

## **Sexual harassment hearing creates questions of responsibility**

*Handling of 1988 case raises concerns among those involved, community members*

**By Paul Gould and Wendy Bagwell**

In the course of a two-month investigation. The Campus has gathered certain details of an October 1988 sexual harassment hearing that involved the long term director of the Bread Loaf School of English. The hearing resulted in the abrupt retirement of the school's director, Paul Cubeta.

The Campus has corroborated the following facts:

- During late October and early November of 1988, four young men, who were students of Paul Cubeta at Middlebury College and assistants to him at Bread Loaf, appeared before the Committee on Reappointment to state grievances addressing alleged incidents of sexual harassment initiated by Mr. Cubeta.
- According to Mr. Cubeta and others involved, no verdict was delivered concerning the charges. Shortly after the hearing, Mr. Cubeta announced his retirement as the director of the Bread Loaf School of English, effective January 1, 1989. However, he accepted another position on the Bread Loaf administration as director for development Effective July 1, 1989, Mr. Cubeta ended more than twenty-five years of

service to Middlebury College by resigning his professorship.

The Middlebury College administration has refused to comment on any circumstances surrounding the hearing. College officials cited a principle of upholding confidentiality in matters concerning individual members of the college community.

“It's difficult because when one looks at sectors like confidentiality in particular cases, one sometimes finds

it hard to understand why the larger principle is applied, or even what principle is at stake,” said Middlebury College Provost John McCardell. “And yet a violation of principle even at the outposts makes the core sooner or later vulnerable.”

When asked whether such a principle of confidentiality could be harmful when the situation affects parties other than the individual in question, McCardell said, “In the end you simply have to rely on your own judgment. That judgment is fallible precisely because it is human.”

Most members of the Middlebury and Bread Loaf communities have refused to comment for attribution. However, some people intimate with the proceedings agreed to comment under the condition of anonymity.

One of the students who aired grievances at the hearing said he believes that the college has handled the situation badly. “Obviously, the outcome of the hearing was a farce

because nothing really happened, he said. "They retired him as Director of Bread Loaf. He shouldn't have been the Director of Bread Loaf for quite a while."

In addition to directing the Bread Loaf School of English, Mr. Cubeta was a College Professor of Humanities until his retirement. Beginning in 1967 he held various administrative positions, including dean of the faculty, and vice president for academic affairs. Bread Loaf offers one of the most prestigious graduate degrees in English, largely due to the work of Mr. Cubeta. The majority of his former colleagues and students agree that Mr. Cubeta's contributions to the academic community at Middlebury College were

invaluable, and that his scholarship in English literature, specifically Shakespeare, is unparalleled in his field.

One faculty member said Mr. Cubeta's departure was "a shock, like a death. There was a lot of feeling for an outstanding professional career that was just—terminated."

### **Outcome of Hearing Remains Unclear**

While participants in the hearing agree that the college did not deliver a verdict at the conclusion of the hearing, there are mixed views of what the hearing ultimately achieved.

One faculty member believed that considering the seriousness of the hearing, the results were inappropriate. Referring to the fact that Mr. Cubeta retired with a full

pension and remained on the Bread Loaf staff, he said "Cubeta should have been given a booby trap and instead he got a consolation prize- it exposes the kind of old-boy corruption of an institution such as this."

One student who claims to have been harassed by Mr. Cubeta and who testified at the hearing, believed the proceedings to be a success, despite the time that had lapsed since his encounter with Mr. Cubeta. He cited Mr. Cubeta's retirement as the most effective way to deal with the situation.

"It wasn't until years after the incident that I found out that there were others involved," the student said. "Under the circumstances, I think the college handled it extremely well. After the first accusation. they moved on it quickly."

Another student who testified, however, is skeptical about the outcome of the hearing. "I'm still uncertain as to what the results of the

hearing were," he said, "in that I never knew what happened to Paul Cubeta, and I was entitled to know that. The only thing I found out that happened to Paul Cubeta was that he was reappointed to a new position and given some sort of pension."

And according to Mr. Cubeta, that is exactly what happened. In an interview this week, Mr. Cubeta asserted that the absence of a verdict at the close of the hearing was clear proof of his acquittal on all charges.

"Clearly to me," Mr. Cubeta

said, “the fact that there wasn’t an outcome is an indication that the council did not find me guilty.”

Further, Mr. Cubeta emphasized that his retirement was not related to the hearing, but was the result of other factors. He cited stress and the desire to engage in other professional activities, including working at the Folger Library in Washington, D.C. as reasons that moved him to opt for the college’s early retirement plan.

“I had been planning for some time, for personal and professional reasons, on retiring a year early,” Mr. Cubeta said.

### **Handling of the situation**

College President Olin Robison was out of town when The Campus tried to reach him for comment this week, but Director of Public Affairs Ron Neif was confident that Mr. Robison would not be likely to comment

“The policy of yesterday is the same as the policy as today,” Neif said, “That is, on personal matters, the college will not comment”

While highly-placed college officials maintained their administrative vow of silence, others in the Bread Loaf and Middlebury communities chose to address Mr.

Cubeta’s departure. Janies Maddox, who replaced Mr. Cubeta as the director of the School of English, confronted the questions which surrounded Mr. Cubeta’s retirement in

his opening night speech to students last summer.

“Regrettably,” Mr. Maddox stated, “Paul left the directorship in the aftermath of events that were very painful to some members of the Bread Loaf community.” He continued, “I bring this matter up instead of silently passing over it, in order to express my own and the School’s concern and respect for those people.”

Mr. Maddox invited any “dismayed or distressed” member of the community to individually meet with him.

Similarly, Chairman of the Middlebury English Department Edward A. Martin spoke of the situation in a letter sent to English majors on Tuesday.

“Since interest in [Mr. Cubeta’s] resignation has become so widespread,” Mr. Martin wrote. “I want to address the issue of information about this matter.” He said that his feelings about the rights to privacy of all those involved prevented him from explaining the circumstances any further. He did add, however, that English majors, “as readers of literature would sense and comprehend perhaps better than others” the tragedy of “what has happened.” Like Mr. Maddox, Mr. Martin offered to speak to students with questions privately.

The shrouded treatment of Mr. Cubeta's retirement has affected others as well.

Administrative Director of  
Bread Loaf Huth Covie said he re-  
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sented “being kept in the dark by the  
[Middlebury] administration as to the  
official word on Paul’s retirement  
and what was going on.”

“Bread Loaf is a community-  
oriented place and the whole com-  
munity was affected in one way or  
another,” Mr. Coyle said. In dis-  
cussing Mr. Maddox’s remarks, he  
said “In terms of the college I would  
hope that those lines of communica-  
tion would be open as well.”

While the administration at-  
tempted to keep the hearing and its  
implications quiet in order to protect  
those involved, in a least one case,  
the endeavor proved ineffectual.

Said one of the four students  
who testified, “I trusted in the  
administration of Middlebury Col-  
lege, and I guess I’m naive. I trust  
and I respect and I felt like the  
Committee on Reappointment was  
going to take care of the situation. I  
felt a little humiliated by Olin Robi-  
son when I spoke to him asking to  
know what the outcome of the hear-  
ing was.”

The student added, “I still don’t  
know, other than personal satisfac-  
tion, if coming forward did any  
good.”

He expressed his dissatisfaction  
with the college’s sole offer to sup-  
ply him with ten hours of counseling  
at “the psychiatrist or therapist of my

choice.”

“I thought it was really ridiculous. I wrote a letter to Olin Robison saying that you can give my ten hours to Paul Cubeta.”

### **‘Devastating’ Consequences**

College Chaplain John Walsh said of the case “the first thing I asked Old Chapel was what they were doing for the individuals. I wanted to make sure they had all the support they wanted or needed.”

“Sexual harassment,” he said, “as the result of an experience with a faculty member can be devastating in a person’s life. That’s why we need to reach out aggressively to any individual who has been the victim.”

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Indeed, one of the allegedly harassed students said, “[Mr. Cubeta’s] authority and power put us in a vulnerable situation and did not leave us with very much choice of getting out.”

“How do you reach a faculty member prone to sexual harassment,” Chaplain Walsh asked, and then answered, “I don’t know.”

The sexual harassment hearing that involved a long-time college figure and four students ended a year ago this week. And it seems as though the Middlebury College administration considers this painful chapter in the institution’s history finished. Mr. Cubeta, having moved



to Washington, D.C. is “doing some consulting,” and plans to resume teaching Shakespeare at a junior college sometime in the future.

And the students whom The Campus interviewed have moved on.

As one person affected said, “What happened to us was real and we were asked to deny it for many, many years. And some of us did! Coming forward was not the most easy thing, but it was the right thing to do, and I don’t think that Paul should have ever remained in the position he remained in for as long as he did.”

Reflecting on the experience, another student expressed similar opinions.

“A lot of good came out of it. A lot of good about Bread Loaf in general. I met a bunch of fantastic people because of this thing. I learned a lot about human nature in ways,” he said, “I learned a lot about myself.”

“There is a bright side to all of this—it’s not all very sinister. In some roundabout way I benefited from the experience,” he added, “I don’t know if the college has.”