motive?"

Frumkin: "What do you mean by motive?"

Doutt: "We're trying to find out why you wrote this letter and singled out Mrs. Gabalac!"

Frumkin: "The reason why I singled out Mrs. Gabalac was because she had been using the room before and after I noticed things missing from that room where those things were stored. I was trying to check out the exact times she used that room by getting official records from the registrar."

Schwitter: "Why do you call the letter Mrs. Gabalac wrote as vicious?"

Frumkin: " I feel that the letter is a vicious letter---"

Doutt: (rudely interrupting again) "I'm looking for a pattern of conduct and apparently a pattern does emerge. Apparently it emerges there. It emerges here. And there's a pejorative evaluation emerging."

Hartman: "Mr. Frumkin---"

Frumkin: (not allowing Dr. Hartman to say another word) "Excuse me. I'd like to talk to my lawyer for a moment."

Bayer: "Please give him a minute to talk to me."

While I was talking with my lawyer, Dr. Hartman, again ~~oblivious~~ oblivious of my rights, continues the hearing by addressing Mr. Chereck.

Hartman: "Mr. Chereck, did you---"

Bayer: "Can we have a few minutes while I consult with Dr. Frumkin? Take it easy."

See ...

Frank: (after about two minutes of consultation between my attorney and me)"Dr. Frumkin, do you have a statement? Oh, does anyone have any further questions for Mr. Chereck?

After a few questions were asked of Mr. Chereck, he was excused and I was finally permitted to make my statement.

Frumkin:"In relation to this whole business with the boxes, I made out a police report on March 5,1975,about the 44 boxes I had been storing in Room 312 of the Education Building since August,1973 without incident up until that report. The Campus Police were, on the whole, very uncooperative. When I found 23 boxes missing and couldn't find any trace of them I was very upset. I had been frustrated at the department level, the college level, and the graduate school level relative to my attempts to find out who uses that room and what times and dates, who has keys to the building and the room, and when I went over to Chereck's office to get some information about Nancy Gabalac's schedule because I had heard she used the room fairly often at what I considered critical times, I was hoping that I would begin to get some answers to my questions."

Beer: "Is this material still lost?"

Frumkin: "Yes. There's been no trace of it. This material included years of research work as well as other important personal things. In my second letter to Mr. Chereck I withdrew the statements in the first letter. The first letter was written only because Mr. Chereck demanded a letter before I could get to see Mrs. Gabalac's schedule. I tried to keep the letter in confidence because I didn't want to 'harass' Mrs. Gabalac. I didn't want to upset her if my hunch was wrong. I was just trying to find out who was rifling my stuff in Room 312. I did err in suggesting that she had an extramarital lover. I withdrew that suggestion. This kind of stuff occurred after March 12th dismissal document. I don't excuse it. I just want to put the whole thing in context, in some perspective. I was so upset by what was regularly happening to my things that I was ready to believe anything about anybody. You must realize that I've been up against the wall for years. This past year was particularly trying. I do feel that the letter Mrs. Gabalac wrote to Dr. Saltzman was a vicious kind of letter. In the light of all that had been happening to me, I was very sensitive about the whole thing."

Frank: "I would like you to explain how the letter of October 12th was vicious. And I'd like you to explain why you say the police were uncooperative when in your June 4th letter you say the police were investigating your problem. Have you lodged a complaint with the police department?"

Bayer: "Don't answer that last question. You can answer the first one."

Frumkin: "Relatively speaking, yes, the police have been uncooperative. For three months they didn't find anything even though my boxes were being regularly rifled at times which only authorized persons with keys could have been around the building. Yet, after almost four months, there has been no trace of the boxes, no clues, no suspects."

Sites: "I should have asked Mr. Chereck, I'm sorry he's not here now....I wonder why he asked Dr. Frumkin to write a letter requesting schedule information yet he said he never gave faculty student schedules. I think it very strange. Why couldn't he just say his office does not give schedules?" 1/

Schwitzer: "Mr. Chereck said that administrators can get the schedules without a letter of request."

Hartman: "I think Mr. Chereck said that he judged each faculty request on its educational merits and not that he refused all requests."

Frank: "O.K. Let's take a five minute break and then Mrs. Nancy Gabalac will be the next witness."

After the break, Mrs. Nancy Gabalac entered the hearing room with her attorney. Nancy was a slightly overweight married woman of about the age of 35. She was about 5 feet, 3 inches tall. She had an attractive but unhappy face. Her hair was relatively short and rather gray for so young a woman. There was a pasty pinkish tinge to her face. Her dress was relatively conservative. Her most distinctive characteristic was her pessimistic outlook on life. Now and then a certain snobbishness appeared in her talk, a kind of Adlerian sense of superiority based on feelings of inferiority and rejection. If she had been a bird, she would probably have belonged to the shrike family. At the time of the hearing she was completing her first year as a masters candidate in rehabilitation counseling, and also working with Project Dove, a special program for middle-aged women returning to college. She

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1/ My dear friend Helen Samberg, an insightful person on human nature and society, has a rather simple answer to Dr. Sites' question. She feels that the letter was requested by Mr. Chereck to woo me into providing more written evidential material which his co-conspirators might use against me. She feels, from examining Mr. Chereck's testimony, that he joined the conspiracy against me before I requested information on Gabalac.

was also a co-teacher of a couple of group counseling courses for the CPSE department. She was quick to let it be known that she was married to the Summit County Prosecutor, namely, one Stephan Gabalac, and she knew something more than the average person about the law. She struck me as being a fairly bright person but a very unhappy woman who displaced a lot of her hostile feelings on the nearest, most vulnerable scapegoat. Nancy

Gabalac was one of the tensest persons I had ever met. One unfriendly student described her as the woman with the "clenched hair"

Frank: "Will the next witness introduce herself and her guest?"

Gabalac: "My name is Nancy Gabalac. I'm a student in the masters program in rehab counseling. My attorney is Beverly Rhodes. I wish to state at the beginning that I do have to leave at noon. I'd also would like to say that there's been further harassment since the information I believe you have."

Schwitzer: "On page 2 of your letter, please note the paragraph which reads that Dr. Frumkin characterizes himself as a misunderstood rebel, a controversial figure. Do you recall in what way did Dr. Frumkin characterize himself as a controversial figure?"

Gabalac: "I cannot remember exact words. I will say that anything that was in that letter did happen. He just simply said that because of the stance that he has made at this university and others that he has been harassed and---"

Schwitzer: (interrupting Mrs. Gabalac) "Did he give the impression that he is controversial because of his philosophy or because of what?"

Gabalac: "Because of his activities and---"

Schwitzer: (interrupting her again) "Because of what activities?"

Gabalac: "In behalf of the underprivileged or---"

Schwitzer: (interrupting again) "And in what way was he a rebel?"

Gabalac: "Because he championed such groups that were unpopular."

Schwitzer: "In what way was this within the scope of rehabilitation counseling?"



Gabalac: "I didn't think it was."

Schwitter: "I'd like to know of your interpretation of the instructor's suggestion not to use aerosol sprays, not to overeat, and not to smoke....What do you think about this?"

Gabalac: "I felt it was irrelevant at best."

Schwitter: "Was this only your impression or did you discuss this with other students and find they had similar impressions?"

Gabalac: "My impression was that I was not alone. I didn't go out of my way to discuss or criticize Dr. Frumkin with other students."

Schwitter: "O.K. Thank you."

Doutt: "In a course in rehabilitation counseling do you think it within the purview for the instructor to attempt to rehabilitate students if he sees the need to do so or to teach students techniques about rehabilitation counseling? Which do you think is the legitimate role of the instructor?"

Gabalac: "At my point/<sup>then</sup>in my career in rehabilitation counseling I was walking into a course on the philosophy and principles of rehabilitation counseling for the first time. I didn't know what the correct approach was but it seemed to me an invasion of privacy and that it had nothing much to do with counseling."

Doutt: "You didn't perceive his efforts as an attempt to help you?"

Gabalac: "No!"

Doutt: "I see."

Hartman: "I wonder if you could elaborate a bit on the invasion of privacy idea? I don't know how you were interpreting an invasion of privacy."

Gabalac: "There was a one or possibly two-page thing we were supposed to fill out that had requested a recent photo, favorite colors, hobbies, interests, a kind of complete description of one's preferences which I thought had no relevance to the course and was nobody's business but my own."

Beer: "Did you fill out the form or did you refuse to?"

Gabalac: "I started to and at some point I got so disenchanted that I never did fill it out."

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Hartman: "I'm still a little confused. A photograph, could I don't understand..."

Gabalac: "I did turn that into Dr. Saltzman with my letter. It's innocuous information on one hand but, then, on the other hand, it is totally irrelevant. I would like to move on. I do realize why you're asking the questions about the letter but I understand I was here to talk about the harassment which followed my letter." (emphasis added)

Schwitter: "We need information."

Gabalac: "Yea."

Schwitter: "What was Dr. Frumkin's rationale to ask you for a photograph?"

Gabalac: "Well, he said later on in Dr. Saltzman's office that he needed the photo to help remember students if he had to write letters of recommendation for them after they graduated."

Schwitter: "Were there males as well as females in the class?"

Gabalac: "Oh, yes."

Schwitter: "More girls than boys?"

Gabalac: "I have no idea."

Schwitter: " O.K."

Beer: "A couple of questions about the letter. You had some registration problems. The two courses you had signed up for were listed as being taught by Palmerton and Sakat. Then, subsequently, you found that both courses were given by Frumkin."

Gabalac: "That's right."

Beer: "The department made a change."

Gabalac: "Yes. That's why this letter was to the department chairman."

Beer: "You had to take the philosophy and principles course."

Gabalac: "That's right. This course was required and given only once a year. If you read the letter you'll see that I said I signed up for the course in good faith and I was unfairly treated. It's a complaint to the department."

Beer: "Prior to going to class, did you have any feelings about Dr. Frumkin?"

Gabalac: "I didn't know anything about him before I walked into the class. I was looking forward to Sakata teaching the class." (emphasis added)

Sites: "Don't you find it helpful for an instructor to state his philosophy at the beginning of a course so that you'll know his biases?"

Gabalac: "Yes, if it were stated in that way. It might have been his intent. I didn't hear anything relevant to counseling."

Beer: "Did you make a complaint to Dr. Frumkin about his no lecture format, about his questionnaire, before you made the formal complaint to the department chairman?"

Gabalac: "No, I did not."

Beer: "You did not go to him first? Do you normally, as a student, immediately go to the chairman or would you go to the instructor?"

Gabalac: "I have never made a complaint in my entire life before and I regret very much making this one because my life has been quite impossible since October." (emphasis added)

I do not understand this statement by Mrs. Gabalac at all. From late October, 1974 until May, 1975, I had no contact with Mrs. Gabalac whatsoever. This suggests to me that some person and/or persons, however, connected with me, did have contact with her and successfully exacerbated the alienation between us which existed back in October, 1974. Furthermore, since the alleged harassment of Mrs. Gabalac was considered by my enemies as one of the critical charges against me, and this charge was included in the GREEN MONSTER, Mrs. Gabalac must have been consulted and involved in making part of the GREEN MONSTER and asked to be available to testify against me. Her strong suggestion that I had a lot to do with her life being "quite impossible" from October, 1974 to May, 1975 is not explainable in any other reasonable terms. Wittingly or unwittingly, Mrs. Gabalac had joined the conspiracy intent on my dismissal. If she felt harassed by that involvement I was never directly involved with producing it.

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Beer: "Did you assume that the normal procedure if you had a complaint against the instructor is to go to the chairman first and not the instructor? Was that your understanding?"

Gabalac: "I had no idea what the procedure was. I felt it was the fault of the department so that's where I went."

Beer: "So Dr. Frumkin did not know you were unhappy until he learned of it through his department chairman having received your letter?"

Gabalac: "Yes. That's correct."

Hartman: "Do you believe you've been harassed?"

Gabalac: "Yes, and I would like to talk about that now."

Hartman: "Would you like to explore that?"

Gabalac: "Yes."

Hartman: "Why do you feel you have been harassed?"

Gabalac: "O.K., that's really why I'm here. When I did turn in that letter I felt that it was a complaint of a student and that it was justified. I still feel that way about it. I expected that Dr. Frumkin wouldn't be happy. When he started calling me and when he did call my boss, Kay Schotzinger, I believe you have copies of the letter she wrote, and he started asking questions about me I got very concerned. Finally I called Dr. Frumkin and asked 'Why are you calling me?' At this point he wanted to meet with me. I said I would not meet with him alone, that I would meet him with a third person there. That's why he set up the meeting with Dr. Saltzman and Dixie Benshoff, a graduate student. At that point I agreed to speak with him because he said he had questions to ask me. I had nothing else to say. I had said what I wanted to say and I felt my grievance was against the department. I didn't perceive my criticism as any more than one student criticizing an instructor. At this point I went to Dr. Saltzman's office for one hour and heard Dr. Frumkin criticize me as a person. You have the summary of that meeting with Dr. Saltzman. I've reread that summary and I agree with it.

After the meeting, at this point, I had sincerely hoped that my involvement in this matter was over. I had made my objections to the department. It was a faint hope because at the end of the Winter Quarter (late March, 1975) I had some feedback from some people who were in Dr. Frumkin's classes that he was discussing both me and my boss, Kay Schotzinger, in his classes. He was saying 'I don't know what's the matter with Nancy' and then catching himself because he said my name and said he shouldn't be doing that. Of course, this is hearsay, and, unfortunately, I couldn't get any of my friends to sign anything saying he did that because his behavior frightened them and they would not take the same risk that I did. They didn't want to be harassed in a similar manner. It did happen and made me continue to feel uneasy.

On May 1st came the letter requesting my schedule from Mr. Chereck. That letter, Gentlemen and Miss Hartman, that letter was too much. I had made a complaint which as a student way my right. And as a

direct result of that I was characterized in that as someone who ...well..I was maligned. I was terribly hurt in a totally libelous and unfair way. There was nothing I could do about it. The University could offer me no protection. Then, at this point, I thought, what was he going to do next ? How else can he attempt to get even with me? Because, to me, that is what that letter is about. Then, the last thing I have to say about my harassment was that, at the beginning of last week, I got a letter from Dr. Frumkin which I will give to you, which to me seems an out and out attempt to influence my testimony in this hearing today. It says that he will try to be as gentle with me as he can in this hearing and offers me his friendship. And as far as I'm concerned I've never requested to either be his enemy, part of a sinister plot against him, or his friend. I wish to be a student who made a complaint and have the matter dropped. I'm at this point extremely concerned if he can go to the lengths he did with Mr. Chereck, what can I possibly do to prevent any further invasion of my rights and my privacy. I appeal to you for some kind of relief and protection." (emphasis added)

Frank: "The chair has received these three documents. Shall I identify them for you?"

Doutt: "Yes, please do."

Frank: "It's a letter dated 6/2/75 and reprints of two articles by Dr. Frumkin."

Hartman: "Would you state for the record how you heard about the letter to Mr. Chereck?"

Gabalac: "Yes. I came into my office and was told that Dr. Frumkin was trying to get my Winter and Spring schedule. I went down to the registrar's office and Mr. Chereck said indeed that was true. He let me see the letter but he would not give me a copy."

Hartman: "Who told you that Mr. Frumkin was trying to get your schedule?"

Gabalac: "One of the co-workers in my office."

Frank: "I think we should reserve the remainder of the time for Dr. Frumkin. They're leaving at 12 o'clock."

Bayer: "Please let me consult with Dr. Frumkin first."  
before Bayer had finished consulting with me  
Consultation time was permitted and after a few minutes,  
urged us  
Professor Frank to continue the hearings.

Frank: "If the hearing will continue, we have 14 minutes. Dr. Frumkin your questions."

Bayer ( somewhat annoyed ) "Just another minute."

Doutt: "You now have 13 minutes!"

Bayer: " We know the time limitations. You don't know how annoying that is. Please don't harass us!"

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Some people spontaneously laughed at this comment made by Mr. Bayer. Some thought there was little to laugh at. I, of course, enjoyed Mr. Bayer putting the self-righteous Dr. Doutt in his place. About a minute later I began my questioning of Mrs. Gabalac.

Frumkin: "Did you know anything about me before you entered my class?"

Gabalac: "No."

Frumkin: "Nothing whatever? Never heard of me? Or knew I was in the department?"

Gabalac: "I knew you were in the department. Yes."

Frumkin: "You knew nothing about me except that I was in the department? When did you start your work at KSU?"

Gabalac: "I came from my home as a housewife and started KSU in June of last year. I learned to be a college student again after being away from college for 14 years."

Frumkin: "Were you accepted right into the rehabilitation counseling program?"

Gabalac: "Yes I was."

Frumkin: "Who was your adviser?"

Gabalac: "Dr. Palmerton. These questions are irrelevant as far as I'm concerned."

Frumkin: "They're quite relevant, as you'll see. Did you bring a copy of your graduate transcript or courses you're presently enrolled in?"

Gabalac: "Dr. Frumkin you attempted to get my transcript before and you're not going to get it now. I will not give you a copy of my transcript. That's harassment on the face of it. Why should I have to show you that information?"

Frumkin: "Because it's relevant."

Frank: "That's a personal request and it has been denied."

Doult: "Can you prove it's relevant?"

Frumkin: "Yes I can. Have you withdrawn from any courses besides mine?"

Gabalac: "That's an irrelevant question but I withdrew from Dr. Sakat class. I was carrying an overload and reduced my schedule."

Frumkin: "And you haven't withdrawn from any other courses?"

Gabalac: "Not to my knowledge. I do not have a pattern of withdrawal, Dr. Frumkin. I have a pattern of a four-point average here and always carry an overload."

Frumkin: "The reason I asked for your transcript was because I had heard you had withdrawn from many courses."

Frank: "Who did you hear it from , Dr. Frumkin?"

Frumkin: "From other students who have been in classes with her and know her."

Frank: "Can you give them by name?"

Frumkin: "Paul Vidensek, for one." (( It was strange to me that Professor Frank asked the names of students I had spoken to but he never asked the names of other students referred to anonymously by all the witnesses who testified against me. ))

Gabalac: "I told Mr. Chereck he could give you information about my withdrawals."

Frumkin: "I asked the Hearing Committee to request that information from Mrs. Gabalac."

Gabalac: (angrily and quickly)"I've given you the information you wanted gratis. I withdrew from two of your courses and one of Sakata's and that is it. I don't have a pattern of withdrawal. I have a pattern of taking overloads and getting a four-point average! I consider that further harassment as far as my reputation on this campus."

Frumkin: "Do you consider the letter you wrote/<sup>as</sup>any kind of harassment?"

Gabalac: "No! That was an obvious and straightforward complaint and since I wrote that letter I've been harassed as a student."  
(emphasis added)

Frumkin: "By me?"

Gabalac: "Yes!"

Frumkin: "In the fall of 1974?"

Gabalac: "Yes. And you admitted you did in our meeting with Glenn Saltzman."

Frumkin: "I did not admit I did."

Gabalac: "Then our point of view just differs. The letter says that you admitted you harassed me."

Frumkin: "No. I admitted that you might have interpreted our meeting as harassment."

Gabalac: "What about the phone call?"

Frumkin: "That phone call was made to find out what is going on

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in your head, /what caused you to write that letter and that's all. I had no intention of asking your boss to fire you or anything like that. I was trying to understand you. I never had anything like this happen to me before in 17 years of college teaching."

Gabalac: "Now I really understand why nobody has signed a letter against you and I really worry about my safety in being here today! (emphasis added)"

Frumkin: "Oh. Do you all hear that? I'd like to follow that up. You said when I called you in October ,1974, that you were afraid of me. You didn't know me before that."

Gabalac: "I was afraid of you because you refuse to acknowledge that you harassed me in our meeting with Saltzman."

Frumkin: "This was before you ever knew me. Why were you afraid of me at that moment? When I spoke to you on the phone? You didn't know anything about me then except what you learned of me in those few classes of mine you attended."

Gabalac: "That's totally irrelevant!"

Frumkin: "That's very relevant!"

Gabalac: "I was protecting my rights as an individual to have someone else there."

Frumkin (talking to the Hearing Committee members): "Didn't she say she was afraid to talk to me at the time I asked to talk to her? " ((This was before the Saltzman meeting ))

Gabalac: "Well, I am afraid. I'm afraid that you could use things against me. All my attempts to take care of myself have failed. You seem to be able to harass me and continue to harass me no matter what I do to protect myself. I continue to be afraid." (emphasis added)

Frumkin: "Afraid of what?"

Gabalac: "The letter of May 1st is sufficient."

Frank: "Do you have further questions, Dr. Frumkin?"

Frumkin: "Yes. Before you wrote your letter did you and your husband have dinner with Dr. Olds?"

Frank: "In what way is that related to what we're doing? What is it you're trying to establish?"

Frumkin: "Prior to writing this letter---"

Frank: (interrupting me) "Are you suggesting a conspiracy?"

Frumkin: "I'm not suggesting anything."

Schwitzer (to Gabalac): "Did anyone suggest to you to write that letter?"



Gabalac: "No. I wrote that letter for the reasons stated in that letter and for no other reasons whatsoever. Prior to writing the letter I did not have dinner with Dr. Olds."

Frumkin: "I guess Dr. Olds was mistaken when the dinner took place."

Gabalac: "I suggest that you call the President then."

Frumkin: "Are you taking an internship this quarter?"

Gabalac: "Yes."

Frumkin: "How come you're not taking the advanced practicum along with it?"

Rhodes: (Gabalac's attorney)"I would like to object as Mrs. Gabalac's attorney. We're not here today to question Mrs. Gabalac's performance or course of study at this University. We are here to have an opportunity to answer questions, Dr. Frumkin."

Bayer(speaking to me): "You have about 30 seconds left." (He whispered into my ear so nobody else could hear his loud whisper. He advised me to make kind of apology to Mrs. Gabalac if I could.)

Frank: "Dr. Frumkin, are you ready? The witness has to leave."

Frumkin:"I'd just like to make a statement. You (turning to Nancy Gabalac) might not believe it but I do mean it. I'm really sorry for what has happened between us. I really mean that. Do you believe me?"

Gabalac: "Dr. Frumkin, I will believe you when I don't hear anything else from you and nothing else happens to me with regards to you."

Frumkin: "My lawyer told me not to say this but I feel I should. I feel, in this whole matter, that both of us --- you and I --- have been misused by other members of the department. And in that I feel a kinship with you because I have been harassed like you can't believe. We both have been. I'm sorry for that and I promise that nothing more will happen."

Frank: " All right, the chair notes that it's after 12 o'clock. The hearing will be recessed until 2 P.M. You're excused Mrs. Gabalac."

Bayer: "Two o'clock! Why then?"

Frank: "Because that's when the first witnesses have been scheduled this afternoon."

I should mention that during that time in my life I was used to running almost every day of the week, usually early in the morning and/or during the early evening, before dark. That

morning I ran two miles before the hearings but, after my experience with Chereck and Gabalac, I knew by the time noon came around that rather than simply eat lunch right away I had to run or have my emotions explode through my skin. I rushed home, changed into running shorts, and ran four miles with unusual vigor. It was a healthy thing for me to do, a positive venting of those feelings I had to control all morning. After that run, a shower, and a light bite to eat, I felt ready and eager to return to the hearings in the afternoon. I felt completely refreshed, as if I were starting a new day after a good night's sleep.

Frank: "It is now 2:09 P.M., the Frumkin hearings will now continue. Is there a comment you'd like to make, Dr. Frumkin?"

Frumkin: "Last week I requested a licensed psychotherapist be present at the hearings. In the light of the testimony this morning I'd like to reemphasize the need for the fulfillment of that request because, in terms of my clinical experience, in terms of working with people with problems, not to bring out the clinical nature of the Gabalac letter is quite unfair. That's all I have to say about that."

Bayer: "What about Palmerton? Will he be called back?"

Schwitter: "That's for us to decide. If we think it necessary, we'll call him back."

Bayer: "But that's for Dr. Frumkin to decide, isn't it?"

Frumkin: "Don't I have anything to say about this issue?"

Schwitter: "It's our job to decide."

Bayer: "You cannot deny him the right to defend himself. That cannot be curtailed."

Doutt: "This is a professional hearing."

Bayer: "The right to defend shouldn't be minimized."

Frank: "Anything else, Dr. Frumkin?"

Frumkin: "I'd like to say something about what Dr. Schwitter just said."

Bayer: "Dr. Frumkin's cross-examination of Dr. Palmerton was interrupted and must be continued."

I didn't like the way this issue was handled, the way it

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was cut off. Is a professional hearing a kangaroo court? What kind of hearing is a professional hearing as compared to a legal hearing? This question was never satisfactorily answered. Prof. Frank spoke impatiently as we prepared to talk with the next witness for the day.

Frank: "We'll call the next witness. We have four witnesses this afternoon and will have to stop at 4 P.M. because of an oral examination which Dr. Hartman must go to. The first witness is Vincent LaQuidari."

Mr. LaQuidari, a 25 year old Italian-American, wiry in build, about 5 feet, 9 inches tall, dark, long hair and well-trimmed beard, a better than average graduate student in rehabilitation counseling who had overcome a serious bout with T.B. to devote his life in the service of others walked into the hearing room. He was an expert in the martial arts and heavily involved in Eastern philosophy and religion. The unpretentiousness of this handsome young man was a welcome change from the behavior of the witnesses examined in that morning.

LaQuidari: "My name is Vincent LaQuidari. I'm a student in the rehabilitation counseling program."

Schwitzer: "In the fall of 1974 were you in the Philosophy and Principles of Rehabilitation Counseling class?"

LaQuidari: "Yes."

Schwitzer: "You attended the entire course?"

LaQuidari: "Yes I did."

Frumkin: "How many courses have you taken with me?"

LaQuidari: "In the fall, Philosophy and Principles. This quarter, Sex and the Handicapped and Occupational Information, and the Counseling Practicum. Last Quarter, Social Psychology of Disability and Community Resources."

Frumkin: "About six courses in total?"

LaQuidari: "That's right."

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Frumkin: "In any of those courses do you feel that I was unfair to any students in terms of the way I treated them?"

LaQuidari: "To other students, no! To myself, no! I think you've been very sympathetic."

Frumkin: "Can you think of any instance where I have harassed or intimidated any students?"

LaQuidari: "Never! Not in any classes I've been with you."

Frumkin: "How do you feel about my style of teaching?"

LaQuidari: ("turning to the Hearing Committee members") "I like the way he brings in disabled people to speak with our students. That's very helpful to us. It's very educational and enjoyable. Otherwise it could be very boring. Our classes were sometimes so interesting that we would often not leave at 9:30 P.M. but continue our class with Dr. Frumkin until 10 PM or later. You don't find this kind of thing happening often at KSU. Students are usually ready to leave when the class is officially over. There seems to be more involvement in Dr. Frumkin's classes."

Frumkin: "I'd like it known that Mr. La Quidari was present in the class in which I allegedly made a statement about Dr. Coogan. I wonder if any members of the Hearing Committee would like to question him about that?"

Schwitzer: "Did you ever hear Dr. Frumkin make any derogatory statement about any administrator?"

LaQuidari: "I'm familiar with the situation. If it happened I didn't hear it."

Beer: "Where did this class take place?"

Frumkin: "At the Model Neighborhood Commission office in Akron, some 20 miles away from Kent."

Beer (to LaQuidari): "How many rehabilitation counseling professors have you taken courses with?"

LaQuidari: "Just Dr. Sakata and Dr. Frumkin."

Doutt: "Will you compare their teaching for us?"

LaQuidari: "What do you mean?"

Doutt: "Was Dr. Sakata more or less effective than Dr. Frumkin as a teacher?"

LaQuidari: "I have no complaints. I think they're both good."

Schwitzer: "But is one professor greater than the other?" (( Laughter and snickers followed. LaQuidari was clearly on the spot.))

LaQuidari: "Not really. I think that's a very unfair question. I think that maybe we should have a list of criteria that we can check off. You're putting me on the spot unfairly."

Schwitzer: "This is our right. In what regard are they different?"

LaQuidari: " I think what I like most about Dr. Frumkin is his method of evaluating student performance. For example, last fall in the Philosophy and Principles course he gave us a choice of questions on both the midterm and final examination. One could have all multiple-choice, objective-type questions, all essay questions, or half and half. Not many professors give us choices like this. He gave us a chance to show our best."

Sites: "You've been in the department all year?"

LaQuidari: "Yes, that's so."

Sites: "Have you been aware of the possibility of Dr. Frumkin's dismissal? "

LaQuidari: "Yes, from the KENT STATER(the KSU student daily newspaper). Also from other students. He's mentioned it in class."

Sites: "Have other professors mentioned the possibility of Dr. Frumkin's dismissal ?"

LaQuidari: "Yes, Dr. Sakata mentioned it. Can't remember specifically what he said."

Schwitter: "How long was the issue discussed? Five minutes? One minute? How long?"

LaQuidari: "Just a minute or two."

Doutt: "No prejudicial implications stated?"

LaQuidari: "Not as far as I recall."

Frank: "You've taken six courses from Dr. Frumkin. Do you like his style well enough so that you'd continue to sign up for his courses?"

LaQuidari: "Yes."

Frank: "Any further questions of this witness?"

Frumkin: "Are you able to tell the Committee what the consensus of the students might be concerning my teaching? Do you know how other students feel about my teaching?"

Doutt: "We'd need a tabulation on that, wouldn't we?" (( a very biased kind of question. Other witnesses weren't asked to supply tabulations to support their answers. There was an unfair double standard employed by Dr. Doutt.))

Schwitter: "How would we do it?"

Bayer: "Plenty of witnesses talked about consensus already. Plenty talked about what other people said."

Frumkin: "Of the students that you know, who are close friends of yours, what is their opinion of my teaching ?"

LaQuidari: "They're in favor of you. I haven't heard anything negative."

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Frank: "You were called today, unfortunately, on the basis that Dr. Frumkin said that you did in fact know Nancy Gabalac."

Frumkin: "No, he was called because he was in the same class as Nancy Gabalac and because he was also in the class in which I made a remark about Dr. Coogan."

Bayer: (speaking to Prof. Frank) "That remark of yours is gratuitous. It has no basis. You don't have to hurt the student's feelings."

Frank: "It's no offense to anyone. I thought this witness was called to illuminate the Nancy Gabalac affair."

Frumkin: "There's a question of my harassing Nancy Gabalac and others in class. There's a question of my making remarks about Dr. Coogan. Mr. LaQuidari was in both of those classes and can illuminate us on these matters."

Sites: "At what point in the year did you become aware of friction in the department and that charges were being brought against Dr. Frumkin? That he might be dismissed?"

LaQuidari: "After Christmas break. Around February."

Frank: "Any further questions? None. Thank you, Mr. LaQuidari. You're excused. The next witness will be Joyce Babits."

Joyce Babits was a 5 feet, 3 inch tall young woman of about 23 years of age who had a face like a cherub. She too was a graduate student in the rehabilitation counseling program at KSU. She, like LaQuidari, had a great interest in people and wanted to serve the handicapped. She was a traditional kind of plain, good, quiet person with courage to spare when a crisis occurred. Today, for her, was such a crisis.

Doutt: (before Joyce Babits entered the room) "What is the Model Cities Program?"

Frumkin: "It is an OEO (Office of Economic Opportunity) program. It provided the setting for the KSU counseling practicum."

Frank: "Our second witness this afternoon has arrived. Please state your name and status."

Babits: "My name is Joyce Babits and I'm a graduate student in counseling and I'll be graduating in August."

Doutt: "Were you in a course where allegedly Dr. Frumkin made threatening statements against a colleague?"

Babits: "Yes I was."

Doutt: "Do you remember what statements were made?"

Babits: "I remember that Dr. Frumkin spoke with someone on the phone and I'm not sure who that was. He got off the phone and said 'Ehrr' and that's all I remember. I don't remember him making any other statements."

Doutt: " You don't remember him making any statements?"

Babits: "Uhuh."

Sites: "Bob, do you care to tell us who was on the phone with you?"

Frumkin: "Dr. Coogan."

Hartman(to Babits): "Since you haven't observed any harassment, have you been aware of students discussing being harassed or discussing harassment outside of class?"

Babits: "No."

Hartman: "Are you aware of Mr. Frumkin's situation?"

Babits: "I know very vaguely what is going on but I', not aware of the charges."

Hartman: "How did you become aware of his situation?"

Babits: "By talking with other students."

Doutt: "Did he ever talk about it in class?"

Babits: "No, not in class. He mentioned it maybe before class or after class because someone one ask him about it. I myself asked him how things were going and that's the only time. It would never be a special topic of discussion in class."

Hartman: "What would he say when you asked him how things were going?"

Babits: "He felt confident that things were going well."

Schwitter: "Have you ever been in class with Vincent LaQuidari?"

Babits: "Yes, several."

Sites: "You've taken courses with Dr. Frumkin since 1970. At what point did you become aware that Dr. Frumkin might be dismissed?"

Babits: " In this past year...In the fall of 1974."

Sites: "How did you become aware of this specifically?"

Babits: "I don't remember. I don't know."

Sites: "Has there been considerable talk among grad students concerning Dr. Frumkin's situation?"

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Babits: "Well, most students feel that it's unfair. Although we don't know all the charges, we have nothing to judge him by but our own experience. We feel that he's a good professor and we feel that he was being harassed with a lot of the things that are going on."

Sites: "Please elaborate on how you think he's being harassed?"

Babits: "For example, in our practicum for someone to call him --- did you say his name was Dr. Coogan?"

Sites: "Yes, that's right."

Babits: "For Dr. Coogan to call him during classtime....I feel that if he is going to teach us effectively he's got to have time to devote to us too. Most of the students feel he was being put under a lot of pressure. For example, with that phone call we all wondered what the hell's going on."

Frumkin: "I want to relate what's in that phone call."

Beer: "Were you called away from your class?"

Frumkin: "No. There was a phone in the classroom where we meet

Frank: "Did you call Dr. Coogan or did he call you?"

Frumkin: "He called me."

Frank: "How was he aware that you were at that number?"

Frumkin: "I would like to tell you what happened in that phone conversation and why I was so upset."

Frank: "Yes, I think that's fine."

Frumkin: "It was near the time when the students on the grant were supposed to get their checks. Coogan called me up. He wanted a detailed report on all the students who were getting stipends. He wanted to know the criteria, spelled out in detail justifying those stipends, and he said that they are not going to get their checks until he gets that report. It was only a couple of days before the students were supposed to get their checks. I said that I'll get the report as soon as I can but that it's unfair to hold up the students' checks because they need them to pay their rent, buy food, etc. Then I hung up the phone and naturally I was upset. I turned to Becky Gurlea, who happened to be a work-study girl for Dr. Coogan, and said something like 'Your boss makes me so mad I'd like to kill him. Those were the circumstances surrounding the phone call.'"

Sites: (" to Babits) "Have you heard any other faculty person in the department say anything about Dr. Frumkin in or out of class?"

Babits: "No. The only thing that happened was when I had Dr. Sakata for Medical Information-I in the Winter quarter and he really gave me a hard time. I was trying to get in the counseling practicum. I felt the whole department treated the student unfairly. A specific, for example, was that I wanted to take my



practicum in the Spring quarter but wasn't told by my adviser, Dr. Sakata, that I'd have to sign up the quarter before, that is, ahead of time. When I told Dr. Sakata that I didn't know that, wasn't told that, and that that would mean not graduating until March, 1976 instead of August, 1975, he said 'That's tough there's nothing I can do about it.' I was really very upset and went to Dr. Frumkin and asked if he could take me in his practicum. I knew there was a lot of bullshit going on in this department. Dr. Frumkin said that since he was in the Model Cities Program in Akron that he would have room for me. He got permission forms for me so that I could sign up for his practicum. Dr. Sakata was very upset upon learning of this. He said 'What are you pressing for. You can't do it.' Dr. Frumkin took me in his practicum anyhow."

Sites: "When you say there's a lot of quotes 'bullshit' in the department, what do you mean by that?"

Babits: "Well, I know that the other guys in Dr. Frumkin's department don't like him."

Sites: "How do you know that?"

Babits: "Just a feeling you get when you talk to them about taking a course with Dr. Frumkin. They try to turn you off. For that reason I wouldn't go back to Dr. Sakata. He was one of the ones who put Dr. Frumkin down."

Schwitzer: "You did not know until today what is the problem within the department with Dr. Frumkin?"

Babits: "Specifically, no."

Schwitzer: "Only hearsay, etc.? You are not aware of this friction and what is going on with Dr. Frumkin?"

Babits: "I don't know what it's all about."

Beer: "If one of the charges was around teaching would you consider this unfair?"

Babits: "I'd say so. I'd say it was unfair. He's different than most of the profs here. He doesn't stand in front of the class and merely lecture. For example, since we're going to be working with handicapped people he brings in CFS (persons with cerebral palsy), the blind, etc., and we have an opportunity to work out good communication with such people. Dr. Frumkin really has all the class involved."

Schwitzer: "How do you know to compare him if Dr. Frumkin and Dr. Sakata are the only professors in the department you have had?"

Babits: "I also had Dr. Woldt and Dr. Litwack."

Frank: "Do graduate students in the department have good rapport with each other?"

Babits: "Oh, definitely! Most of them get together after class."

Sites: "Have you noticed any animosity against Dr. Frumkin?"

Babits: "No. Most students like Dr. Frumkin."

Sites: "Have you heard of any student complaining of being harassed by Dr. Frumkin?"

Babits: "What do you mean by harassed?" ((There was much laughter following that comment. The word harass was much discussed and abused during the hearings.))

Sites: "To annoy continually."

Babits: "Dr. Frumkin never harasses anyone. He is the one being harassed."

Doutt: "Did Dr. Frumkin show any out-of-date films?"

Frank: "That is not a charge. That would be asinine." ((If, in this context, it is not a charge, then what is it? Why is Dr. Doutt asking that question?))

Babits: "Out of date? A 1945 film can be relevant and a 1970 film can be outdated. No. Out of date means not applicable to what we're doing now. We had no such films."

Sites: "Were you aware of the friction in the department?"

Babits: "Oh sure. Graduate students and other profs weremaking comments all the time. The first day of the practicum we were all waiting for Dr. Frumkin's arrival when Dr. Palmerton looked in and said 'What are you doing here?' We said 'We're waiting for Dr. Frumkin.' Dr. Palmerton said with his face turned down 'Oh.' He followed that with some remark I didn't fully hear but got the tone of. The message of Dr. Palmerton was negative as if he were saying to us, 'What are you getting into?'"

Beer: "Was Dr. Palmerton's comment disparaging? Did he suggest you're wasting your time?"

Babits: "Yes, that's right."

Frumkin: "What has been the consensus of students concerning my teaching?"

Babits: "You're a good teacher. We don't know what this is all about. Nobody knows all the charges. I'm not on campus and find it hard to know what's really going on."

Frank: "Have you been in classes where Dr. Frumkin has asked students to call him by his first name?"

Frumkin: "Is that a charge too?"

Frank: "No. I like it, especially for graduate classes. Are there any further questions? If not, Joyce you're excused. Thank you for coming."

The next witness was Vincent DeVivo. Vincent was

a clean-cut, nice looking young man of about 25 years of age, medium build, about 5 feet 8 inches tall, dark hair. He received his masters degree in rehabilitation counseling the year before and was now working as a work evaluator at the Hillside Hospital in Warren, Ohio. He was a very mature young man dedicated to the field of rehabilitation counseling, and, although, like Joyce Babits, he was a quiet kind of person he was very stirred up by the injustices about him, especially those relative to my case. He was concerned enough to come forward as a volunteer witness in my behalf, knowing full well that he might jeopardize himself with other colleagues in my department in looking for future job recommendations.

DeVivo: "My name is Vincent DeVivo. I'm employed at the Hillside Hospital in Warren, Ohio as a vocational evaluator."

Beer: "Did you know this is being taped?"

DeVivo: "No, I didn't."

Sites: "Are you an alumnus now? When did you graduate?"

DeVivo: "Yes. I graduated in June of 1974."

Sites: "Before you graduated were you aware of any friction in the rehabilitation program?"

DeVivo: "Yes, I was. Exactly where that friction was I don't know but one faculty member couldn't get along with another member."

Sites: "Can you elaborate on that?"

DeVivo: "Do I have to mention the class?"

Sites: "It would be helpful if you did."

DeVivo: "One of the courses I was taking was Medical Information I with Dr. Sakata. Our class was questioned about how Dr. Frumkin was teaching his Medical Information-II class."

Sites: "Dr. Sakata was asking how Dr. Frumkin was teaching his class? What sort of questions was he asking?"

DeVivo: "I don't remember specific questions but---"

Sites: "Were they related to the class?"

DeVivo: "No, they were not."

Frumkin: "What courses have you had with me?"

DeVivo: "Four courses. Community Resources, Field Services, Counseling Practicum, and an Individual Investigation."

Frumkin: "Have you any opinion as to my teaching ability in these courses?"

DeVivo: "I thought they were all most helpful. Really, I thought the Community Resources especially helpful. In that course you brought in outside speakers and allowed us to question them."

Frumkin: "Was there anything outside of class which we did together which was helpful to you?"

DeVivo: "Outside of class you and I did some co-counseling together with a multi-problem family and we did that for two quarters. That experience was most helpful to me."

Frumkin: "Do you recall any instance in class where I harassed any student?"

DeVivo: "No."

Frumkin: "Are you able to tell this Committee the consensus of students about my teaching?"

DeVivo: "I think they're generally the same view as mine. You were very helpful."

Frumkin : "Was I your faculty adviser?"

DeVivo: "Yes."

Frumkin: "Was I helpful in getting you a job?"

DeVivo: "Yes."

Schwitzer: "What was the substance of what Dr. Sakata said about Dr. Frumkin?"

DeVivo: "I can't recall the specific words he said but I recall the tone of those words and the tone was very negative"

Frumkin: "Last year when I was having difficulty for alleged financial reasons, at that time didn't you express your opinion about it?"

DeVivo: "Yes, I wrote a letter to Dr. Olds. Well, the way I was hearing it, it was said that one professor had to leave due to financial shortages. I wrote to Dr. Olds and stated that if a professor had to go it shouldn't be Dr. Frumkin. I felt it should be one of the others."

Frank: "Did you understand that Dr. Frumkin was on 'soft money' and that this was his situation at the time?"

Bayer: "Objection! Dr. Frumkin was not on 'soft money.' Some

people said that but the faculty determined that there was no such thing as a tenured faculty member whose future was dependent on whether the money which paid his salary was 'hard' or 'soft.'

Frank: "O.K. Dr. Frumkin was on grant money. Is that better?(( Prof. Frank seemed to have missed Eugene Bayer's point and that point was that I had tenure and that a tenured faculty member's future is not tied to the source of the money which pays his salary.))"

DeVivo: "Yes, I heard that Dr. Frumkin was on 'soft money' or grant money but I didn't understand what that means."

Hartman: "When did you hear about what led you to write to Dr. Olds?"

DeVivo: "I heard things in January, a couple of months before I wrote the letter."

Hartman: "Where did you hear about it?"

DeVivo: "Through students."

Hartman: "Did you hear it discussed by any professors?"

DeVivo: "Only one, Dr. Sakata, who said Dr. Frumkin was out of the department."

Schwitzer: "Did Dr. Sakata repeat this several times?"

DeVivo: "No, but in other courses he also mentioned this."

Schwitzer: "Were these like announcements?"

DeVivo: "I think the tone he used when he talked about Dr. Frumkin suggested that he didn't like him. He questioned us as to how Dr. Frumkin supposedly taught his course. This was an indirect criticism of Dr. Frumkin. In the four years I've been at Kent, Dr. Sakata was the only professor who ever did that."

Frumkin: "Thank you very much."

Frank: "You're excused, Mr. DeVivo."

The next witness was Michael White, a tall, handsome 24 year old young man who wore his hair long and sported a beard but no moustache. This bright fellow had graduated from the rehabilitation counseling program in August of 1974. He also had masters degrees in philosophy and anthropology. He was a political activist on campus and had a good reputation as an orator. During the past year he had been an instructor at a couple of KSU branch campuses. He was an honest kind of person

with plenty of chutzpah and vigor. With his pony-tail and common-man-type dress, I often imagine Michael White to be someone like one of those defiant American colonists who rebelled against the tyranny of George III.

White: "I'm Michael White. I'm an instructor at the University."

Schwitter: "How many courses did you take with Dr. Frumkin?"

White: "Three."

Schwitter: "Did you take any with Dr. Sakata?"

White: "I had three with Dr. Sakata and took 18 hours with Dr. Palmerton."

Schwitter: "Are you using any of those courses you took in rehabilitation counseling in your present work?"

White: "The knowledge I gained from the program has been most helpful in my work."

Sites: "Were you aware of any friction in the department before you graduated?"

White: "Yes."

Sites: "Can you describe the nature of that friction?"

White: "Yes. On several occasions, in particular, when speaking with Dr. Palmerton and Dr. Sakata, there were often references and gestures and even suggestions that people not take Bob Frumkin's courses."

Sites: "Indirect suggestions?"

White: "In fact they were willing to waive Dr. Frumkin's courses within the program."

Sites: "Are you telling me that these two people were willing to waive courses of Dr. Frumkin's which were required?"

White: "In many respects, those who are in a position to do so can waive certain requirements."

Sites: "What sorts of reasons would they give for that?"

White: "'You don't really need it,' 'You don't want to take it from Bob Frumkin.'"

Frumkin: "I would like to make an important point in relation to this. It's been brought out that Dr. Palmerton waived at least 3 or 4 of my required courses. That is one of the reasons why I wanted Nancy Gabalac's record. I had heard, from disgruntled students, that many of Nancy's courses had been waived, especially those I gave, even though they were required for graduation and national certification."

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Schwitter( to White): "Did Dr. Sakata or Dr. Palmerton ever waive a course for you?"

White: "They suggested I waive several courses."

Schwitter: "Which courses?"

White(looking at his records): "Let me check....Yes I did."

Schwitter:"Which courses specifically?"

White: "Specifically, Medical Information-II taught by Bob Frumkin. When I came into the program I was told that both Medical Information-I taught by Dr. Sakata, and Medical Information-II taught by Bob Frumkin, were required."

Doutt: "Were those courses in the catalog?"

White: "Yes."

Hartman: "In your case, what was the basis of that course being waived?"

White: "I was simply told that I needn't bother to take it. Th I was told that the way Bob Frumkin is teaching it I would be better off without the course. I was told there was no need fo it and there was very little gain from it."

Frank: "Do you feel that it would have been beneficial if you had been permitted to take Dr. Frumkin's course?"

White: "I'm not sure about that course but then there was another course that I was told to have waived, namely, Community Resources. Yet this was a very key course for determining what resources exist in your community. I said I prefer to take this course from Bob Frumkin."

Frank:"Did they say that Dr. Frumkin was a bad professor?"

White: "Not that word but something like 'Frumkin's teaching that course. You won't get much out it. "

Frank: "What other discussions? Just tell us briefly."

White:"People passing in the hallways, particularly Keith Palmerton and Bob Sakata. You eventually would end up in one of their offices talking and the subject would get to courses and on several occasions we talked about what people's reactio to various courses were."

Frank: "Did you think that was professional of them?"

White:"Well, I never thought anything they did was professiona

Beer: "Did you ever lodge a complaint with the chairman of the department? Or wouldn't that have been appropriate in your position as a student?"

White:"Let's put it this way: I know of five people who would

like to come to the defense of Bob Frumkin but they can't because they're still in this program. One treads very lightly in that program. One does not offend certain people for fear of what might happen. For instance I can give you several specifics. I can tell you the problem I had with Sakata. For a time I was involved in a Life Saving Paramedic program so I talked to Bob Sakata who suggested that rather than attend his Medical Information-I class I could do the work outside of class and at the end of the quarter we would discuss my involvement with the outside project as one might do in an independent study. For that purpose I compiled a notebook of various things I had done, various research, disease treatments etc., and went in to see him. We had talked several times and he said 'Why don't we meet one more time when I'm going to give the exam to the Med Info-I class.' I went to his class, while he was giving the exam, but he didn't want to leave the class, and, therefore, remained seated in front of the class. He picked up my notebook, looking at some of my notes. We talked about some of the points made and finally he put the notebook down, nodded in an approving way, and began talking about the possible grade. I just told him that it was a fine enough project to receive an A, especially for a two-hour course. He seemed to be debating on whether or not to give me an A or B. I was probably putting him in an academic existential situation that is, whether or not he should give me an A or B. Then during the Spring quarter he posted the grades for the Med Info-I class by social security number. I recognized my number and found that he had given me an 'Incomplete' grade, an I. He wasn't at his office so I called him at home and asked why I had been given an I for the course. He said he didn't want to put me down but he thought what I had done was insufficient. I asked him what he meant by 'insufficient.' He said 'I decided you hadn't done enough.' I told him 'Thanks.' He answered: 'I don't like your attitude. As a matter of fact if you keep talking like that I'll change your grade to F.' Whereupon I said, 'Repeat that please.' Then he went on talking about his relationship with students, that all his life he has felt that students have run hog-wild over professors and then, at that point, he hung up on me. I never went to see him again. This is Bob Sakata. It was a required course. After about 6 weeks he finally gave me a D, the only D I ever received in the entire program. We never spoke after that. I had a five-hour research project with Keith Palmerton last spring. He in particular is one of the most inaccessible persons in the whole department. One can call, or if your standing at the door of his office, he'll put you off. His secretary will answer the phone and say you must arrange to speak with Keith Palmerton. Yet he will not meet with you with nothing to do."

Schwitter: "I would like to ask what the relevancy of your recounting all these experiences. Did you ever go to Dr. Saltzman to complain?"

White: "No."

Schwitter: "Why not?"

White: "Because with that department the wise thing is to expect nothing. After that incident with Dr. Sakata I decided it was best to let things ride."



Schwitter: "Was your case weak or were you afraid of something? Why didn't you go to the chairman?"

White: "One gets tired of running back and forth to arrange for things. I did speak with Glenn Olds about the matter. I had dinner with Glenn at his home."

Schwitter: "Why did you go over the department head?"

White: "I happened to be having dinner at Old's home and he wanted to know what I thought of the program. So, in an informal discussion, I told him what I thought of the program. That was not going over the department head."

Frank: "Any further questions?"

White: "There's another instance I'd like to discuss."

Frumkin: "What's the other instance?"

White: "It has to do with the incomplete Keith Palmerton gave me to keep me from graduating. Another instance has to do with the matter of completing a Prospectus in order to graduate. Bob Sakata, as my adviser, never told me about this requirement."

Doutt: "Mr. Chairman, this discussion is not relevant, and I, therefore, suggest we prevent it from continuing all afternoon."

White: "These instances have direct bearing on Bob's case."

Frumkin: "That's right! They relate to my role as an adviser."

Hartman(to White): "How do you know this about Mr. Frumkin?"

White: "Because he helped me to graduate ."

Frank: "Do you know the charges against Dr. Frumkin?"

White: "From reading the papers and---"

Schwitter(interrupting): "Dr. Frumkin, do you have any questions to ask Mr. White?"

Frumkin: "Are you able to tell the Hearing Committee about student consensus regarding my teaching?"

White: "I would say that on the whole it's a very favorable attitude. You for one, more than anyone else in the department rely on many outside sources, for example, films, field trips, you bring in outside speakers, all very important in the whole notion of rehabilitation counseling. You are the most accessible professor in the department and you more than anyone else in the department took the time to get to know who the students are, their interests beyond the attempts of the others to gain information about us just in order to manipulate us."

Frumkin: "Have any instructors in our department made any comment about what I do in my classes?"

White: "Oh, definitely! Sometimes, Sakata, in his class on

the Philosophy and Principles of Rehabilitation Counseling, would make subtle remarks about your Community Resources class. I can't recall specifics but I remember the impression I had and those new to the course would take these comments seriously, not knowing you or what was going on. Those of us who had been in the program knew the people and knew exactly what was going on."

Frank: "Would you say that what your attitude portrayed here is what the majority of students in the program feel?"

White: "I can give you a list right now of those who feel this way."

Doutt: "Why do so many students stay in a program if there's this much friction?"

White: "Because: (1) we're interested in counseling generally; and (2) we're particularly interested in rehabilitation counseling. Many of us are willing to put up with this because we want to become certified rehabilitation counselors and work in rehabilitation. There's a great need for workers in this field."

Frumkin: "In the courses you've taken with me and what you know outside of class, do you know of my harassing students?"

White: "I think there were a couple of times when students were sharp with you and ambiguous. I saw you speak with them during the class intermission just to clarify things, to find out where they were coming from. You never harassed anyone to my knowledge."

Frumkin: "I think you said something before about professors manipulating students. Would you elaborate on this?"

White: "I'm not sure, of course, of all the details but the mudslinging was very real."

Frumkin: "Did I engage in any of that?"

White: "No."

Frumkin: "You were a student in our program. You know me. How do you feel about the fact that they're trying to dismiss me?"

White: "How do I feel or what do I think about it?"

Frumkin: "Both. How do you feel about it and what do you think about it?"

White: "Petty politics is a lot of it in the rehabilitation counseling program. I think they're disturbed that someone like yourself has done a lot for the program, brought in grant money, helped the program grow, and still has a better rapport with the students than most professors in the department. I see them as trying to undercut the program and get rid of you."

Frank: "My reference is to the grant monies. What is your knowledge of how they first came about?"

White: "Some were due solely to Bob Frumkin."

Schwitzer: "Was that what you heard?"

White: "Yes, from others around the department."

Doutt: "From Dr. Frumkin himself?"

White: "No."

Frank: "That's all the questions? No more questions? You're excused Mr. White. Thanks for coming."

White: "I'd like to say something additional and relevant."

Doutt: "No. Not unless they're related to Dr. Frumkin's case."

White: "Very much related since it speaks to what kind of professor and person he is and to the reliability and professionalism of several people who've brought charges against him. In the rehabilitation program you have to fill out what is called a Prospectus, a kind of contract you arrange with your adviser, a contract describing courses you'll take and throughout the contract certain courses are weighed and changed. Of all the times I met with Bob Sakata, who after Keith Palmerton reassigned me from himself to Bob Sakata, I was never told about the Prospectus requirement for graduation. In June of last year I went in with my forms for graduation to the Graduate Education Office and they said this all well and good but you need your Prospectus signed by your adviser. I hadn't seen Bob Sakata what seemed like months after the Incomplete grade incident. I went to see him about signing it and found that he was in California for three weeks. The Grad Office suggested that I quickly change advisers and get the Prospectus signed if I want to graduate in August, 1974. I knew in this predicament there was only one professor I could turn to. That was Bob Frumkin. Without any fuss or bother, Bob, understanding how upset I was and everything, signed my change of adviser form and helped me complete my Prospectus, and he signed it so I was able to graduate. I would not have graduated if it hadn't been for his assistance. In fact he's the only person in the department who offered to write a letter of recommendation for me. I can understand why Bob Sakata and Keith Palmerton would not. Bob Frumkin was the only one who assisted me in finding a job."

Frank: "Thank you for coming, Mike."

Frumkin: "Thanks, Mike."

Frank: "The hearing is officially adjourned. Let's see what our next move is."

Smith (AAUP Observer): "I realize I'm here as an observer but I'd like to request a copy of the tapes at our expense, if necessary, if it becomes necessary to appeal this case nationally."

Frank: "I recognize your request but I don't know whether I have the prerogative. When we are through with the hearings, Dr. Frumkin will have a copy of the tapes."

Smith: "We would be much more able to work with a copy from the original tapes rather than a copy made from a copy."

Frank: "That's up to President Olds."

Bayer: "I would like to say for the record that we'd be very upset if, from what we have heard from four members of the Committee, the Committee feels that it has heard all it needs to with reference to the charges. I would caution you as you're about to discuss your readiness to adjourn the hearings that you provide at least one more session in which we would avail ourselves of the time. I would suggest maybe Friday morning, maybe a four hour session when we could marshal some more witnesses and when Dr. Frumkin and I could have a reasonable time for summation of the evidence because, if you are tempted to end this hearing now, it would not be fair otherwise. I say this because I'm anticipating what you may be deciding."

Frumkin: "I feel very strongly about that because I haven't fully begun to defend myself."

Bayer: "To terminate the hearings now would be like saying, with the help of Lewis Carroll, 'Off with his head!' The hearings must continue for at least one more session."

Frank: "How about Thursday morning, June 12th, from about 8-11 A.M.? How is that for everybody?"

Bayer: "That's fine with us." ((Other Committee members agreed and the day finally ended))

It was almost 4 P.M. but it seemed much later. Dr. Hartman had to be at a doctoral oral examination and had to leave. It was a day full of contrasts. During the morning I felt the impact of a dedicated conspiracy. Wittingly or unwittingly, most of the members of the Hearing Committee supported Nancy Cabalac in her determination to indict me for alleged harassment and more. Only Dr. Sites and Dr. Beer seemed to show some evidence of some objectivity and compassion and understanding on the issues surrounding the alleged harassment of Nancy Gabalac.

By contrast, the afternoon was a pleasant one. Four friendly students showed much courage in speaking honestly and openly about a lot of matters which had great relevance to my

situation. I was greatly encouraged by their support and certainly needed that support badly after the morning session with Chereck and Gabalac.

I was looking forward to June 12th, the final day of the hearings, even though I felt the whole business was cut much too short for the mere convenience of the members of the Hearing Committee who, when examined for their real behavior, were more interesting in going on vacation than they were seeing that there was a just conclusion to the hearings.

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