

Investigative Report
Regarding Allegations related to Theatre Department
Conducted By Central Connecticut State University

Report Prepared By:

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I. Introduction

In or about April, 2018, the University and/or the Office of Diversity and Equity (ODE) at Central Connecticut State University (CCSU) received one or more reports about sexual misconduct and/or other inappropriate behaviors exhibited by faculty members in the Theatre Department towards students at CCSU. This report addresses the concerns raised with the alleged misconduct of Professor Thomas Delventhal. The complaints known at that time may be summarized as follows:

- One or more students claim that Professor Delventhal discussed a student matter with another student and engaged in other inappropriate behavior by kissing a student on the neck and forehead and otherwise engaging in actions which made the student uncomfortable.
- One or more students claim that Professor Delventhal engaged in inappropriate relationships with one or more students.

ODE personnel received these complaints and, in some cases, may have received information regarding the allegations.

As a result of the nature of the first complaint, Professor Delventhal was directed not to have any contact with the student who made the complaint.

In April, 2018, CCSU retained Attorneys Lisa Banatoski Mehta and Christopher E. Engler of Shipman & Goodwin LLP to investigate the allegations. Attorneys Mehta and Engler reviewed information received and materials compiled by ODE regarding this matter. They also conducted numerous interviews with dozens of potential witnesses and relevant individuals and reviewed a wide range of documentation. As part of their investigation, Attorneys Mehta and Engler also attempted to contact other potential complainants and/or witnesses that had been identified but, in some cases, the individuals did not respond to such requests for interviews. In addition, as part of their investigation, Attorneys Mehta and Engler interviewed Professor Delventhal. Professor Delventhal was represented at his investigatory interview by his CSU -- AAUP union representative, Louise Williams.

The investigation sought to determine whether the reports of alleged misconduct and/or inappropriate behavior could be substantiated. The results of this investigation follow.

II. Theatre Department Background

The University has a full-service Theatre Department. The mission of the Theatre Department is as follows:

The two-fold mission of the Theatre Department is to provide a foundation for the artistic and intellectual growth of our students and to offer a cultural opportunity to the community through public performance. Theatre is a multi-art form, consisting of performance, design, technology, art, music, dance, and literature. Therefore, the education of Theatre students requires a comprehensive program of practical application of techniques and theory, plus personal awareness, in order to prepare students for productive participation in an increasingly diverse and multi-cultural world. The performance offered to the public should provide a varied season of productions to build an appreciation of the theatrical event as well as an increased sense of the value of the arts in our society.

To fulfill this mission, the Department provides instruction in both the performance aspects and technical elements of theatre. There is little overlap between the two different programs in that most, if not all, professors focus on either the technical side of the program or the performance area, but not both. The Department also offers opportunities for students to participate in both faculty and student-run productions. While the curriculum and classes offered in the Theatre Department include some written assignments and work product, students participate in a substantial amount of performance exercises.

It should be noted that nearly all individuals interviewed, including but not limited to both current and former students in the Department, commented that there exists and has existed for quite some time tension and conflict between various staff and faculty members within the Theatre Department. Such conflict has also generated some complaints made by some members of the Department against other members of the Department and has contributed to an environment in which "factions" have developed and relations have been quite strained.

III. Factual Allegations and Findings

By way of background, the allegations complained of in this case were made by one or more former students of the Theatre Department after an article was published in the University's newspaper, *The Recorder*, which highlighted allegations of inappropriate conduct by members of the Department, but not necessarily Professor Delventhal. In the course of this investigation, the investigators reviewed thousands of pages of documents, written accounts, notes or statements, personnel records, text, email and other electronic messages and interviewed dozens of witnesses, including current and

former students, faculty members and university administrators regarding the specific allegations and the climate of the Theatre Department.

Specifically, a student of the Department reported that she had an uncomfortable interaction with Professor Deventhal with whom she was not well acquainted. The student indicated that Professor Delventhal had spoken to one of her friends about a concern she had reported regarding another professor in the Theatre Department and that he had referred to the student making the report as a "negative person." When the student who reported the initial concern encountered Professor Delventhal, he advocated for the other professor about whom the student had expressed a concern, calling him a "good guy" and discounting her claims. In addition, she reported that Professor Delventhal then hugged her and kissed her on the neck and forehead. The student stated that she felt extremely uncomfortable during and after the encounter. Following her report to ODE, the student requested that Professor Delventhal and the other professor about whom she had complained, have no further contact with her. In this instance, the University accommodated the student's request.

It was also reported by other former students that Professor Delventhal had been engaged in inappropriate relationships with one or more students. Indeed, one or more witnesses reported that they had heard Professor Delventhal had engaged in such relationships and socialized at parties where students were drinking and/or smoking pot. One former student reported that Professor Delventhal made unwelcome advances of a sexual nature, including but not limited to kissing her on campus, when she was cast in one of his productions. The former student also alleged that Professor Delventhal had read and commented on personal elements included in a journal that he required his students to maintain and submit to him for review. Credible corroborating evidence was also uncovered in which Professor Delventhal purported to apologize to the former student for his actions. In the initial March 15, 2018 correspondence, Professor Delventhal wrote in relevant part that "Reflecting on house-keeping I might still have to do. I was ashamed. Have I ever apologized. For then and for the amputation that followed. Breath and Laughter, Thom." The former student did not respond to that correspondence. Nevertheless, Professor Delventhal reached out again on April 12, 2018 at 4:38 am and wrote "I AM sorry. I've grown a lot. Breath and laughter, Thom." On September 27, 2018, the former student responded via electronic correspondence "Do you remember what you did to me you laid on top of me. You read my diary you told us to keep... you told me to leaave (sic) my husband and you told CCSU I sucked you tried to [f*@k] me as a Married man. You tried to ruin my life and I will report you I lived with this pain and wondered what I did wrong nothing just was your victim. I feel sorry for people that know you and more for me that I never spoke up you laid on me in red coat. And kissed me told me you were better than everyone you could help me." Professor Delventhal responded electronically a short time after having received the message from the former student. His reply provided in relevant part that "I am so sorry that this pain lives in you. I knew that what transpired between us was wrong. I have done my best to dress all the wounds. I had no idea it was living this way with you. Your statements, such as '(I) tried to ruin your life,' or '(I) told (you) to leave

(your) husband,' or '(I) told CCSU (you) sucked,' don't match my memory. I am shocked. Would it help to talk?" The former student did not further reply or engage in any further correspondence with Professor Delventhal.

The witnesses that were interviewed consistently reported that Professor Delventhal shared many details or stories of his personal life in class and sometimes cried which made students/former students feel uncomfortable. In addition, it was reported that Professor Delventhal required students to maintain and submit to him journals in which they were asked to share impactful and sometimes traumatic events in their lives. Some former students suggested that this exercise made them uncomfortable and that, in retrospect, they did not believe that such was appropriate. In addition, witnesses described "massage" circles or exercises during classes or rehearsals in which they would be on the ground and required to be in physical contact, massaging another student or, in some cases, may be paired up with Professor Delventhal. Some witnesses indicated that, at times during these exercises, one student would have their head in the other person's lap while their facial muscles were being massaged. In one instance, a former student reported that during such an exercise the student with whom she was paired grabbed her breast which she later reported to Professor Delventhal who she stated acted "shocked but made some excuses" and said that he would be more careful with that kind of work in the future.

It was also reported by another member of the Theatre Department, Professor Perlstein, certain inappropriate sexual comments that were attributed to Perlstein were actually made by Professor Delventhal. Many of the witnesses discussed the tense and competitive relationship between Perlstein and Delventhal.

During his investigatory interview, Professor Delventhal admitted that there are at least five (5) possible students whom he had kissed on the neck and forehead as described in the report. He testified that this was a way of expressing his endearment for the student and explained that this was the manner in which he was kissed by female members in his family. He did not see that as inappropriate or sexual in nature. He flatly denied any relationships with students/former students and other sexual contact. He also denied any sexual comments or remarks.

With respect to the concerns raised regarding classwork or activities, Professor Delventhal explained that the point of the journal prompts was to engage the student in a process so they could get in touch with what motivates and inspires them. He explained that he did not force students to talk about challenges in their lives and did not ask questions about those challenges. He stated that he did not believe such activities were inappropriate for the performance-based classes he was teaching in the Theatre Department at the University. Professor Delventhal described the "massage" circles in a manner similar to that of the many witnesses interviewed. He did admit that he may have received a critical comment or two over the years regarding that activity.

During his interview, Professor Delventhal also noted that he had reached out via Facebook to former students whom he believed had concerns with the behavior of Professor Perlstein of the years. He also described other concerns that he had heard regarding relationships in which Professor Perlstein was allegedly involved.

IV. Analysis

Professor Delventhal and the other witnesses made substantially different statements about complaints that gave rise to the investigation in this matter. In many cases, the incidents that gave rise to this investigation occurred in a one-on-one setting, therefore, there are limited, if any, witnesses. However, Professor Delventhal indeed admitted that with respect to at least five (5) students he kissed on the neck and/or forehead albeit, in what he described, in a "fatherly way." Still, the investigators find that Professor Delventhal knew or should have known that such contact was inappropriate and not in compliance with the University's policies and reasonable expectations regarding the conduct of its faculty members with respect to students.

On the other hand, Professor Delventhal was not fully forthcoming and/or provided some information that was clearly untruthful during his investigatory interview. His denial of any attempt to engage in any relationship with any student/former student and his omission of any mention of his own recent, self-initiated correspondence with a former student regarding alleged sexual misconduct is contradicted by the credible testimony of the former student that the Professor's advances were unwelcome and the objective evidence of communications between them which corroborates the allegation. Notably, in that correspondence, the Professor did not deny or otherwise challenge the precise statements by the former student regarding the sexual misconduct. Under the circumstances, Professor Delventhal knew or should have known that his behavior was inappropriate, demonstrated extremely poor judgment, and did not conform to the reasonable expectations and policies of the University and its mission to foster a safe and welcoming learning environment.

The consistent and credible testimony of the many witnesses interviewed also raises further questions regarding the practices and exercises utilized by Professor Delventhal in rehearsals and the classroom, specifically those regarding the use of journals and "massage" circles. Therefore, such practices and exercises likely warrant further review.

V. Conclusions

Given the length of time that has passed since some of the events giving rise to the complaints in this matter, the investigators cannot definitively state that every incident occurred as reported at a specific time and/or place. However, the available written or other evidence and the consistent statements made during witness interviews lend greater support for the troubling allegations raised regarding Professor Delventhal's conduct.

Furthermore, the investigators found that Professor Delventhal was untruthful during his investigatory interview based on other witness testimony and/or objective documentation and evidence. Based on the consistent and credible testimony of the witnesses and other evidence reviewed in this matter regarding the alleged misconduct, this investigation finds that Professor Delventhal failed to uphold the standards reasonably expected of faculty members of the University and that his conduct violated the spirit of the University's policies and values to provide a safe and welcoming learning and working environment. As a result, the evidence demonstrates that it is more likely than not that Professor Delventhal was involved in sexual misconduct with one or more students while serving as a faculty member at the University.

It is beyond the purview of the investigators to recommend disciplinary actions or follow-up at this time. The investigators, therefore, hereby present this investigation report to CCSU's President for review and appropriate action.

