



Office of the President and Vice-Chancellor

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August 14, 2008

PERSONAL & CONFIDENTIAL

Ms. Israt Jahan Khan
33 Monchy Street, Apartment 5
St. John's, NL A1C 5S7

Dear Ms. Khan,

I am writing to advise you of my decision regarding your complaint of sexual harassment against Dr. Brajendra Sutradhar.

I have carefully reviewed the information and facts outlined in Ms. Del Rizzo's report which I received on July 24, 2008. I have determined that sexual harassment occurred.

Sexual harassment is a violation of human rights and cannot be tolerated in any working or learning environment. The University takes this matter very seriously. We are now taking steps to appropriately address this conduct and are engaged in a process outlined in the MUN-MUNFA Collective Agreement.

We will keep you informed as permitted to do so under the terms of the Collective Agreement. Should you have any questions, please speak with Ms. Cathy Morris. She can be reached by phone at (709) 737-2015 or through email at cbmorris@mun.ca.

Thank you for bringing this to my attention.

Yours sincerely,

A handwritten signature in black ink that reads "H E A Campbell".

H.E.A. (Eddy) Campbell
Acting President and Vice-Chancellor

C. Ms. C. Morris, Acting Sexual Harassment Advisor

Ref: U/EC/KHAN0814.DOC(2008)



Office of the President and Vice-Chancellor

50 Jubilee Hill, Corner A1C 5A7
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Post with
signature
only after
2-11-08

July 24, 2008

PERSONAL AND CONFIDENTIAL

Ms. Israt Jahan Khan
33 Monchy Street, Apt. 5
St. John's, NL A1C 5A7

Dear Ms. Khan:

Enclosed you will find a copy of the report by Ms. Melanie Del Rizzo concerning the complaint you recently filed with Memorial University of Newfoundland's Sexual Harassment Advisor, Ms. Cathy Morris.

Under the provisions of the University-Wide Procedures for Sexual Harassment Complaints, Section 8 (f) and (g), any comments you might have concerning the report must reach my office by **August 8, 2008**. Following that date, I will make a determination as to whether the allegation of sexual harassment has been founded and what action, if any, I will take. I will communicate my decision to you in accordance with the Procedures.

Yours sincerely,

H.E.A. Campbell
Acting President and Vice-Chancellor

Encl. Report of the Investigation Officer
c. Ms. Cathy Morris, Sexual Harassment Advisor

Ref: U/EC/KHAN0724.DOC(2008)



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Office of the President and Vice-Chancellor

10/10/08
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April 24, 2008

PERSONAL AND CONFIDENTIAL

Ms. Israt Jahan Khan
33 Monchy Street, Apt. 5
St. John's, NL A1C 5A7

Dear Ms. Khan:

I am writing in reference to the complaint you filed on April 16, 2008 with Memorial University of Newfoundland's Sexual Harassment Advisor, Ms. Cathy Morris. Under Section 8 (b) of the University-Wide Procedures for Sexual Harassment Complaints, I wish to inform you that I have decided that an investigation is warranted.

I have appointed Ms. Melanie Del Rizzo to investigate the allegation of sexual harassment in accordance to the above-referenced Procedures. You can expect to hear from Ms. Del Rizzo in the course of the investigation.

If you would like to know more about the University's Sexual Harassment Policy, including investigations, you can find details at: <http://www.mun.ca/sexualharassment>.

Yours sincerely,
H.E.A. Campbell

H.E.A. Campbell
Acting President and Vice-Chancellor

c. Ms. Cathy Morris, Sexual Harassment Advisor

Ref: U/EC/KHAN0424.DOC (2008)

FINAL REPORT

Re:

Sexual Harassment Complaint
Complainant: Ms. Israt Jahan Khan
Respondent: Dr. Brajendra Sutradher

To:

Memorial University
Office of the President and Vice-Chancellor
St. John's, NL
A1C 5S7

Attention: H.E.A. Campbell, Acting President and Vice-Chancellor

From:

Melanie Del Rizzo, Investigative Officer
c/o Smyth Woodland Del Rizzo & LeDrew
Suite 100, 16 Forest Road
St. John's, NL
A1C 2B9

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Background Information

The Complainant, Ms. Israt Jahan Khan, (hereinafter referred to as the "Complainant") is an M.Sc. student in Statistics at the Faculty of Mathematics at Memorial University. The Complainant arrived in Canada with her husband, M.D. Nahidul Khan, a graduate student in Engineering at Memorial University, on or about the month of August 2007 from Bangladesh. Prior to coming to Memorial, the Complainant had obtained a B.Sc. and an M.Sc. from the University of Dhaka in Bangladesh. The Complainant commenced her studies with Dr. Brajendra Sutradhar (hereinafter referred to as the "Respondent") and Dr. Loreda-Osti as co-supervisors of her program in September 2007. As part of the Complainant's program of study, during the Fall 2007 semester she was required to meet with the Respondent approximately twice a week to discuss her research. During the Fall 2007 semester, the Complainant did not have any classes taught by the Respondent. During the Winter 2008 semester, the Complainant did two courses (referred to herein as the "multivariate" and "longitudinal" courses) with the Respondent and was required to meet with the Respondent approximately once a week to discuss research.

The Respondent is a University Research Professor with Memorial University, and has been employed with Memorial for 24 years. The Respondent has an M.Sc. Degree and a PhD, both from the University of Western Ontario.

On or about April 16th, 2008, the Complainant filed a formal Sexual Harassment Complaint concerning the Respondent, with multiple allegations of sexual harassment, occurring from September 2007 to April 2008, (hereinafter referred to as the "Complaint").

Role and Mandate of Investigative Officer

As Investigative Officer, I have been appointed to ascertain the facts surrounding the Complaint pursuant to section 8(d) of the University-Wide Procedures for Sexual Harassment, which is included in Appendix C of the Collective Agreement between Memorial University and Memorial University's Faculty Association. My investigation was done in what I believe to be an objective, fair and impartial manner, for the sole purpose of determining to the best of my ability what the true facts are surrounding the allegations made by the Complainant.

Investigative Process

In ascertaining the facts surrounding the Complaint, I conducted two face-to-face interviews with the Complainant, one by herself and one (at her request) in the presence of her husband, M.D. Nahidul Khan (known as "Adnan") and Sanjita Moury (a friend of the Complainant and her husband). As well, I conducted a face-to-face interview with both Mr. Khan and Ms. Moury alone, as well as with Rafiq Chowdhury (a fellow student whose name arose in the investigation). At the request of the Respondent, and as I understand is his right under his Collective Agreement, I submitted written questions to the Respondent rather than conducting a face-to-face interview. These written questions specifically stated the allegations of the Complainant that were contained in her original Complaint, and as well contained more substantive details and some additional allegations gleaned from my personal interview of the Complainant so that the Respondent could give a complete response to the allegations made. Although I did speak to the Respondent by telephone concerning administrative matters, I did not have any direct discussions concerning the allegations with the Respondent. After receiving the Respondent's written reply, I had a second face-to-face interview with the Complainant (referred to above) to discuss some additional information and obtain clarification of several matters which arose from the Respondent's written reply.

In addition, I reviewed various e-mails made as between the Complainant and the Respondent, which e-mails were provided to me by both the Complainant and the Respondent. As part of the investigation, I requested that the Complainant provide me with copies of all e-mails between the Complainant and the Respondent, not just ones that the Complainant may have found relevant to this claim. I also reviewed e-mails between the Complainant and the Department of Mathematics, as well as e-mails between the Complainant and the Sexual Harassment Office. I further reviewed material provided by the Respondent documenting his whereabouts during some of the alleged incidents, as well as copies of a page from a calendar which was referred to by the Complainant in her discussions with me and an course outline from one of the courses taught the Complainant by the Respondent.

Allegations

The Complainant has made the following allegations against the Respondent, both in the Complaint and in her subsequent interviews with me:

1. The Complainant alleged that during one of her early meetings with the Respondent, in late August, while the Respondent was showing the Complainant her office, the Respondent grabbed her hand and that she then snatched it away.
2. The Complainant has alleged that on or about September 25th, 2007, while meeting in the Respondent's office, he attempted to kiss her, but she immediately jumped up and stated that she was here to study. The Complainant has alleged that the Respondent's response to her was that he was "trying to understand [her] more closely" and that it was "important for [her] to know [him]". After this incident, the Complainant alleged that the Respondent, in an angry tone, instructed her to not discuss this incident with anyone and that he would not try to touch her again.
3. The Complainant has alleged that at a meeting sometime in the late fall or early winter the Respondent massaged her thigh, and at another meeting he touched her hand, and that she rebuffed these advances on both occasions.
4. The Complainant has alleged that during the first week in January, 2008, while the Complainant and the Respondent were walking through the math lab, the Respondent told the Complainant that he "really liked [her] a lot." The Complainant further alleged that the Respondent left when another student approached to go into the lab.
5. The Complainant alleged that the Respondent became upset when the Complainant had another student accompany her to meetings with the Respondent, and asked what this other student was doing there.

6. The Complainant has alleged that during the second week of January, 2008, during a regular Friday meeting between the parties, the Respondent instructed Ms. Khan to read comments on the subject of love from a calendar that was on his wall, and that the Respondent demanded that the Complainant read the comments three or four times aloud. After this, the Complainant alleged that the Respondent then spoke to her about the nature of love for approximately 10-15 minutes, which alleged actions made her very uncomfortable.
7. During the month of January, 2008, the Complainant alleged that while she was in the photocopy room of the Math Department copying a book by the author Anderson after class, the Respondent was also there photocopying a printed phone directory. At this time, the Complainant alleged that the Respondent moved very close to her, and stated that he liked her a lot, and that he had "special feelings for [her]". Further, the Respondent alleged that the Respondent told her that he would help her with transportation if she needed it, and not to feel uncomfortable asking him for anything, which alleged comments made the Respondent feel uncomfortable. As well, during this encounter, the Complainant alleged that the Respondent stroked her face 2-3 times.
8. The Complainant made the allegation that the Respondent had unnecessarily and improperly reduced her grade on an assignment for the multivariate course. When the Complainant went to the Respondent's office to discuss this with him, the Complainant alleged that while he initially said he would not increase the Complainant's mark, that he then grabbed the Complainant's hand which was holding the assignment up to her chest, and in doing so touched her right breast. The Complainant then alleges that the Respondent held her hand very strongly with his hand while using his other hand to increase her mark. The Complainant stated that once she freed her hand (when the Respondent was answering a call from his wife) the Complainant ran back to her office. The Complainant alleges that a few moments later, the Respondent came to the Complainant's office where she was with her husband. The Complainant alleges that upon discovering that her husband was present, the Respondent behaved very nervously.

9. The Complainant has alleged that in March, 2008 the Respondent accused her of having another student do the work on one of her assignments, which charge the Complainant has denied to me. As well, the Complainant stated that the Respondent told her in class in front of other students that she wanted to get low grades, which the Complainant stated to me that she found to be humiliating. On another occasion, the Complainant alleges that she was not given an extension for a project when other students in the same class were given an extension.
10. The Complainant alleges that on March 27th, 2008, while at the Respondent's office on an academic matter, the Respondent tried to touch the Complainant's hand, but she pulled it away. The Complainant stated that the Respondent said on this occasion, "Are you going to tell anyone? Don't," which the Complainant interpreted as a warning.
11. The Complainant has alleged that on April 11th, 2008, she attended at the Respondent's office to discuss her grade in the multivariate course. The Complainant alleges that while she was standing in the Respondent's office, the Respondent put his hand on the Complainant's back and started rubbing it. The Complainant has stated that she immediately moved away. Directly after the Complainant left the Respondent's office, the Complainant has alleged that he came to her office and sat near her, massaging her right arm for about 5 or 6 minutes, but that the Complainant stated that she was too afraid to move away.
12. The Complainant has alleged that during an exam which he was invigilating, the Respondent stared at her in an inappropriate manner.
13. In an e-mail to the Complainant dated January 31st, 2008, a copy of which is attached hereto, the Respondent stated "I am glad to know that you place me high as teacher and parent but your style and behavior from the very beginning definitely would make a careful man also very weak sensually. My advice to you is that: please control yourself from looking at your teacher unnecessary without any blinks eye to eye, smiling like a student only, so that a teacher can have only student-teacher relationship feelings." Again in an e-mail to Ms. Khan dated February 27th, 2008, a copy of which is attached hereto, the Respondent stated "Can

my student tell me what is this for that my student gave me again a special feeling today looking and looking without a blink? I will not tell you any more to control as things should happen in a normal way. Also to say that I do not think that this can be anything contrary to a teacher-student good relationship”.

Response to the Allegations

The Respondent has been provided with all the allegations contained herein, and has been afforded the opportunity to give a full response to each allegation. Again, although I requested a face-to-face interview with the Respondent, he opted to provide a written reply. I therefore can make no comment with respect to his demeanor or make any comment with respect to credibility outside what is contained in his written statements. I attach a copy of the full written reply, together with attachments, at Tab 1. The Respondent's reply to each allegation of the Complainant, in the same numerical order, is as follows:

1. With respect to the first allegation that that during one of her early meetings with the Respondent, in late August, while showing the Complainant her office, the Respondent grabbed the Complainant's hand and that she then snatched it away, the Respondent has replied that he hardly knew the Complainant at that time, and that her allegation was false.
2. The Respondent has stated that he at no time attempted to kiss the Complainant, and further that on every occasion that he met with Ms. Khan, his office door was open.
3. The Respondent has also denied the allegation that he touched the Complainant's hand, or massaged her thigh, or in fact touched any part of the Complainant's body.
4. With respect to the allegation that the Respondent told the Complainant that he "liked her a lot", the Respondent has replied that he did not say this to the Complainant. The Respondent has stated that he was never alone with the Complainant in the math lab where the incident was alleged to have taken place. The Respondent stated that he has spent time with the Complainant together with other students in the math lab demonstrating computer programs.
5. The Respondent has stated that he was never aware of another student or any other party coming to his meetings with the Complainant, and therefore he denies ever asking what these parties were doing there. Further, the Respondent has provided me with a copy of correspondence from the Department (a copy of which is annexed hereto) stating that he was

out of the country from November 10th to December 1st, 2007, and therefore could not have made such comments on November 13th, as alleged by the Complainant in the Complaint.

6. The Respondent has provided me with the original page of the calendar that the Complainant alleged from which he forced her to read aloud. This page is included as an attachment to the written reply located at Tab 1. This calendar page, for January 2008, has a quote on it which reads, "Love seeks no reward; Love is its own reward. – Baba". Further down on the calendar page there is a listing of important days which is in a smaller typeset. The Respondent stated in his reply that during a meeting in January, the Complainant was leaning forward and squinting at the writing on the Respondent's desk. At that time, the Respondent states that he asked her if she had any eye problems, and requested that she attempt to read what I assume from his reply to be the smaller writing on the calendar. When she was unable to read this, he requested that she stand and attempt to read the larger writing, which is the quote stated above. The Complainant did read the quote, according to the Respondent. The Respondent stated that he expressed concern to the Complainant about her eyes, and discussed seeing an eye doctor here, but at no time did he discuss the meaning of the quote with the Complainant. The Respondent further stated that he later asked another student (Taslim Mallick) to assist the Complainant in finding a local eye specialist.

7. The Respondent has recalled being in the photocopy room with the Complainant while she photocopied pages from a textbook, however, denies that he made any of the alleged comments or stroked the Complainant's face. The Respondent recalls advising the Complainant twice at this time to be mindful of copyright concerns when copying from texts.

8. The Respondent has denied the Complainant's allegations concerning inappropriate touching while meeting with the Respondent concerning increasing her grade on an assignment. The Respondent has alleged that the Complainant would attend at his office to request an increase in her grade for almost all of the assignments given. He recalls going to her office after receiving a telephone call, however, the Respondent has stated that this was only to advise the Complainant that she could return to continue their discussion as he had finished on the phone.

9. With respect to the allegations by the Complainant concerning her alleged academic misconduct, the Respondent has replied that based on what the Respondent perceived to be discrepancies in the logic behind solutions provided on an assignment that were presented to him orally (which logic the Respondent alleges was incorrect), and logic given in the assignment itself. The Respondent has stated that it was his obligation to determine whether or not she was consulting with another student (namely, Rafiq Chowdhury) in completing this assignment. During the week of January 14th, 2008, the Respondent stated that it was brought to his attention that the Complainant (along with some other students) had used solutions for some of the problems that had been provided by Rafiq Chowdhury. The Respondent has stated that students were then as a result asked to give seminar presentations along with the assignment submission. The Respondent alleged that the Complainant was not happy that the Complainant was making these inquiries, and after the Respondent warned her that even though an official complaint would not be lodged at this stage, that she should be extra cautious in this regard as she and Rafiq were from the same university, and spoke the same language. The Respondent alleges that the Complainant was very angry after this incident. The Respondent further denied making the comment that the Complainant wanted to get low grades, as was alleged by the Complainant in my interview with her. The Respondent further denied that the Complainant was not given an extension on an assignment when this extension was given to others. In support of his denial, the Respondent provided me with an e-mail (a copy of which is included as an attachment to the written reply located at Tab 1) showing that he in fact did give the Complainant an extension for an assignment in the longitudinal course. The Respondent has further elaborated on this issue, by stating that in spite of receiving additional time, the Complainant performed poorly on the assignment, and was also upset that other students received higher marks. The Respondent wrote to the Complainant and reassured her that her marks are not affected by the marks of others and to not be upset at other students who might do better than she does. The Respondent further stated that he told the Complainant what her mark was in this course on April 14th or 15th, and that after about 30 minutes the Complainant came to his office, demanding an increase in her grade from a B, as this grade would affect her PhD admission and scholarship. The Respondent alleges that after he refused to increase her grade beyond a

B, the Complainant left the room angrily. In the morning of April 16th, the Respondent received an e-mail asking about the numeric grade in the longitudinal course, a copy of which e-mail I attach at Tab 2, together with the Respondent's reply. The Respondent states that it was directly after this incident that he received notice that the Complaint had been laid.

10. The Respondent denies the allegation that on March 27th, 2008 he tried to touch the Complainant's hand, nor that he warned her not to tell anyone.

11. With respect to the allegations that the Respondent rubbed the Complainant's back in a meeting in the Respondent's office and then later came to the Complainant's office and massaged her arm, the Respondent pointed out that in the Complaint, the Complainant stated that the Respondent left his office and then touched her back upon his return, and that the Respondent then went to her office and touched her arm, and in our interview, stated that her arm was in fact massaged for a number of minutes. The Respondent's recollection of the events of April 11th, 2008 was that because the Complainant had been sick in hospital, she had missed two lectures near the end of the semester, including a lecture where the Respondent highlighted important issues for the exam. The Complainant came to his office on the 11th, just as he was leaving to go to the washroom. The Respondent stated that the Complainant waited in his office until his return, and then requested a copy of the midterm exam for the multivariate course, which he gave her. After she left, the Respondent stated that he recalled that she had missed the lecture concerning important topics for the exam, and therefore he went to her office and gave her some of the advice from that lecture. The Respondent states that the Complainant stood when he entered (which he believed to be a sign of respect common to Indian students) and that he stood far away from her desk. The Respondent stated that he left the room once he had delivered the information, not because of anyone else's arrival.

12. The Respondent denies staring at the Complainant while he was invigilating an exam. He stated that he only looked at her when he was answering questions concerning the exam. Further, the Respondent stated that he was working on papers relating to his research, and was not looking up more than would be necessary as an invigilator.

13. With respect to the e-mail dated January 31st, 2008 (a copy of which is attached at Tab 3), the Respondent stated that during September and October, 2007, during meetings with the Complainant concerning research work, when the Complainant would be writing and had made a mistake, he would stop her by touching or patting her hand and saying "no, no" or "enough". Further, the Respondent stated that after the Respondent returned from India in December 2007, he found that the Complainant was upset concerning an allegation that she had submitted a false reference letter to the School of Graduate Studies in order to gain admission, and as well as having some family problems. The Respondent states that he touched her cheek briefly while consoling her and telling her that things would work out. The Respondent states that in touching the Complainant in these ways, he did not wish for them to be taken in any sexual, romantic or emotional way. Further, with respect to the comments in that e-mail that the behaviour of the Complainant made him "very weak sensually", the Respondent explains these comments as follows: the Respondent alleges that the Complainant behaved in an abnormal manner during her research meetings. Specifically, the Respondent alleges that the Complainant would maintain eye contact with the Respondent for unnatural periods of time, without blinking, and even when the Respondent broke the eye contact and looked down at the work at hand, he could sense that the Complainant was still looking at him. When the Complainant would leave the Respondent's office, the Respondent alleges that she would leave very slowly or would sometimes linger in his office after their work was done. The Respondent stated that he suspected that the Complainant was doing these things to distract from her weakness in research alleged by the Respondent, or perhaps because of the other stresses mentioned above. Later, the Respondent stated that he began to suspect that the Complainant's actions were sexual in nature, which could cause misunderstandings between faculty and students. With respect to the February 27th, 2008 e-mail, the Respondent alleges that after a discussion in the Respondent's office concerning the Complainant's grades on the assignments, the Complainant again lingered at his door, looking at the Respondent directly and smiling in a manner that the Respondent states that he found inappropriate. The Respondent stated that after he sent the February 27th e-mail, the Complainant ceased this behaviour. However, in March 2008, the Respondent alleges that the Complainant told him in conversation that she

knew of incidents in her undergraduate university where female students obtained high grades as a result of intimate relationships they had with their professors. The Respondent alleges that these comments, coupled with the Complainant's request for a higher mark in the longitudinal course without a re-read request, indicates to him that the Complainant was interested in obtaining high marks which were not deserved.

The Respondent was also asked what in his view may have prompted the Complainant to make the Complaint. The Respondent stated as follows in this regard:

1. The Respondent proposes that the official complaint made by the Graduate Dean for allegedly submitting a false reference made the Complainant nervous with him, and that she may have been afraid that this complaint may affect her future study at Memorial. At the same time, the Respondent alleges that the Complainant was having some family problems that may have added to her stress.
2. The Respondent alleges that the Complainant's failure to obtain A's in all subjects made her angry. Further, he states that the Complainant was afraid that her alleged academic misconduct would impact the Respondent's opinion of her, and may therefore jeopardize her ability to get into a doctoral program or even complete her Master's degree.
3. The Respondent alleges that the Complainant was doing very poorly in coming up with original research ideas, and although the Respondent states that he did not openly criticize her for this, the Complainant likely knew that the Respondent was not enthusiastic about her research abilities and potential. The Respondent alleges that the above factors prompted the e-mail of January 31st, 2008.
4. The Respondent further alleges that the Complainant did not like the warning as contained in the Respondent's e-mail of January 31st, 2008, and continued with excessive eye contact and smiling. After discovering her B grade in the longitudinal course, the Complainant filed the Complaint.

Testimony of the Interviewees

Complainant

As stated above, I interviewed the Complainant on two separate occasions, once by herself on June 3rd, 2008, and the second time (by her request) in the presence of her husband and Sanjita Moury on July 18th, 2008. The Complainant, who is originally from Bangladesh, was born on August 15th, 1979. She and her husband were married on August 28th, 2006. The Complainant arrived at the interview with her husband, although on the first instance did not have any problems in speaking to me without her husband being present. The Complainant was well spoken, well dressed, polite and spoke very good English throughout the interview process. The Complainant was very confident and while extremely polite, spoke very forcefully during both interviews. The Complainant did not refer to any notes during either of our interview sessions, although in the second interview she had her laptop computer ready to refer to any relevant e-mails. She did not appear upset and did not become tearful at any time during the interviews, although she did become slightly animated and somewhat angry (which anger was directed solely towards the Respondent) in the second interview, when I asked her to clarify certain points raised by the Respondent in his written reply. The Complainant was visibly pregnant in our interviews, and had some trouble with her breathing on both occasions, which she said was a complication of her pregnancy.

The Complainant arrived in Newfoundland on July 27th, 2007 to commence a Master's degree in statistics. Although her program started in September, the Complainant and her husband arrived earlier in order for them both to settle in and meet with her co-supervisors, in the Complainant's case being the Respondent and Dr. Loreda-Osti. In September, the Complainant began her program, which include twice weekly meetings with the Respondent in his office on Tuesdays and Fridays to discuss research work. The Complainant stated that the Respondent would meet similarly with all M.Sc. students that he was supervising. The Complainant did not have any classes with the Respondent in the Fall 2007 semester. The Complainant explained to me that she wished to complete the M.Sc. program as it is required for a PhD, which she hopes to continue on with at Memorial with Dr. Osti.

The first incident related by the Complainant of anything untoward occurring with the Respondent took place at the end of August, 2007 when she obtained her key to the office which she would be sharing with approximately seven or eight other Master's students. The Complainant related that she was standing in the Graduate Studies Office and the Respondent said that he would show the Complainant her office. At that time, there was nobody else in the office. The Complainant stated that the Respondent said, "This is your room," and then grabbed her hand. The Complainant stated that she snatched her hand back and replied, "Thank you, Sir." She told me that at that time she felt uncomfortable with the Respondent touching her hand. When she discussed this matter with her husband, the Complainant stated that her husband said to just "watch him".

The Complainant stated that the Respondent is from Bangladesh, which is her home country as well, and that he is very well known in Dhaka University, where she did her undergraduate degree. She is aware of several other students from her home university who have come over and worked with him.

On September 25th, 2007¹, the Complainant and the Respondent were having a regular meeting in the Respondent's office. The door to the office was left ajar by the Respondent. The Complainant and the Respondent were sitting near each other, which the Complainant stated would be a usual way for them to sit in order to review the research work. Approximately two to five minutes into the meeting, the Complainant stated that the Respondent half stood and leaned in to kiss her. Upon questioning, the Complainant clarified that the Respondent's lips were approximately one to two inches (or maybe less) away from hers. The Complainant stated that she stood up quickly, pushed the Respondent away, and stated, "What are you doing? I'm here for study." She said that she was afraid at that time. She said she spoke to him about her family and her husband. The Complainant states that the Respondent's response to this was to say, "I'm trying to understand you closely. It's important for me to know you." At this time, the Respondent had a call from another one of his students, and while this call was going on, the

¹ The Complainant gave this date during my interview, but also stated that as with all dates she could be wrong as she did not take notes at the time – the dates could have been a Tuesday or a Friday around the dates given as these were the regular meeting times with the Complainant.

Complainant remained in the Respondent's office. This call took over 10 minutes according to the Complainant. The Complainant stated that she wanted to stay and continue to discuss the situation with him. The Complainant explained that she wanted to resolve the matter because she is a fully funded student, and the Respondent was her supervisor. Without a supervisor, she would be unable to study. Further, the Complainant stated that she receives \$4,000.00 per year from her supervisor for research on his project, and without these funds she could not continue with her studies. After the call was completed, the Complainant stated that the Respondent said, "Don't tell anything to anyone – not teachers, students or your husband. Concentrate on study." The Respondent also promised the Complainant that he would not try to touch her again. The Complainant stated that these things were not shouted, but said in an angry tone. The Complainant's perception of these comments were that if she told anyone what happened, there will be trouble for her. On this occasion, the Complainant said that they did not work as they normally would – usually, they would get through two to three pages of work, but this day, they only did one to two pages.

Right after this incident, the Complainant stated that she left the Respondent's office and went to her room and immediately called her husband. He was not there, but Sanjita Moury answered the phone. The Complainant explained that Sanjita was a friend and classmate of her husband's with whom they were both quite close, and when asked what was wrong, she told Sanjita everything that had happened. The Complainant stated that she was very upset at this time. The Complainant later told her husband what had happened, and that both of them were very worried about their studies here. She said that she had to face the Respondent at their next Friday meeting, and that even if he would stop this behaviour, she was very uncomfortable about meeting with him again.

At around this time, the Complainant stated that she received an e-mail from the Sexual Harassment Office with respect to recruitment of faculty. It was through this e-mail that she found out about this department. Throughout September and October 2007 the Complainant stated that she thought about contact them concerning this incident. A copy of e-mails between the Complainant and the Sexual Harassment Office is included at Tab 5.

In October 2007, the Complainant was taking mid-term exams and there was a break in meetings with the Respondent. The Complainant stated that the Respondent did not touch her for a while after that. On October 11th, 2007, the Complainant suffered a miscarriage. She recalls seeing the Respondent during the week of October 26th, 2007. In meetings after that date, the Complainant recalls the Respondent touching her hand (she could not recall details about this), and one day he touched her thigh. Upon further questioning, the Complainant said that this incident took place sometime before her final exams in December 2007. The Complainant stated that the Respondent put his hand out and began to massage her thigh while they were meeting. She states that she removed his hand and pushed it away. She said she was shocked, and did not say anything to the Respondent. After this incident, she stated that she began to inquire about changing supervisors. Around this time as well, she said that she visited the Sexual Harassment Office in person, but did not speak to anyone there. The Complainant stated that she had concerns that the officials there would believe the Respondent and not her, given that he has 20 years of experience.

During the fall semester, after the alleged incident on September 25th, 2007, the Complainant stated that she and her husband decided that wherever possible, she should have her husband and/or Sanjita Moury accompany her to her meetings with the Respondent. A problem with this plan was that her husband went to Mosque on Fridays from 1:00 – 2:00 p.m. so was not always available to accompany her. At the first meeting after the September 25th, 2007 meeting, the Complainant stated that both her husband and Sanjita accompanied her to her regular meeting with the Respondent. The Complainant's husband and Sanjita did not stand close enough to hear them speaking, but they would position themselves so that they could see the Complainant, but the Respondent could not see them. However, the Complainant stated that the Respondent saw Sanjita there the first time and asked what she was doing there. On the second occasion, the Complainant said that the Respondent shouted angrily, "Why is she sitting there?" After that incident, Sanjita did not return with the Complainant, however, the Complainant's husband did come regularly, as permitted by his own class and work schedule. When the Complainant's husband would come, he would sit so that she could see him, but the Respondent could not.

In the Complaint, the Complainant gave more detail concerning the Respondent's comments about Sanjita's presence outside his office and stated that this incident occurred on November 13th, 2007. There was an issue raised in the written reply concerning this date. Clearly, the incident related by the Complainant as occurring on November 13th, 2007 could not have occurred at that time, as the Respondent was out of the country. When I asked the Complainant about this in the second interview, she conceded readily that she could be wrong about this date. The Complainant stated that she could only be sure of the day of the week – either Tuesday or Friday, which were the regular meeting times. She stated that she did not take notes at the time. The Complainant knew that the Respondent was out of town for part of the Fall semester but couldn't remember the exact dates that he was out of town.

Also during the second interview I asked the Complainant whether the door to the Respondent's office was always open, as was alleged in his written reply. The Complainant stated that the door was not always open, and that if she tried to open the door the Respondent would sometimes forcefully close the door. In the meeting after the incident where the Respondent allegedly tried to kiss the Complainant, she left the door open and the Complainant stated that the Respondent yelled. The Complainant's husband, who was present during the second interview, then said that he heard the Respondent yell to close the door in an angry manner, stated, "Why not close door?" Both the Complainant and her husband stated that the Respondent did not know there were people there at that time.

In January 2008, the schedule with the Respondent changed to one meeting date per week as the Complainant had classes during their regular meeting time on Tuesday. The Complainant had to take three classes, and two of these classes were with the Respondent. The Complainant explained that if she cannot take the required courses, she cannot continue with her program, and that these courses were obligatory according to her Letter of Offer. The Complainant said that she was faced with a difficult decision – whether to quit the program or fight, and that she had a difficult time trying to decide the correct path. The Complainant eventually decided to continue with her course work, despite her misgivings about taking classes from the Respondent.

After classes commenced, during the first week of January, 2008, the Complainant stated that as she was passing through the math lab (room 3045 in the Mathematics Building) at about 5:00 – 5:30 p.m., the Respondent came across the Math Lab towards her and, while looking around, said, “I really like you a lot.” When someone came by, the Complainant said that the Respondent left. The Complainant said that the Respondent did not touch her that day. Also, on January 2nd, 2008, the Complainant stated that she gave the Respondent and Dr. Osti a gift as a show of respect. The Complainant stated that she told the Respondent and Dr. Osti in her culture, students treat teachers as parents. She said that Dr. Osti only treats her with respect. Also, in relation to her culture, the Complainant stated in my interview of her that her countrymen can force a woman to do what they want her to do even if she says no. She stated that she has come to learn from experience and from movies that in this country, women can say no.

In the second week of January 2008, during the Complainant’s regular Friday meeting with the Respondent, the Complainant stated that the Respondent asked her to look at a calendar that was on his wall that contained comments on love, and said that it contained a “good sentence”. The Complainant stated that it was a Hindu calendar that the Respondent had brought from India. The Complainant said that the Respondent told her to “stand up, and come and read this,” and then asked her, “What did you read?” The Complainant said that she read it silently first, and that the Respondent then forced her to read it three or four times aloud. After that, the Complainant said that he read the sentence about love, came back to his seat, and started talking to the Complainant about love. The Complainant said that the Respondent told her that the statement explained the meaning of love according to Hindu belief and commenced a 10 to 15 minute lecture on the subject, during which time the Complainant said she did not speak. The Complainant said that the Respondent did not touch her that day.

The Respondent provided me with the actual page from the calendar in question in his written reply, and during my second interview with the Complainant, she stated that this was the calendar page that she recalled reading from. The Complainant stated in the second interview that the Respondent forced her to read this page more than five times aloud (as opposed to three to four times as she said in the first interview), and then stated that they passed about 45 minutes

to one hour on the discussion about love (as opposed to the 10 to 15 minutes that she stated in the first interview). The Complainant stated that the Respondent asked her to stand up and read, and explain to him "what is love". The Complainant stated that at first she had said that she couldn't see the words properly, but that this was only so that she would not have to read it aloud, as she did not wish to do so. When asked, the Complainant stated that Taslim Mallick did ask her about her eyes after this incident.

The Complainant related another incident to me in my first interview with her, where she said she was in the general office photocopy room, copying an Anderson textbook after class. The Complainant could not recall the exact date, but said that she remembers that it was a Tuesday. The Complainant's husband was waiting for her in her office. The Respondent came in to the photocopy room to copy a departmental phone directory. The Complainant stated that the Respondent suddenly moved closed to her (approximately 10 inches, according to the Complainant), and she moved back a bit. The Complainant said that the Respondent then told her that he liked her a lot, and had special feelings for her. The Complainant then said that the Respondent told her that if she ever needed a drive, he would drive her. The Respondent then left the room, but then returned a few moments later and the Complainant said that the Respondent "patted my face very badly, two to three times on my face." The Complainant said that the Respondent told her, "Don't feel uncomfortable asking me for anything." The Complainant said that she was very afraid during this incident, as the general office was closed and there was nobody else around. The Complainant left the photocopy room, went back to her office and immediately told her husband what had happened. They discussed the matter, and decided to try to go to see Dr. Gary Snedden or Dr. Osti to try to change supervisors. The Complainant said that she and her husband discussed how best to do this - if whether or not it would be better to just say she did not like the field of study with the Respondent, so that she would not have to make the complaint and cause trouble.

The Thursday following the above incident (the Complainant believed that the date was January 19th), the Complainant stated that she passed in an assignment to the Respondent, and on the following Tuesday, the Respondent returned this assignment, and that he had unethically cut two marks from her assignment. The Complainant stated that her problem was correct, and that

it was given in the Anderson book. The Complainant raised this issue in class, and the Respondent agreed with the Complainant. The Complainant then asked the Respondent why he cut the marks, and the Respondent replied that anyone can come to see him after class if they want to discuss the marks. The Complainant then went to the Respondent's room, and she says that the Respondent asked her, "Why should I give you marks?" and said he would not increase her mark. The Complainant stated that she had her assignment up to her chest, and that the Respondent then grabbed her hand which was holding the assignment, and in doing so, grabbed her right breast. The Complainant said that the Respondent held her hand very strongly with his left hand and increased her mark with his right hand. The Complainant said that she had to struggle to pull her hand away from the Respondent, and when the Respondent received a telephone call from his wife, she freed her hand, ran from the Respondent's office back to her own, and cried on her husband's shoulder. A few minutes later, the Complainant said that the Respondent came to her office, but did not immediately see her husband there. She said that when he saw her husband, he got very nervous, and cast his eyes down. She said that the Respondent then spoke to her husband about his courses, and then said, "Israt, you should present that problem in class." She said that she would, and the Respondent left.

After this incident, the Complainant stated that she no longer wished to study here, and that her husband encouraged her to stay in the program and talk about changing supervisors. The Complainant said that it was a very upsetting day and that she was having difficulty sleeping that night. She felt that she should speak to Cathy Morris of the Sexual Harassment Office, but her husband did not want her to. She then e-mailed Ms. Morris in the middle of the night while her husband was asleep. Later, the Complainant stated that her husband saw the sent e-mail and was upset that she had done this without discussing it with him, especially since the Complainant mentioned the Respondent by name. The Complainant stated that her husband felt that naming the Respondent could cause trouble for them. The Complainant was very upset by this, and could not sleep for a time. The Complainant stated that not only were these events upsetting to her, she also found them very insulting. She later had a long conversation with Ms. Morris regarding the incidents and she thought about her options, with respect to complaining informally, changing supervisors, or filing a formal complaint.

The Complainant stated that she then went to see Dr. Gary Snedden, the Deputy Head of the Math Department. At this time, she did not tell Dr. Snedden about the harassment, simply that she wanted to change supervisors. Dr. Snedden spoke to Dr. Osti about this, and he later met the Complainant in a corridor of the Math building. She said that she got very upset while talking to Dr. Osti and she eventually told him everything and showed him the e-mails that she had received from the Respondent. The Complainant stated that Dr. Osti told her that he had some funds for her to study with him. The Complainant went to see Dr. Radford, the Department Head, in late January/early February 2008. She had previously forwarded him the e-mails (those that were attached to the Complaint) as per Dr. Snedden's suggestion, as she stated he has the right to know everything. The Complainant said that Dr. Radford stated that there was no chance to drop her courses with the Respondent because they were required.

On February 27th, 2008, the Complainant stated that she went to the Respondent's room to drop off assignments. She stated in her first interview that wasn't feeling very well that day. The Complainant stated that she stood in the Respondent's doorway that day speaking to a new student named Nabila, who was coming from Bangladesh. The Complainant stated that she had previously met Nabila at Dhaka University. Later that evening, she received another e-mail from the Respondent stating (as she put it) that his "students give me special feelings." The Complainant stated that she did not reply to this e-mail. In my second interview with the Complainant, she said she felt very happy that day as she had her first ultrasound and had seen her baby, which appeared healthy. In the second interview, she showed me the ultrasound pictures, which had the date February 27th, 2008 on them. The Complainant said that she may have been smiling and happy that day because of the ultrasound, and she now believes that may prompted the e-mail from the Respondent with that same date, sent to her that evening.

Also around the months of January and February 2008, the Complainant stated that at one point she was speaking to Rafiq Chowdhury, who is a PhD student of the Respondent who sometimes uses her room. The Complainant described Rafiq as a "countryman". The Complainant stated that Rafiq's wife had just had a baby, and that she was talking to him about the baby. The Complainant stated that the Respondent came to her room and was very angry,

asking why was she speaking with Rafiq. After he left, the Complainant stated that Rafiq was very surprised to see the Respondent in a student's room, and that he thought that was unusual.

The Complainant also related during the first interview some problems she had with the Respondent over project work for one of her courses. The Complainant stated that because he had seen her talking to Rafiq, the Respondent thought that Rafiq did the work for her in a Fortran assignment. The Complainant stated that she believed this was because she did not go to the Respondent for assistance with the project – rather, she went to Rafiq. The Complainant denied this allegation. After this incident, the Complainant told me that the Respondent told her in class (possibly on March 31st, 2008) that she wanted to get low grades and also that he was not happy with her work. The Complainant stated that she found this to be embarrassing and upsetting. The Complainant said that the Respondent was angry because the Complainant did not come and see him about the assignment. Also, the Complainant told me that on or about March 25th or 27th, 2008, she was working on an assignment. She had solved the problems but the results were not correct because there were still mistakes in the programming. The Complainant stated that the Respondent helped other students with their programming, but did not help her even though he knew that she had been admitted to hospital for two days as a result of complications from her current pregnancy. However, the Complainant then said that she in fact did not want his help in the circumstances. The Complainant stated that the Respondent did not give her an extension on this assignment, even though he did give an extension to other students. The Complainant said the Respondent did not give any reason for this. The Complainant stated that she was concerned about protecting herself. The Complainant also said in my interview with her that on March 27th, 2008 when in the Respondent's room he tried to touch or pat her hand, and then said to the Complainant, "Are you going to tell anyone? Don't." The Complainant stated to me that she interpreted that as a warning from the Respondent.

During my second interview with the Complainant, I asked her to elaborate on the issues raised by the Complainant relating to the alleged academic misconduct involving Rafiq Chowdhury. The Complainant forcefully replied that she did not use Rafiq's solutions, and that all of the solutions that Rafiq had can be found in the book referred and online in any event. As such, there was no need to use Rafiq's solutions. The Complainant said that there was nothing

wrong with what she and several other students did, so she was not angry or upset about this in any way. With respect to the issue raised by the Respondent concerning the differences in logic contained in an assignment and when asked, the Complainant replied that she didn't know what that was about.

Also in my second interview with the Complainant, I showed her the e-mail from the Respondent dated March 29th, 2008 giving her an extension (which e-mail was provided by the Complainant as part of the investigation and also by the Respondent as part of his written reply). The Complainant stated that this extension was not given for course work, rather, it was to allow her some extra time to try to improve her program for her research work. The Complainant stated that her presentation date was March 27th, 2008 and that was the date she did her presentation. She stated that another student was given an extension to April 1st, but she did not get this extension. She did submit improved results in the time frame that the Respondent suggested, as was suggested to the entire class, but stated that this was not an extension for the entire project.

The Complainant stated that during the month of March, the Respondent appeared angry with her. She stated that at this time, she had informally changed supervisors, but that she wanted this letter to go to the Respondent after her courses were over.

The Complainant stated that on April 11th, 2008 (the Complainant was very clear on this date -- she said that she cannot forget it), the Complainant had an appointment to see the Respondent with respect to some marks that had been cut from an assignment in the multivariate course. At this time, the Complainant stated that Dr. Radford knew about this matter. The Complainant stated that she was standing in the Respondent's room, and the Respondent put his hand on her back and started rubbing it. The Complainant stated that she then moved away. The Complainant stated that the Respondent asked her to sit, but she would not sit. She recalls that they discussed the mark, but she can't remember if he increased the mark. After this discussion, she went back to her room. The Complainant stated that after all this began, she always closed and locked her office door when she was there alone, however, on this day, a female Chinese student who shared the room came in and then left. When she left, she didn't close the door. A

short while later she heard the Respondent's voice saying, "What are you doing?" When the Complainant replied that she was working, the Respondent went to go, then came back. The Complainant stated that she was very afraid, as she did not know if anyone was around. The Complainant said that the Respondent massaged her right arm for five or six minutes, and when a girl passed through, the Respondent ran away. Right after this, the Complainant called Cathy Morris and left a voicemail message. The Complainant stated that she was six months pregnant at this point, she couldn't move properly, has trouble breathing as a result of her pregnancy, has had bleeding problems along with low blood pressure. As a result, she felt especially vulnerable. After this incident, the Complainant went to Dr. Radford and told him what had happened. Dr. Radford assured the Complainant that she did not have to see the Respondent any more.

Another incident relayed by the Complainant during my first interview with her was that during her first exam with the Respondent invigilating, he was continually looking at her with what she called "harassing eyes". During the second exam, the Respondent brought someone else with him, and the Complainant stated that he was OK.

When asked to comment on the statement in the January 31st, 2008 e-mail from the Respondent concerning academic allegations made against her, in the first interview the Complainant denied any such allegations, and stated that she took that to be a kind of a threat from the Respondent.

In the second interview, I asked the Complainant to comment on the Respondent's allegations that she came to his office on April 14th or 15th, angry about her mark and wanting it increased. The Complainant stated that she did not know her mark on that day, and strongly denied going to see him after April 11th, 2008. The Complainant stated that it is clear from her e-mail of April 16th, 2008 that she did not know what her mark was in the longitudinal course. The Complainant asked why she would e-mail the Respondent request to know what her mark was if she already knew it.

Also in the second interview, the Complainant denied having a conversation with the Respondent concerning students in her former university getting better marks if they have

intimate relationships with their professors. The Complainant stated that she would not have talked with the Respondent about anything like that. Also, she stated that her former university did not have "A" grades and would not have said that, and also that scores at her former university were based on work alone. The Complainant stated that there are three separate examiners to determine each mark at her former university, so an intimate relationship with a professor would not help marks in any event.

In his written reply, the Respondent raised the issue of a complaint made against the Complainant by the Dean of Graduate Studies concerning a reference letter. The Complainant, in my second interview with her, said that this matter was fully resolved by November 2007. She explained that one of her referees had forgotten that he gave her a letter of reference, so when her references were checked by officials at Memorial University, he mistakenly said that he had not sent it. The Complainant stated that he later went through his records and recalled sending the letter, and the matter was resolved. The Complainant did not express any stress or upset over this incident.

With respect to any problems that she may have had with research work with the Respondent, the Complainant stated in my second interview with her that she may not have been doing her best work with the Respondent, as she did not feel comfortable working with him.

The Complainant reported no further contact with the Respondent. The Complainant, in response to a question from me, said that she had some complaints about her marks from her two courses with the Respondent, but that she was satisfied with them and would not affect her studies. The Complainant is happy with the way that the Department of Mathematics has handled this matter, and stated that she chose the formal investigation process so that the Department could protect her. She also stated that Dr. Osti has given her confidence and that she feels that she can now continue her studies without these kinds of worries.

M.D. Nahidul ("Adnan") Khan

I interviewed Mr. Khan separately from his wife on June 3rd, 2008. He was present at my second interview with the Complainant on July 18th, 2008, but I did not have any questions for him at that time. Mr. Khan was a soft spoken, polite man with a friendly demeanor. His English was excellent, and I had no difficulties understanding him in our interview.

In my interview, Mr. Khan stated that his wife first brought the matter of the behaviour of the Respondent to his attention in September 2007. Mr. Khan said that he advised his wife to not take it negatively, and that perhaps the Respondent was treating her like a parent would treat a child. Mr. Khan reported that his wife first complained of the Respondent touching her hand, and also placing his hand in her lap. When the Complainant told him that the behaviour continued into the next week, Mr. Khan's advice was to observe the Respondent.

Mr. Khan stated that he goes to Mosque every Friday from 1:00 – 2:00 p.m., which is the same time as one of the Complainant's meeting times with the Respondent. Mr. Khan said that while he was at the Mosque, the Complainant called Sanjita Moury and told her that the Respondent went close to her to kiss her, and that the Complainant stood up, said she was married, and it was wrong. When he returned to the department, Mr. Khan stated that Sanjita immediately told him about this call. Afterwards, he stated that his wife was still a bit scared, and took some time to calm down. Mr. Khan said he did not know what to do – that he knew that it wasn't right, but he didn't know how to proceed. He said that the Complainant was so scared by this incident that she asked him not to go to Mosque, but to come with her to her meetings with the Respondent. Mr. Khan said that he agreed, but that he had a class at 2:00 p.m., so he would have to leave prior to her meeting with the Respondent concluding.

Mr. Khan reported that he went to his wife's meeting with the Respondent the next week, and that the Respondent had the door open, but ajar. He recalled that one time the Complainant asked the Respondent if the door could be open wider, and he responded angrily, with his voice raised, saying, "OK, you can keep the door open," which Mr. Khan heard.

Mr. Khan reports only one first hand witnessing of an incident between the Complainant and the Respondent: during February or March 2008, Mr. Khan stated that he saw the Respondent touch his wife's face with his own eyes, and then he saw his wife pull away. Afterwards, his wife was angry at him because he didn't come in and say anything. Mr. Khan stated that he felt helpless to assist his wife given their position in this country and the Respondent's position here.

After this time, Mr. Khan reports that the Respondent began coming to the Complainant's room. Mr. Khan found this unusual, because he heard from another student that the Respondent did not normally come to student's rooms. Mr. Khan said that this scared his wife, so he tried to be at her room by 5:00 p.m., so he could be there when the Complainant finished classes.

Mr. Khan stated that in or about the month of March, 2008, the Complainant went to the Respondent's office to discuss increasing her mark on an assignment. He went to the Department with her and accompanied her to the Respondent's office. Mr. Khan stated that he did not let the Respondent see him there – he would go through the Math Lab so that he wouldn't have to pass directly in front of the Respondent's door. At this time, Mr. Khan did not see the Respondent touch his wife. He saw that the Complainant stood up from her chair, and assuming that she was finished her meeting, he left and went to her room to wait for her before the Respondent saw him outside. When the Complainant arrived back at the room, she asked Mr. Khan if he saw "that one". He said that the Complainant told him that the Respondent pulled her hand, and in doing so touched her breast. He said that his wife was crying, and very upset. Five to 10 minutes later, the Respondent came to the Complainant's office and Mr. Khan stated that he seemed very surprised to see Mr. Khan there. The Respondent asked Mr. Khan how he was, and Mr. Khan asked why the Respondent was there, to which the Respondent replied that he was there to give the Complainant a suggestion about a presentation for class.

Mr. Khan stated that sometime in the month of January, 2008, he was waiting in his wife's room at the university while she was photocopying something. When she came back, she asked him to go and wait outside, as she was very scared. The Complainant told Mr. Khan that

while she was in the photocopy room, the Respondent had come in and said that he liked her very much.

Mr. Khan stated that sometime in the month of March 2008, he was working in the fluid labs when a countryman of his said that he should talk with his wife, as she had called and asked him to come immediately. He also said that the Complainant had left a message for Cathy Morris. When he saw the Complainant, she told him that she had to see the Respondent about a presentation, and when she was with him he patted her back, and then followed her to her room and patted her hand. He said that the Complainant then told him that a Chinese girl came in and her presence stopped the Respondent.

Mr. Khan said that although his first hand knowledge of the incidents was limited, that his wife told him about each of the incidents as outlined in the Complaint at the time and he could see how upset she was after each incident. He stated that his wife is having a bad time because of these incidents, and was very worried about her studies. He said that stopping her studying seemed to be her only option. He said that she reacted to this very seriously, and even wrote the letter to Cathy Morris without telling him. After that, he and the Complainant started to try to resolve the matter together. Mr. Khan said that he suggested that she get a new supervisor, and went to see Dr. Gary Snedden in this regard. Mr. Khan was wary of disclosing these matters to everyone, but he realized that the Complainant needed to tell Dr. Snedden the reason for switching. Mr. Khan believed that Dr. Snedden discussed the handling of this matter with the Sexual Harassment Office.

Mr. Khan also alleged in my interview with him that the Respondent insulted his wife in class, and that she then complained to Dr. Radford, who asked her for a written statement to deal with this.

Sanjita Moury

I met with Ms. Moury alone on July 18th, 2008. Ms. Moury is presently pursuing an M.Sc. in Engineering, and was a classmate of Adnan Khan from their undergraduate days in

Khulna, Bangladesh. As well, both she and Mr. Khan worked together at Stanford University. Ms. Moury has known Mr. Khan since 2002, and through him, know the Complainant as well. Ms. Moury came across as a very friendly, sincere woman who appeared serious about her studies here. Ms. Moury was very particular in the way she answered my questions, and was very careful to only say what she herself observed or heard. Ms. Moury's English was not as good as the Complainant and Mr. Khan, and as such I had more difficulty understanding the information she gave.

In my interview of Ms. Moury, she stated that she knew of the Complainant's problems with the Respondent from the "very first day". Ms. Moury stated that it was in the fall of 2007, near the end of September, on a Friday. She recalled that it was a Friday because Adnan was at Mosque, and she was in the engineering lab when the Complainant called for Adnan. Ms. Moury stated that the Complainant seemed different, and that her voice was "not usual". As such, Ms. Moury asked the Complainant what was wrong. At first, Ms. Moury said that the Complainant did not want to tell her what the problem was, but after a while, the Complainant told her that her teacher had tried to touch her in a way that he wasn't supposed to. She can't recall the exact words that were used, as it was a long time ago. Ms. Moury noted that international students don't have a lot of friends here, and as she knew Adnan and the Complainant prior to coming here, they were very close and both the Complainant and Adnan told her everything.

After the first incident, when the Complainant would meet with the Respondent, Ms. Moury stated that the plan was that either she or Adnan would be there to help if "something happened". Ms. Moury stated that the meetings took place on two days per week, but on Fridays, Adnan went to Mosque so he could not go. Ms. Moury stated that she actually went with the Complainant on two occasions in the fall of 2007: one time with Adnan and another time alone. The first time, Ms. Moury stated that she and Adnan were outside the Respondent's office and were talking. Ms. Moury said that door to the Respondent's office was halfway open, and at some point during their meeting, the Complainant came and closed it a bit more until it was ajar. Ms. Moury believes based on what was said at the time that the Respondent asked the

Complainant to close the door because they were being disturbed by the noise Ms. Moury and Mr. Khan were making by talking in the hallway.

The second time Ms. Moury accompanied the Complainant, Mr. Khan was not present. Right after the meeting was over, Ms. Moury stated that the Complainant told her that the Respondent saw her and asked the Complainant what Ms. Moury was doing there. Ms. Moury did not accompany the Complainant any more, as she stated she was too busy to do this, and that Adnan had arranged to go.

Ms. Moury clearly stated that she had no first-hand knowledge of any harassment by the Respondent, but that the Complainant would tell her about the things that the Respondent would do, such as touching the Complainant's knee. Ms. Moury stated that the Complainant wished to make a complaint about the Respondent's conduct since December 2007, but the Complainant was wondering whether or not making a complaint was the right thing to do in her circumstances. Ms. Moury stated that the Complainant was worried about the procedure, and anxious about the whole process because the Respondent was her supervisor. After discussions with Ms. Moury and the Complainant's husband, Ms. Moury stated that the Complainant decided to first send an e-mail to the Respondent to first say that "you are like father" to try to resolve the issue so that she would not have to file a complaint. Ms. Moury stated that the Complainant was pregnant, and was becoming very frustrated with the situation.

Ms. Moury stated that she knew everything about the Complaint, and that the Complainant called her numerous times to discuss the situation from September 2007 until the Complaint was filed in April 2008. Ms. Moury added that every time the Complainant would call her about an incident, she would be quite upset. Ms. Moury stated that she gave advice only to the Complainant, and did not assist in the actual writing of the Complaint.

Ms. Moury also stated that the Complainant told her that she was having trouble with the Respondent in her courses with him – giving less marks, and when the Complainant would ask a question about an assignment, the Respondent would behave "very roughly with her."

When asked about any specific allegations that she could recall, Ms. Moury stated that she had been told by the Complainant that the Respondent was about to kiss her one day, but the Complainant got up quickly. Ms. Moury said that the Complainant told her about this incident at the time that it happened. Ms. Moury was unable to recall anything more specific about any allegations made.

I asked Ms. Moury during my interview of her whether or not she believed the Complainant's allegations. Ms. Moury did not wish to answer this question and stated that she could only say to me what she saw and heard with her own eyes, and did not wish to "add her thinking" or give her opinion about the truth of the allegations.

Rafiq Chowdhury

I interviewed Rafiq Chowdhury on June 30th, 2008. Mr. Chowdhury is a PhD student who is also being supervised by the Respondent's, and is also from Bangladesh. Mr. Chowdhury was very open and friendly in our discussion, and did not appear nervous. Mr. Chowdhury's English was very good, and I had no problems in understanding him during our interview.

Mr. Chowdhury stated that he was aware of the Complaint just after it was made. He stated that the Respondent, who is his supervisor, told him that his name had been raised in the Complaint. When asked how his name arose in this matter, Mr. Chowdhury stated that the Respondent told him that it was "no big deal" and that Mr. Chowdhury may have been in the room when the Respondent was there with the Complainant. As he still wasn't sure what it was about, Mr. Chowdhury told me that he spoke to Israt about the matter sometime in May, 2008, and she initially denied that she had filed the Complaint. Mr. Chowdhury stated that the Complainant appeared surprised when he mentioned the Complaint to her. A couple of days later, Mr. Chowdhury said that the Complainant told him that she had laid a sexual harassment complaint against the Respondent. He also stated that at about the same time, the Complainant's husband also told him about the Complaint.

Mr. Chowdhury stated that in January and February 2008 he twice met with the Complainant in his office. Mr. Chowdhury explained that they use the same carrel, so they see each other quite frequently.

I asked Mr. Chowdhury if in his experience it was usual for the Respondent to come to students' offices. Mr. Chowdhury replied that the Respondent had never come to his office to speak to him. I asked Mr. Chowdhury if he had ever made a comment to the Complainant about how unusual it was that the Respondent came to her office, and he did not recall making this comment, although he stated that he may have made a joke with her about it. He also stated that the Respondent asked him to tell the Complainant that if someone else was in his office when she comes by, to wait outside his office or in the computer lab, so that the Respondent would not have to go and find the Complainant when he was ready to meet with her.

Mr. Chowdhury stated that the Complainant told him that the Respondent said that he had done one of her problems for her course work. Mr. Chowdhury denied this. He stated that the only thing he could think of is that perhaps she took a copy of something from his Master's Thesis or perhaps used the same notation (and that it would be OK for the Complainant to get ideas from his Thesis, but not just copy), but he did not know to what the Respondent was referring. Mr. Chowdhury said that if the Complainant asked him for help, he would say that she should go to her professor and see what he wants. Mr. Chowdhury stated that the Respondent did not discuss this issue with him.

With respect to the alleged "academic misconduct" that was mentioned by both the Complainant and the Respondent, Mr. Chowdhury stated at the beginning of term (January 2008) he gave copies of his class notes to all the foreign students in the Respondent's class, including the Complainant. These notes included some solutions to problems. Mr. Chowdhury stated that the Respondent was very angry with Mr. Chowdhury about this.

When asked if he had any other first hand knowledge of anything that might be relevant, Mr. Chowdhury stated that he would always see the Complainant's husband waiting outside the Respondent's office, and he would tease the Complainant and her husband about this. He said

that it wasn't until after the Complaint was made that the Complainant told him why her husband was there.

Summary of Evidence

The majority of the first-hand evidence in this case comes from either the Complainant and the Respondent and is contained in the summary above. There is very little accord between the accounts of both parties. However, there are several pieces of evidence that can be verified by sources other than the Complainant and the Respondent, which may be useful in determining this matter, as follows:

1. The Complainant's husband, Adnan Khan, stated that on one occasion during February or March 2008, he saw the Respondent touch his wife's face, and that his wife then pulled away. Mr. Khan stated that he did not confront the Respondent at that time because he felt helpless in the circumstances, and that afterwards the Complainant was angry at him. I would note however that the Complainant did not mention that her husband had such first-hand knowledge in either interview.
2. Mr. Rafiq Chowdhury, who did not appear to be a close friend of either party, and in fact is a graduate student of the Respondent, confirmed that Mr. Khan was often waiting around outside the Respondent's office waiting for his wife to finish her meetings with the Respondent. Mr. Chowdhury thought that this was unusual enough to attempt to joke with the Complainant and her husband about it.
3. Ms. Sanjita Moury, although a close friend of the parties, gave very credible evidence that the Complainant would tell her about alleged incidents at the time, and that much discussion about how to proceed was had.
4. Mr. Khan also gave very credible evidence that the Complainant would relate each incident to him after it occurred.
5. The Complainant also produced e-mail evidence that she made some contact with the Sexual Harassment Office prior to January 2008, which supports her claim that she was having some difficulties prior to that time.

6. The Complainant overall had a clear recollection of the allegations in both interviews. There were some minor inconsistencies in her evidence, as follows:

- (a) The Respondent stated in his written reply that he was out of the country on November 13th, 2007, and therefore the incident alleged to have occurred on this date in the Complaint could not have occurred then.
- (b) In my first interview with the Complainant, she was clear that when the Respondent asked her to read the quote about love on the calendar, she was forced to read it three to four times. She then said that the Respondent spoke to her about the nature of love for 10 to 15 minutes. In my second interview with the Complainant, she stated that the Respondent made her read the quote "more than five times" and that the lecture on love lasted 45 minutes to one hour. This may indicate a propensity for some exaggeration on the part of the Complainant. The basic story, however, remained the same.

7. One part of the Respondent's version of events was in part supported by Mr. Chowdhury, who stated that the Respondent asked him to speak to the Complainant concerning when the Complainant would go to see the Respondent in his office, instead of waiting for the Respondent to finish nearby, she would return to her office. Mr. Chowdhury stated that this was so that the Respondent would not have to come to the Complainant's office to get her when he was ready. This gives one reason for the Respondent coming to the Complainant's offices when he may not have done so with other students.

8. Also, with respect to the calendar incident, the Respondent's version of events on that day is supported by the fact that the Respondent's graduate student, Taslim Mallick, did ask the Complainant if she needed help getting to an eye specialist, as the Respondent stated in his written reply.

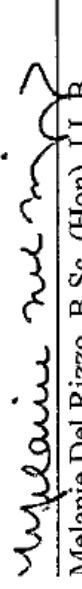
9. The main reasons stated by the Respondent that the Complainant would take this complaint related to problems that she was having with marks, and allegations of some academic misconduct, in relation to the two courses taught by the Respondent in the

winter 2008 semester. However, it is clear from the evidence that the Complainant was reporting problems with the Respondent to her friends and family as early as September 2007. However, it is of course not the job of the Respondent to provide an irrefutable motive for the Complainant to give a false allegation.

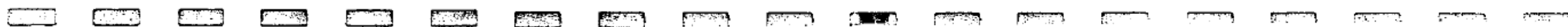
10. The two e-mails received by the Complainant from the Respondent dated January 31st, 2008 and February 27th, 2008 are strong evidence in this matter. I do note however that the Respondent explains these e-mails by saying that he was telling the Complainant to stop behaving inappropriately with him.

ALL OF WHICH IS RESPECTFULLY SUBMITTED.

DATED at the City of St. John's in the Province of Newfoundland and Labrador this 21st day of July, 2008.



Melanie Del Rizzo, B.Sc. (Hon), LL.B.
Investigator



Ms. Melanie Del Rizzo:

Thank you for your questions with regard to this investigation. Answers are given in sequence following the questions.

²
Dr. Sutradhar:

As per our recent e-mail discussions, I confirm that you have requested that I provide you with a list of questions to respond to, rather than have a personal interview, as we understand is your right under your collective agreement. As such, I ask that you please provide me with answers to the following questions by no later than **Friday, June 27th, 2008**. Should you not be able to do so, I ask that you please let me know as soon as possible. Depending on your responses, I may have some follow-up questions for you. Please let me know if I am not clear in my questions or you need any further clarification on this or any other matter.

1. What is your position with Memorial University? How long have you been employed with Memorial University?

Ans: My current position is: University Research Professor (highest academic position in the university). I have been working with Memorial for the last 24 years.

2. What is your educational history? Work history?

Ans: M.Sc. (1981) and PhD (1984) degrees from the University of Western Ontario. I have been teaching as well as doing research in Statistics for the last 24 years. Over the years, about 24 students (Master's and PhD level) have graduated under my supervision, and more than 30 international researchers (e.g. from USA, India, Canada, Italy) have published joint papers with me. Our commitment is high standard and hard work.

3. Did you participate in the decision to accept Israt Khan to the Masters' Program? If so, in what way?

Ans: I was involved in the decision to accept Israt Khan into the Master's program for Fall 2007. She was however not successful in the first round of competition. In response to her subsequent requests for reconsideration (through her husband, an engineering student), her file was reopened by myself and Dr. Loreda-Osti (my colleague) and we were able to admit her when an original admission offer was declined by a selected student from the first round.

4. When did you first meet Ms. Khan?

Ans: I can't recall the date. It was perhaps in late July or early August, 2007.

5. What is your position with respect to Ms. Khan (i.e., professor, supervisor)?

Ans: I was her primary supervisor (Dr. Loredó-Osti being the co-supervisor) until her complaint was laid. She also did two courses (multivariate and longitudinal) with me in Winter 2008 (from January to April, 08). Ms. Khan was one of my 10 students in these courses.

6. What is Ms. Khan's position in the department?

Ans: She is not my student any more and I do not know her current position.

7. Ms. Khan has alleged that during one of your early meetings, in late August, while showing Ms. Khan her office, you grabbed her hand and that she then snatched it away. How do you respond to this allegation? What is your recollection of this meeting?

Ans. This allegation is not true and was not made in the April 16, 2008 Complaint. The time Ms. Khan is describing would have been around my first or second meeting with Ms. Khan and when she received the room key from the general office. I hardly knew her at that time. This allegation that I grabbed her hand during this second meeting is not true.

8. Ms. Khan has alleged that on or about September 25th, 2007, while meeting in your office, you attempted to kiss her, but she jumped up and stated that she was here to study. Ms. Khan has alleged that your response to her was that you were "trying to understand [her] more closely" and that it was "important for [you] to know [her]". After this incident, Ms. Khan has alleged that you, in an angry tone, instructed her to not discuss this incident with anyone and that you would not try to touch her again. How do you respond to this allegation? What is your recollection of this meeting?

Ans. This allegation is not true. On every occasion that Ms. Khan was in my office the door was open. I never attempted to kiss or kissed Ms. Khan.

9. Ms. Khan has alleged that at a meeting sometime in the late fall or early winter you massaged her thigh, and at another meeting you touched her hand, and that she rebuffed these advances on both occasions. What is your response to this allegation? What is your recollection of these alleged events?

Ans. These allegations are false. I never touched her body.

10. Ms. Khan has alleged that during the first week in January, 2008, while you were both in the math lab, you told Ms. Khan that you "really liked [her] a lot." Ms. Khan has

alleged that you left when another student came in to the lab. What is your response to this allegation? What is your recollection of these alleged events?

Ans. During Ms. Khan's second semester, I was never alone with her in the lab. I have seen her sitting in the lab with other students. I also remember demonstrating computer programs to her and other new student/s at the same time in the lab. I never told her "I liked her a lot".

11. Ms. Khan has alleged that you became upset when Ms. Khan had another student accompany her to your meetings with her, and asked what this other student was doing there. What is your response to this allegation? What is your recollection of these alleged events?

Ans: I supervised Ms. Khan for eight months, but, on no occasion did another student accompany her to a meeting with me. This allegation contradicts her earlier allegation in the written Complaint under the heading "November 2007" where she alleges she met me on November 13, 2007 and that both her husband and friend waited outside my office. On any occasion, I never asked her what any person who might have been waiting in the hall was doing there, as I did not know there were people waiting outside the door.

None of these alleged events occurred and could not have as I was in India in a research trip from November 10th to December 1, 2007. Please find **attached** a letter verifying my absence by the Department Head.

12. Ms. Khan has alleged that during the second week of January, 2008, during a regular Friday meeting with Ms. Khan, you instructed Ms. Khan to read comments on love from a Hindu calendar that was on your wall, and that you demanded that she read the comments three or four times. After this, Ms. Khan has alleged that you then spoke to her about the nature of love for approximately 10-15 minutes. What is your response to this allegation? What is your recollection of these alleged events?

Ans: In her Complaint under the heading 'January 2008 (11.01.08)', Ms. Khan wrote that I forced/asked her to read a love note printed on the wall calendar. I am attaching a copy of the calendar page to you (**attached**). On a meeting day in January, while I was explaining the research problem/s by writing on paper on my desk, she was leaning toward my chair and looking hard and squinting at my writing on the desk itself. I asked her about any possible eye sight problems and asked her to read the writing on the calendar. She couldn't read the writing on the calendar and then I asked her to stand and try to read the bigger writing. She then read it. It happened to be a great spiritual quotation by Sai Baba of India on the January page of the Calendar (By the way, referring to this calendar as Hindu calendar is inappropriate as Sai Baba is a spiritual master who has millions of devotees from all religions including Hindus, Christians and Moslems). I did not explain anything whatsoever to her about the quotation. I advised her to see an eye specialist. She said her lenses are shipped from her country by her family. Later on

when I was talking to one of my senior students, Taslim Mallick, about new students, I asked him to help Ms. Khan if necessary through referring to a possible eye specialist here.

13. As well, in the month of January, 2008, Ms. Khan has alleged that while she was in the photocopy room of the Math Department copying a book by the author Anderson after class, you were also there photocopying a printed phone directory. At this time, Ms. Khan has alleged that you moved very close to her, and stated that you liked her a lot, and that you had "special feelings for [her]". Further, she said that you told her that you would help her with transportation if she needed it, and not to feel uncomfortable asking you for anything. As well, during this encounter, Ms. Khan has alleged that you stroked her face 2-3 times. What is your response to this allegation? What is your recollection of these alleged events?

Ans. These allegations are false. One day when I went to the Xerox room for a minute perhaps, I saw Ms. Khan was copying pages from a text book. I told the students in class about publisher's copyright and to limit copying to necessary pages only. After I finished copying a page (using the second machine, the first being used by Ms. Khan), I just reminded her regarding the 'publisher's copy-right law', and left the room.

14. Ms. Khan has also made the allegation that you had unnecessarily and improperly reduced her grade on an assignment (specifically, the one in relation to the Anderson book). When Ms. Khan came to your office to discuss this with you, Ms. Khan has alleged that while you initially said you would not increase her mark, that you grabbed her hand which was holding the assignment up to her chest, and in doing so touched her right breast. Ms. Khan then alleges that you held her hand very strongly with your hand while increasing her mark. Ms. Khan has stated that once she freed her hand, when you had received a call from your wife, she ran back to her office. Ms. Khan alleges that a few moments later, you came to her office where she was with her husband and upon discovering that her husband was present, behaved very nervously. What is your response to these allegations? What is your recollection of these alleged events?

Ans. The allegation that I reduced Ms. Khan's mark, grabbed her hand, touched her breast and held her hand on any occasion is false. She used to come to my office to request an increase in her grade for almost all assignments. This particular assignment mark issue is nothing different than all the others. During that semester, some of the students never came to see me about grades in their assignments, some students came to see me once or twice during the semester, whereas Ms. Khan came for an increase grade for almost all assignments. If a student wishes to see the professor regarding a grade, it is the professor's responsibility to deal with the student, even if the request for grade increases is not merited. One day when she came to discuss her grade the phone rang and

I asked her to leave for a while. After the call I went to her office to let her know that she could come back to my office. I saw her husband sitting in her office.

15. Ms. Khan has also alleged that in March, 2008 you accused her of having another student do the work on one of her assignments, which she has denied to me. As well, Ms. Khan has stated that you told her in class in front of other students that she wanted to get low grades, which she has stated to me that she found to be humiliating. On another occasion, Ms. Khan alleges that she was not given an extension for a project when other students in the same class were given an extension. What is your response to these allegations? What is your recollection of these alleged events?

Ans. There are three questions here. (1) My response to the first question is as follows. Ms. Khan used to give very long and non-responsive answers, and sometimes she gave contradictory answers to the same question. For one of the assignments for one course (multivariate), sometimes during this month, I wanted her to clarify some solutions. But, when she was asked to explain the logic behind the presented solutions of some problems, she gave a different logic (which did not make sense) than the logic she had used in the assignment. I had to determine whether she was consulting with Rafiqul Chowdhury whose solutions she used in preparing the first take home assignment. I noticed that she was not pleased with my inquiries, but it is my obligation as a Faculty Member to ensure there is no academic misconduct by students.

(2) The second allegation is not true. I do not recall making any such comment.

(3) The third allegation is not true.

When I saw that Ms. Khan might fail (getting less than 65 in the longitudinal course) in the course because of her performance in the project (worth of 30% of total), I gave her the option to extend the deadline for submitting the project. I **attach** my email proving that I offered her an extension, which she took. Even after getting extra time to complete the project, Ms. Khan scored poorly in the project. Moreover, she was upset that the other students received higher marks, which prompted me to write her an email (of April 6, 08, 18:04:41 (**attached**)). I wanted to assure her that her marks are not affected by the marks of others and to advise her to not be angry at students who received higher marks. In the end, in the final, she scored B grade in this 'longitudinal' course. When she came to know this result from me on April 14th or 15th, she came to my office after approximately half an hour asking for an increase in her grade, saying that her PhD admission and current scholarship will be affected by this grade. I told her that I was sorry but I could not raise her grade as I had been generous in giving her a B. Ms. Khan became angry and left my room very angrily, saying okay, okay. In the morning of April 16th, she asked me again, (this time) through an email, about the numeric grade in the course. I confirmed her grade through an email reply around 12:00 noon. After this incident, I received notice that this 'sexual harassment' allegation had been made on April 16th.

16. Ms. Khan has alleged that on March 27th, 2008, while at your office on an academic matter, you tried to touch her hand, but she pulled it away. Ms. Khan has stated that you said on this occasion, "Are you going to tell anyone? Don't," which Ms. Khan interpreted as a warning. What is your response to these allegations? What is your recollection of these alleged events?

Ans. This allegation is not true. I did not try to touch her hand and I did not ask her if she was going to tell anyone, as nothing had happened.

17. Ms. Khan has alleged that on April 11th, 2008, she attended at your office to discuss her grade in your Multivariate course. Ms. Khan alleges that while she was standing in your room, you put your hand on her back and started rubbing it. Ms. Khan has stated that she immediately moved away. Directly after she left your office, Ms. Khan has alleged that you came to her office and sat near her, massaging her right arm for about 5 or 6 minutes, but that she was too afraid to move away. What is your response to these allegations? What is your recollection of these alleged events?

Ans. In her written Complaint, Ms. Khan stated that on April 11th the following incident occurred: (1) I left my office for 5 minutes and touched her back when I came back to my office and (2) I went to her office and touched her right arm and left the office because of someone's arrival. Now she is saying that in the first instance I started rubbing her back in my office and in the second instance I was massaging her right arm for 5 to 6 minutes.

Ms. Khan was sick in hospital and could not attend two lectures during last few days of the semester. She missed a special lecture for the multivariate course where I delivered a review of the course emphasizing what the students should focus upon for the exam. Her husband phoned me 2/3 times letting me know that she was ill. On or about the 11th, she came to my office while I was about to go to washroom. I told her to wait. When I returned she was still standing at the door on one side. I told her to take a seat, which she did and I then entered through the door. She then asked me whether she could get a copy of the midterm examination for the multivariate course. I printed it off and gave it to her. She left the office. I then suddenly remembered that she had missed the review lecture and she would not know what to focus on for the exam. For this reason only I immediately went to her office and told her to ignore certain topics, which I had earlier told the rest of the class in the special lecture. I was there in her office perhaps not more than 1 to 2 minutes, standing far away from her desk. When I entered she stood up which is a common sign of respect by Indian students. There was no touching and no massaging. I left the office in 1 to 2 minutes when I finished saying what I had to say to help her in the exam, not because of someone's arrival.

18. Further, Ms. Khan has alleged that during an exam, you kept staring at her in an inappropriate manner. What is your response to this allegation? What is your recollection of these alleged events?

Ans. I deny this allegation. I was invigilating the exam. During the invigilation it is standard to look at the whole class. Ms. Khan asked me several questions of clarification, which the other students did not ask, and therefore I had to look at to speak to her during the exam to answer her questions. I do not see how this could be inappropriate, rather it would be inappropriate to ignore a student who is asking questions during the delivery of an exam. During the invigilation of the exam, I was also working on papers relating to my research and for some time my eyes were directed at the paper, and not at the students. So, this allegation that I kept staring at her in an inappropriate manner is not true.

19. [For convenience, I am answering this long question in three parts in sequence under (a), (b) and (c)]

Question a. You also stated in the earlier e-mail that you did not consider any touching or patting emotional. Can you explain what you meant by this?

Ans. (a). Here is my explanation for this statement. (i) During September and October, 07, she was a new student. As usual (what I do with other new students too), I used to ask her to write and explain a possible research problem or on something that she knew. In few meetings, as she was writing it happened that she was writing something wrong which I just wanted her to stop by touching or patting her hand and saying 'no, no' or 'enough'. (ii) After I came back from my India trip, I found that Ms. Khan was quite sad and upset over an investigation that took place in November/December 07 against her by Graduate Studies office for an alleged false submission of a reference letter for her admission to the program [see also answer to q.20]. She was also upset because of family problems. I recall that while she was sadly talking to me mentioning about her investigation, I touched her cheek perhaps for less than a second consoling her saying that things should be okay, why worry, if you didn't do anything wrong. These brief touching and patting occurred in good faith and were not made in any sexual, romantic or emotional way. This is what I meant here.

Question b. In your e-mail to Ms. Khan dated January 31st, 2008, you stated "I am glad to know that you place me high as teacher and parent but your style and behavior from the very beginning definitely would make a careful man also very weak sensually. My advice to you is that: please control yourself from looking at your teacher unnecessary without any blinks eye to eye, smiling like a student only, so that a teacher can have only student-teacher relationship feelings."

Ans. (b) In early December, 07, and during the month of January, 08, Ms. Khan was behaving abnormally in most of the research meetings. To be specific, after explaining a research problem from the note on the desk, when I would look up at her for her response, there would be natural eye contact. She would then maintain eye contact for unnatural periods of time, without blinking and her eyes would not move back to the notes which she needed to follow to understand the research problem. I sensed that she was still looking at me. When she would leave the room, she

had a tendency either leave the room very slowly or linger in my office after our work was completed, in an unusual smiling mood. Before January 31st, first, I did not know whether she was perhaps doing these things to persuade me to overlook or forgive her weakness in research, or perhaps because of her sadness caused by Graduate Studies' investigation or the family problems. Later on I thought these behaviors might be sexual in nature, which could cause misunderstandings between Faculty and students. But as I had not seen anybody behaving like this during my teaching, I was not sure what to do about it at that stage. When I received her January 31st email, I thought I should let Ms. Khan know that she had to be appropriate in her encounters with Faculty, and this is why I wrote this sentence as a part of my reply.

Question c. Again in your e-mail to Ms. Khan dated February 27th, 2008, you stated "Can my student tell me what is this for that my student gave me again a special feeling today looking and looking without a blink? I will not tell you any more to control as things should happen in a normal way. Also to say that I do not think that this can be anything contrary to a teacher-student good relationship". Copies of these e-mails received by me from Ms. Khan are also attached to this e-mail. Can you explain what you meant by these e-mails?

Ans. (c) I noticed that after about two weeks Ms. Khan was repeating the events explained in (b). On February 27th, 08, when Ms. Khan was about to leave my office after a discussion on her grades in the assignments, I moved to my other inside chair and was changing my shoes to go home. Ms. Khan kept standing in the door and continued to look at me directly and kept smiling at me. This prompted me to write an email on the same issue but I decided to raise the issue in a non-confrontational way because I thought she would be angry if I accused her directly of staring and smiling at me in an inappropriate manner. It seemed to me that this email worked to a certain extent. She told me in a conversation in March, 08 that she knew instances where her fellow female students in her home university scored A grades because of their intimate relationships with their professors. This, along with her coming to my office for a raise in the final grade in the longitudinal course without any re-read requests [see also q. 15(3)] indicate her interest in higher marks which were not deserved based upon her work.

20. In your e-mail to Ms. Khan dated January 31st, 2008, you stated "I hope that this is not an attempt to find any excuses for recent alleged academic complaints against you." What academic complaints were made against Ms. Khan? By whom were they made? What did they relate to? Were any formal complaints lodged? What was the result?

Ans: Ms. Khan's first take home assignment for the 'multivariate' course was due on January 22, 08 (a page from course outline indicating this date is **attached** for clarity). During the week of January 14, it was brought to my attention that Ms. Khan had used the solutions for some of the problems from one of my senior graduate students, Rafiqul Chowdhury. This is unacceptable behavior in an undergraduate course and it is very serious academic misconduct in a graduate program. This naturally prompted me to investigate this matter and I found that some other students (but not all) also received such solutions from the same source. To resolve this issue, students were then asked to give seminar presentations along with the assignment submission. Since Ms. Khan and Rafiqul Chowdhury were my direct students (also came here from the same

home university, speaking same language), I was extra cautious about their conduct and warned her about consequences of any such future repetition of this behavior of using another student's solutions. I told Ms. Khan that she should consider this warning as a serious complaint even though an official complaint would not be lodged at this stage. I knew that she had just finished responding to an official complaint lodged by the Dean of Graduate Studies, so, I did not want to make her more upset than she already was over the first investigation. Ms. Khan was very upset and angry since this incident.

21. Do you have any other comments concerning or response to the written complaint filed by Ms. Khan?

Ans. In some of my answers I referred to Ms. Khan's written document.

22. Do you have any insight as to what would motivate Ms. Khan to make this complaint?

Ans: Ans: Some of the issues, which I believe, may have motivated Ms. Khan to make this complaint are as follows:

(a) In November 07 (which I came to know in December 07), the Graduate Dean lodged an official complaint against Ms. Khan for submitting alleged false referee's report to support her application for admission to the Master's program. She was nervous and started to feel that this investigation made me (as her supervisor) unhappy which might affect her future study/program here. In fact she was so nervous that she even mentioned to my colleague (Dr. Loredó-Osti, who was helping her to meet the committee) that at the same time she was also experiencing a family problem with her in-laws who were critical of her social behavior.

(b) Ms. Khan is a B student but her ambition for A's in all subjects to match other senior friends/students from her home university and her failure to do so in the first semester (where she has obtained an average of B and a low A in two courses) made her angry. In second semester she started by cheating in an assignment which lead to a warning from me, and it is likely she was upset that she had been discovered in academic misconduct and she may have worried that this discovery would adversely affect my opinion of her, and therefore jeopardize her ability to get into a doctoral program, or even finish her Master's.

(c) Ms. Khan was doing very poorly in the area of original research ideas. Even though I was not openly criticizing her for this, she likely knew that I was not enthusiastic about her research abilities and potential. These things in combination prompted her email of January 31, 08.

(d) Ms. Khan did not like the warning that was made in my January 31, 2008 email response about her physical conduct of sexual nature. She continued with the excessive eye contact and smiling even after the warning. Finally, when she came

to know her B grade in the longitudinal course on 14/15th April, 08, she was very angry and immediately filed this Complaint on 16th April.

23. Is there anything else that you think that I should know about this situation to assist me in my investigation?

Ans. I believe that I have given my answers to the point, along with submitting several direct and indirect proofs. I hope they assist you in your investigation.

Thank you for your attention to this matter, and I look forward to receiving your response.

Thank you.

Sincerely,



Brajendra Sutradhar

July 4, 08

Yours very truly,

Melanie Del Rizzo, Investigator



Memorial
University of Newfoundland

Department of Mathematics and Statistics

1

April 25, 2008

To Whom It May Concern:

This is to confirm that Dr. Brajendra Sutradhar was out of the country from November 10 to December 1, 2007.

Sincerely,

Chris Radford
Professor and Head of Department

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From bsutradh@riemann.math.mun.ca Sat Mar 29 11:03:14 2008
Date: Sat, 29 Mar 2008 11:03:13 -0230 (NDT)
From: Brajendra Sutradhar <bsutradh@riemann.math.mun.ca>
To: Israt Jahan Khan <israt@math.mun.ca>
Subject: Computational part for Project STAT 6530

Hi Israt,

I know that you told me and also told in presentation about the timing problem for running the programs and hence checking the results given in the project.

Since I also put a lot of time to see some of yours' programming work well, it is actually shame to see that at the end you was not able to produce any results for Table 1 whereas others produced the desired results indicating programs should be okay. By this token it is not safe to trust the data analysis results for Table 5.

Since one more presentation remains for Tuesday, April 1, I thought I allow some more time for you to submit only the numerical part for your presentation if you wish to do so. To be able to say the same thing that Fortran is faster than others, which is true, I would like to confirm this observation from you too. So whether you run them in weekend or Monday, it would be good to run them in the dept computer.

Once again it would be okay to submit only the numerical part showing what your programs yielded by 2pm Tuesday.

With good wishes,

Brajendra Sutradhar

From bsutradh@riemann.math.mun.ca Sun Apr 6 18:04:42 2008
Date: Sun, 6 Apr 2008 18:04:41 -0230 (NDT)
From: Brajendra Sutradhar <bsutradh@riemann.math.mun.ca>
To: Israt Jahan Khan <israt@math.mun.ca>
Subject: Re: Computational part for Project STAT 6530

Israt,
That's fine, I will see you at 12 tomorrow.

Further to my last reply to your email I should say that you gave me an impression through that mail that you were tensed with regard to your course performance. I see that it is unnecessary especially if you are happy with working with your major professor. Besides, you must realize that individual's performance is evaluated based on his/her work, which is never affected by the performance of the others. Also as I always tell that every individual is different and they have their own good capacities which is important for us to detect. So, do your own work only and keep your love in tact for fellow students/colleagues, whatever they are individually.

I am sure that you are now practicing for final with full concentration. I am also pleased with your research performance so far and am sure this will grow better and better.

Hope that it relaxes and helps. Can you send a short reply when you read it?

Sir

On Sat, 5 Apr 2008, Israt Jahan Khan wrote:

> Sir,
> 12 pm is ok. Yes, I will attend Dr. Singh's talk.

> Israt

> > Israt,

> > First let me ask about your confusion on note. When do you want to
> > see me on Monday? I will be occupied with meeting/talk from 1 to 4.
> > You are also expected in Dr. Singh's talk at 2pm. Perhaps you can
> > meet at 12. Let me know.

> > Now for your first part of the email, I am sure that you realize
> > it is written in a different style than a student writes to his/her
> > professor. I don't mind to discuss with you. Each of you were supposed
> > to submit a program for one parameter set and of course comments
> > could be passed on to for special need. Parameters -3/-1 don't
> > show any convergence problems which is known. For plus parameter,
> > convergence can be less but the GQL program has shown to have a way
> > to exclude them. Are you telling me someone submitted manipulated
> > results even after ignoring the non-convergence cases? Anyway, it
> > was not felt necessary to check running the program for all parameters
> > when I ran it for one parameter set and gave correct results.
> > I still would like to know more from you on the information you
> > are giving when you meet me next time. But don't pre-occupy your
> > time with those. Practice well for final.

Winter 2008

Take home 1 for STAT 6560

Due date of submission : January 22, 08

1. For $|\Sigma| \neq 0$, let $Y \sim N_p(\mu, \Sigma)$ so that

$$f(y) = |(2\pi)\Sigma|^{-1/2} \exp\left[-\frac{1}{2}(y - \mu)' \Sigma^{-1}(y - \mu)\right].$$

Partition Y , μ , and Σ as

$$Y = (Y_1', Y_2')', \quad \mu = (\mu_1', \mu_2')'$$

and

$$\Sigma = \begin{pmatrix} \Sigma_{11} & \Sigma_{12} \\ \Sigma_{21} & \Sigma_{22} \end{pmatrix}$$

respectively.

(a). For $|\Sigma_{22}| \neq 0$ prove that $|\Sigma| = |\Sigma_{22}| |\Sigma_{11} - \Sigma_{12} \Sigma_{22}^{-1} \Sigma_{21}|$.

(b.) For the symmetric matrix Σ and for $\Sigma_{11,2} = \Sigma_{11} - \Sigma_{12} \Sigma_{22}^{-1} \Sigma_{21}$, show that

$$\Sigma^{-1} = \begin{pmatrix} \Sigma_{11,2}^{-1} & -\Sigma_{11,2}^{-1} \Sigma_{12} \Sigma_{22}^{-1} \\ -\Sigma_{22}^{-1} \Sigma_{21} \Sigma_{11,2}^{-1} & \Sigma_{22}^{-1} \Sigma_{21} \Sigma_{11,2}^{-1} \Sigma_{12} \Sigma_{22}^{-1} + \Sigma_{22}^{-1} \end{pmatrix}$$

(c). Next verify that

$$\begin{aligned} (y - \mu)' \Sigma^{-1} (y - \mu) &= [y_1 - \mu_1 - \Sigma_{12} \Sigma_{22}^{-1} (y_2 - \mu_2)]' \\ &\quad \times \Sigma_{11,2}^{-1} [y_1 - \mu_1 - \Sigma_{12} \Sigma_{22}^{-1} (y_2 - \mu_2)] \\ &\quad + (y_2 - \mu_2)' \Sigma_{22}^{-1} (y_2 - \mu_2). \end{aligned}$$

(d). Then justify that

$$Y_2 \sim N(\mu_2, \Sigma_{22}) \text{ marginally}$$

Melanie Del Rizzo

From: Israt Jahan Khan [israt@math.mun.ca]
Sent: Sunday, June 15, 2008 11:38 PM
To: mdelfizzo@swd-law.nf.net
Subject: [Fwd: Re: appointment change after break]

----- Original Message -----
Subject: Re: appointment change after break
From: "Brajendra Sutradhar" <bsutradh@math.mun.ca>
Date: Wed, April 16, 2008 12:08 pm
To: "Israt Jahan Khan" <israt@math.mun.ca>

Israt,

You have 75 in Stat6530. It seems to me given the background/situation you have done very good in these two courses scoring 75 and 80. They are certainly the reflection of your hard work. We are pleased with your course performance. Continue doing good work for the remaining two courses. You have to put however more emphasis now on research. Finish your check up and see me when you are ready. I have given you already your appointments.

Sir

On Wed, 16 Apr 2008, Israt Jahan Khan wrote:

> Sir,
> Hi. would you please let me know the score of the other course(stat
> 6530). I really worked hard to do well in these two courses.i had to
> take leave coz I have to do few check up with doctor.
>
>

> Thanking you

> Sincerely,
> Israt

>> Israt,

>> You have 80 in Multivariate course.

>> Also, I have to change the date for your appointment after this break.
>> You will see me at 11 Wednesday for your weekly appointment. I am
>> also keeping Monday 2pm slot free for you in case you will have
>> something to discuss.
>>

>> Enjoy the break.

>>> Sir

> Israt Jahan Khan
> Department of Mathematics & Statistics
> Memorial University of Newfoundland
> St. John's, NL, A1C5S7, Canada

> Phone: 709-722 5877 (Home)
> 709-737 8982
>

Israt Jahan Khan
Department of Mathematics & Statistics
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709-737 8982

Melanie Del Rizzo

From: Israt Jahan Khan [israt@math.mun.ca]
Sent: Sunday, June 15, 2008 11:36 PM
To: mdelrizzo@swd-law.nf.net
Subject: [Fwd: Re: your mail]

----- Original Message -----

Subject: Re: your mail
From: "Brajendra Sutradhar" <bsutradh@math.mun.ca>
Date: Thu, January 31, 2008 8:47 am
To: "Israt Jahan Khan" <israt@math.mun.ca>

Hello Israt,

This is a strange and unexpected email from you. I hope that this is not an attempt to find any excuses for recent alleged academic complaints against you. I am glad to know that you place me high as teacher and parent but your style and behavior from the very beginning definitely would make a careful man also very weak sensually. My advice to you is that: please control yourself from looking at your teacher unnecessary without any blinks eye to eye, smiling like a student only, so that a teacher can have only student-teacher relationship feelings. Thanks God now some circumstance is created that I have to be back to my position mentally from thinking otherwise. Also you must be knowing that I didnot have any relationship grown with you to consider any touching or patting emotional.

Anyway, thank you for this email with whatever background which will save me from any thinking for any future emotional relationship that sometimes can grow between two married persons, on top of their workplace relationship.

For academic environment, I donot think that you can have a better environment anywhere than here. The personal relationship has nothing to blame the environment. Personnally all we have to be clean. By the way, I do not take your comments seriously when you say what you do you are doing as a muslim girl. To me there is no such things that righteousness can be different for different religion based people. God is one, all mankind has His divinity flowing in them. So, for me what happens or happened not because of any religions but because of your actions.

Anyway, in summary, I am sure that you will have a good stay here in the dept for whatever times you are destined to work with me. I wish you very best.

Sir.

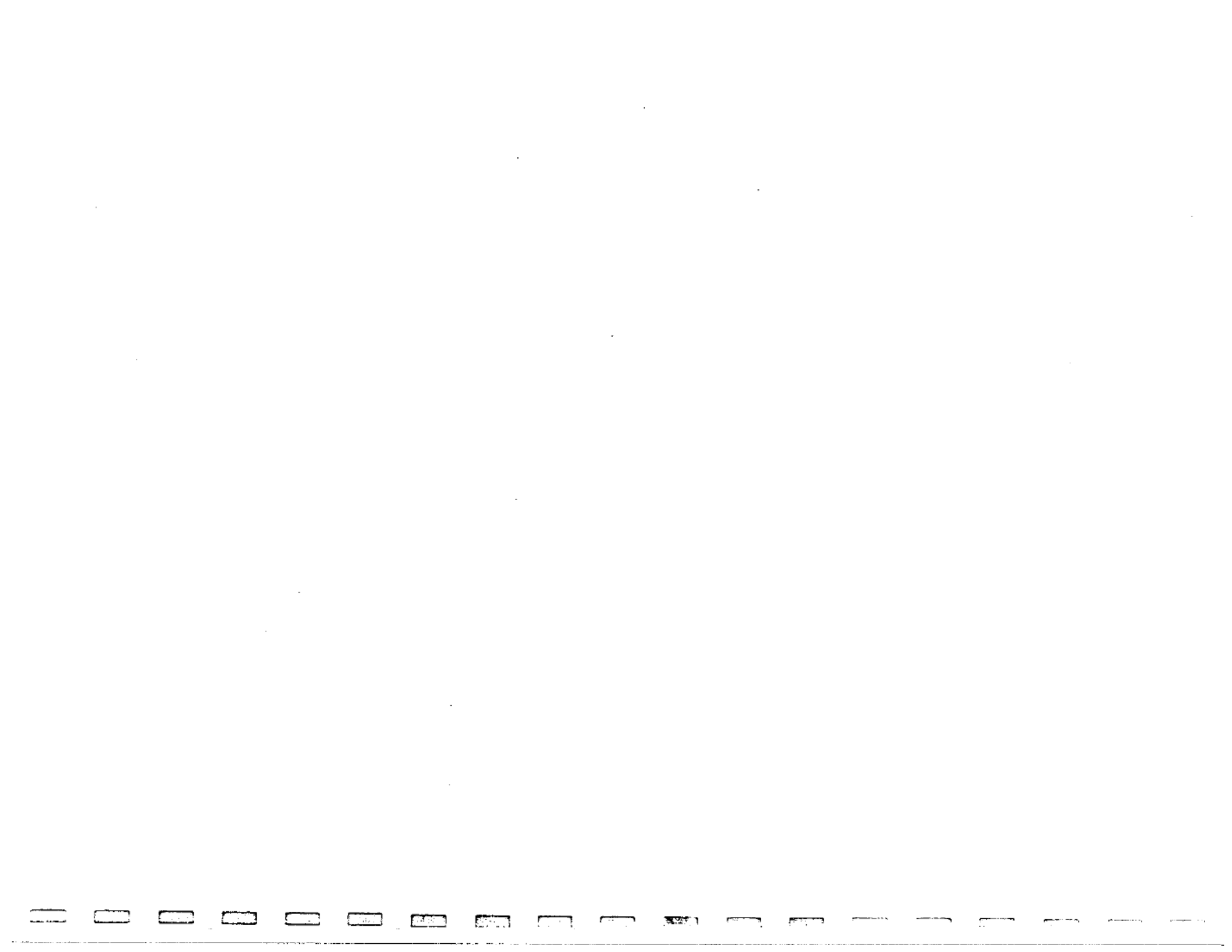
On Thu, 31 Jan 2008, Israt Jahan Khan wrote:

> Sir,
> Hello. I came to Canada to study and stay with my husband. In our
> religion the teachers are like parents. So, I not only treat you as my
> teacher but also like my father. Being a girl from a muslim family I am
> very conservative. The unnecessary touching or patting by you is
> uncomfortable for me. I am being really upset with the matter.
>
> I consider myself lucky to work with a great teacher. So its my
> earnest request to give me scope to carry on with my study in a
> pleasant environment.

> Thanks

> Sincerely
> Israt Jahan Khan
> Department of Mathematics & Statistics
> Memorial University of Newfoundland
> St. John's, NL, A1C5S7, Canada
> >
> >
> >
> >

Israt Jahan Khan
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Phone: 709-722 5877 (Home)
709-737 8982



Melanie Del Rizzo

From: Israt Jahan Khan [israt@math.mun.ca]
Sent: Sunday, June 15, 2008 11:36 PM
To: mdelrizzo@swd-law.nf.net
Subject: [Fwd: Re: Meeting]

----- Original Message -----

Subject: Re: Meeting
From: "Brajendra Sutradhar" <bsutradh@math.mun.ca>
Date: Wed, February 27, 2008 10:26 pm
To: "Israt Jahan Khan" <israt@math.mun.ca>

D. Ishrat,
I thought I write you a sentence. Can my student tell me what is this for that my student gave me again a special feeling today looking and looking without a blink? I will not tell you any more to control as things should happen in a normal way. Also to say that I do not think that this can be anything contrary to teacher-student good relationship.

Sir

On Fri, 22 Feb 2008, Israt Jahan Khan wrote:

> Sir,
> Would you please postpone today's meeting sometime next week coz I
> have been suffering from fever.
> Thanks
>
> Sincerely,
> Israt Jahan Khan
> Department of Mathematics & Statistics
> Memorial University of Newfoundland
> St. John's, NL, A1C5S7, Canada
> Phone: 709-722 5877 (Home)
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>

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Melanie Del Rizzo

From: Israt Jahan Khan [israt@math.mun.ca]
Sent: Sunday, June 15, 2008 11:49 PM
To: mdelrizzo@swd-law.nf.net
Subject: [Fwd: RE:]

----- Original Message -----
Subject: RE:
From: "Morris, Catherine" <cbmorris@mun.ca>
Date: Mon, October 29, 2007 11:24 am
To: israt@math.mun.ca

Dear Israt:
I am not familiar with a "post of a representative" here at the sexual harassment office.
Could you please provide more detail.

Cathy Morris

Cathy Morris, BEd, BSW, RSW
Sexual Harassment Advisor
Room UC-3000, University Centre
Memorial University of Newfoundland
St. John's, NL. A1C 5S7
(709) 737-2015

E-mail: cbmorris@mun.ca

-----Original Message-----

From: israt@math.mun.ca [mailto:israt@math.mun.ca]
Sent: Monday, October 29, 2007 6:04 AM
To: Morris, Catherine
Subject: Re:

Dear Catherine,
I am interested for the post of a representative or the post is available now in Sh
department.

Regards.
israt Khan

> What "post" are you referring too?
>
> Cathy Morris
> -----
> Sent from my BlackBerry Wireless Device
>
>

> ----- Original Message -----
> **From:** israt@math.mun.ca <israt@math.mun.ca>
> **To:** Morris, Catherine
> **Sent:** Sat Oct 27 16:07:45 2007
> **Subject:**

> Dear Cathy,
> I am a graduate students in statistics. I have interest for this post.
>
> Thank you.
>
>

> Israt Khan

Israt Jahan Khan
Department of Mathematics & Statistics
Memorial University of Newfoundland
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