



**DIVISION OF HUMAN RESOURCES  
OFFICE OF COMPLIANCE, EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION**

---

**To:** Dr. Jane Dressler, Interim Director, School of Music

**From:** Melissa Dinsio <sup>MD</sup>, Compliance Investigator  
Office of Compliance, Equal Opportunity and Affirmative Action (EOAA)

**Date:** June 21, 2019

**Subject:** Office of Compliance, EOAA Investigation Summary Report:  
Ms. Molly Ross, Complainant vs Dr. Jesse Leyva, Respondent

---

**Allegations:**

On March 21, 2019, Ms. Molly Ross, student, filed a complaint with the Office of Compliance, Equal Opportunity and Affirmative Action alleging that Dr. Jesse Leyva, Associate Professor, School of Music, retaliated against her due to her association with Ms. Lauren Eckersley, student, who filed a sexual harassment complaint against Dr. Leyva on March 12, 2019. Specifically, she believes that Dr. Leyva created Instagram posts intended to intimidate her. Ms. Ross believes that these behaviors are in violation of university policy 5-16 (E) (3) regarding retaliation.

**Scope of investigation:**

- Reviewed the complaint filed by Ms. Ross on March 12, 2019
- Provided the interim measure of a different supervisor for Ms. Ross in the band office on April 18, 2019
- Interviewed Ms. Molly Ross, student, on March 18, 2019 and April 22, 2019
- Interviewed Ms. Eckersley on March 12, 2019, March 18, 2019, March 21, 2019, April 22, 2019 and May 28, 2019
- Interviewed Mr. Michael Greene on March 18, 2019 and April 22, 2019
- Interviewed Dr. Leyva on April 15, 2019, April 23, 2019, and June 13, 2019
- Interviewed Dr. Jane Dressler, Interim Director, School of Music, on April 17, 2019
- Reviewed a statement of response from Dr. Leyva on April 18, 2019
- Interviewed Ms. Taylor Thomas, student, on April 22, 2019 and April 23, 2019
- Interviewed Ms. Maggie Slechts, student, on April 24, 2019
- Interviewed Ms. Alana Weber, former student, on April 25, 2019
- Interviewed Dr. John Franklin, former Professor, School of Music, on April 24, 2019
- Interviewed Dr. Jamie Lipton, non-affiliate, on April 26, 2019
- Interviewed Ms. Mary Kate McNally, former student, on May 1, 2019
- Interviewed Ms. Noa Even, Assistant Professor, School of Music, on May 13, 2019

Molly Ross, Complainant vs. Jesse Leyva, Respondent

- Interviewed Dr. Ralph Lorenz, former Director, School of Music, on May 13, 2019
- Interviewed Mr. Bobby Selvaggio, Assistant Professor, School of Music, on May 14, 2019
- Interviewed Mr. Tim Culver, Associate Professor, School of Music, on May 14, 2019
- Interviewed Ms. Danna Sundet, Associate Professor, School of Music, on May 17, 2019
- Interviewed Ms. Elizabeth Root, Instructor, School of Music, on May 17, 2019
- Interviewed Dr. Andrew Shahriari, Associate Professor, School of Music, on May 20, 2019
- Interviewed Ms. Sarah Kois, student, School of Music, on May 20, 2019
- Interviewed Ms. Christina Shahriari, former student, on May 23, 2019
- Interviewed Ms. Mary Linger, Sr. Manager, Academic Budget, College of the Arts, on May 23, 2019 and May 29, 2019
- Reviewed a police report filed by Ms. Eckersley on May 28, 2019
- Interviewed Ms. Janine Tiffe, Assistant Professor, School of Music, on June 3, 2019
- Interviewed Dr. Athena Salaba, Associate Professor, School of Information, on June 4, 2019

#### **Investigative Review:**

On March 12, 2019, Ms. Ross, a student who worked in the band office and was supervised by Dr. Leyva, filed a formal complaint with the Office of Compliance, EOAA alleging that Dr. Leyva retaliated against her for her association with Ms. Eckersley, who filed a sexual harassment complaint against Dr. Leyva on March 12, 2019. She stated that on March 13, 2019 at approximately 1:00 a.m., Dr. Leyva posted on his Instagram a meme with the saying, “When poisonous people come disguised as friends & family,” and with the caption, “I see you MLMJ\_\_.” Ms. Ross believes that the capital letters in the captions of the posts are the initials of her, Ms. Eckersley, Mr. Greene and Dr. Franklin. Immediately after posting that meme, Dr. Leyva posted a second Instagram meme saying, “The worst kind of hurt is betrayal, because it means someone was willing to hurt you just to make themselves [sic] feel better,” with the caption, “MRLEMG.”

Ms. Ross explained that there was a controversy at that time in the School of Music regarding the non-renewal of Dr. Franklin’s contract and the role that Dr. Leyva played in the decision not to renew that contract. She further explained that she, Ms. Eckersley and Mr. Greene are very close friends and that they had been some of the few vocal and ardent supporters of Dr. Franklin. She also stated that Mr. Greene was with Ms. Eckersley when she filed her sexual harassment complaint, and that while they were filing the complaint, another student, Ms. Slechta, called Mr. Greene. Mr. Greene told Ms. Slechta that Ms. Eckersley was filing a complaint against Dr. Leyva. Ms. Ross believes that Ms. Slechta told others in the School of Music about the complaint, rumors started about the complaint, and those rumors quickly got back to Dr. Leyva. Accordingly, Ms. Ross alleged that the capital letters in the captions of Dr. Leyva’s Instagram posts mean “Michael, Lauren, Molly, John” and “Molly Ross, Lauren Eckersley, Michael Greene,” respectively.

Ms. Ross, Ms. Eckersley and Mr. Green provided the relevant Instagram posts to the Office of Compliance, EOAA.

Dr. Leyva was interviewed on three occasions and he denied retaliating against Ms. Ross. He admitted that he made the Instagram posts and that the capital letters in the captions of the posts were initials of people by whom he felt betrayed. However, he denied that the initials were those of Ms. Ross, Ms. Eckersley, Mr. Green, Dr. Franklin, or anyone else associated with Kent State University. Dr. Leyva explained that the initials in the caption under the first post represented Mandy, a romantic interest; Leyvas, his father’s side of the family; Monica, a romantic interest; and

Jesse, his father. Additionally, Dr. Leyva explained that the initials in the second Instagram post represented Mandy; Rob, a former colleague and supervisor; Leyvas; Ed, a mentor; Monica; and Gary, a mentor.

Dr. Leyva further explained that he had seen Mandy's Facebook feed and realized she only wanted to sell him vitamins; he has had irregular contact with his father's family and he wants to make amends for that; Monica had rejected him; he has not had any contact with his father and he wants to mend that relationship; he feels Rob lied to him about a professional opportunity; and he feels that Ed and Gary did not give him good professional advice. He stated that in the late evening of March 12, 2019 and the early morning of March 13, 2019, he felt the need to express his "failure, betrayal, and sadness," while "referencing those involved." He said that it was coincidental that the initials were those of the students involved in the filing of Ms. Eckersley's complaint and that the initials in the second post were aligned in the order of those students' first and last names.

Moreover, Dr. Leyva stated that at the time he made the Instagram posts, he did not know Ms. Eckersley had filed a complaint against him. He admitted that he knew there was "drama" in the School of Music and he assumed the "drama" was regarding the non-renewal of Dr. Franklin's contract.

Ms. Eckersley was interviewed on four occasions and stated that Mr. Greene was with her on March 12, 2019 when she filed her sexual harassment complaint against Dr. Leyva. She stated that while they were in Williamson House delivering the complaint, Ms. Slechta called Mr. Greene. She further stated that she gave Mr. Greene permission to tell Ms. Slechta that she was filing a sexual harassment complaint against Dr. Leyva.

Mr. Greene stated that he was with Ms. Eckersley when she filed her sexual harassment complaint. He also stated that Ms. Slechta called him while they were at Williamson House and he told her that Ms. Eckersley was filing a complaint against Dr. Leyva.

Ms. Slechta stated that Mr. Greene did tell her on March 12, 2019 that Ms. Eckersley was filing a sexual harassment complaint against Dr. Leyva and that she discussed the complaint with others in the School of Music that day. Additionally, she said that Ms. Ross, Ms. Eckersley and Mr. Greene are "tight-knit friends" and that all three "are always mentioned together in rumors" about Dr. Franklin.

Ms. Thomas, a member of the Wind Ensemble, stated that on March 12, 2019, "everyone" in the School of Music knew that Ms. Eckersley had filed "something" against Dr. Leyva, but she thought it was a criminal charge with the police. She also said that people in the School of Music were asking each other on March 12, 2019, "Are you on Leyva's side?"

None of the witnesses interviewed said that they ever heard Dr. Leyva mention the sexual harassment complaint, and none of the witnesses provided additional relevant information.

**Applicable Policies:**

University policy 5-16 (E) (3) states:

Retaliation against persons who file complaints or cooperate with the investigation of a complaint of discrimination or harassment is a violation of this policy as well as the law, and

is strictly prohibited. Overt or covert acts of reprisal, interference, restraint, penalty or intimidation against any person for exercising rights under this policy will be subject to appropriate and prompt disciplinary and remedial action.

**Findings:**

After thorough review and careful consideration, the Office of Compliance, EOAA finds that Dr. Leyva did retaliate against Ms. Ross by making the referenced Instagram posts.

Although Dr. Leyva has denied that the Instagram posts were about the students involved in the filing of Ms. Eckersley's sexual harassment complaint, the timing of the posts merely hours after Ms. Eckersley filed her complaint, in conjunction with the involved students' initials in the posts and the alignment of the students' initials in the order of their first and last names, is too coincidental to be plausible. Additionally, the pervasive rumors of the filing of Ms. Eckersley's complaint indicate that Dr. Leyva likely knew of the complaint when he made the Instagram posts. Accordingly, this office finds by a preponderance of the evidence that Dr. Leyva violated university policy 5-16 (E)(3).

**Recommendations:**

The recommendations of this office are as follows:

1. Dr. Leyva will be suspended for 30 days without pay; and
2. Dr. Leyva will participate in and successfully complete either facilitator-led or online training offered by the Division of Human Resources Training and Development Department and the Division of Diversity, Equity and Inclusion. The trainings will include:
  - a. Ethics and Code of Conduct
  - b. Prevent Bullying in the Workplace
  - c. Microaggressions

Dr. Leyva must complete these trainings before July 31, 2020. Contact Renee Romine in the Division of Human Resources at [mromine@kent.edu](mailto:mromine@kent.edu) or 330-672-0898, and Natasha Curtis in the Division of Diversity, Equity and Inclusion at [ncurtis1@kent.edu](mailto:ncurtis1@kent.edu) or 330-672-2442.

This concludes the investigation by the Office of Compliance, Equal Opportunity and Affirmative Action. For questions, please contact this office at [aa\\_eeo@kent.edu](mailto:aa_eeo@kent.edu) or 330-672-2038.

CC: Todd Diacon, Provost  
Sue Averill, Associate Provost  
F. Jack Witt, Vice President, Division of Human Resources  
David Ochmann, Associate Vice President and Deputy General Counsel, Office of General Counsel  
Bonita Prewitt, Gender Equity Director and Title IX Coordinator, Office of Compliance, EOAA  
Molly Ross, Complainant and Student  
Jesse Leyva, Respondent and Associate Professor, School of Music