

University of Washington

Report of the Adjudication Panel, 2013-14

The Adjudication Panel had a fairly busy year July 1, 2013-June 30, 2014.

Five petitions were filed during this reporting period, and four of those closed; but ongoing cases from the last reporting period continued to occupy us.

New Petitions

In one petition, a faculty member alleged violations of university rules that culminated in a “non-meritorious” merit review letter. The faculty member also alleged disability discrimination, unethical business practices, violation of university rules relating to alcohol consumption on campus, and various forms of disrespect and retaliatory conduct. After the response, the chair concluded that the petition was timely and proper and that the petition needed to proceed as a comprehensive adjudication. A full (five person) hearing panel and hearing officer were appointed. The dispute was later settled before the hearing panel rendered a decision.

In a second petition, a whole department alleged discrimination and unfairness in a decision to relocate the department to a different building. After a response was filed, the chair concluded that the matter was untimely and dismissed the matter without prejudice against the filing of an amended petition that might allege that it would be “grossly unjust” to deny the petitioners an opportunity to have the matter adjudicated, notwithstanding the passage of time. Fac. Code § 28-35.D. Such an amended petition was filed and the chair referred the matter to a special committee of three panel members, as required by that section. The special committee concluded that it would be grossly unjust to dismiss the matter as untimely and so the chair concluded the matter needed to proceed as a comprehensive adjudication. A full hearing panel and hearing were appointed. The matter was still under consideration by the Hearing Panel at the end of the reporting period.

A third, fourth and fifth petition were filed during this reporting period by a faculty member who was the respondent in a petition filed during the prior reporting period. These petitions will be covered in the next section.

Old Petitions Closed During Period

One petition filed in the prior reporting period, in which a faculty member alleged that a disciplinary action taken by a dean was unfair, resulted in a panel decision adverse to the petitioner. This matter was appealed to the President who upheld the panel.

Another petition filed in the prior reporting period, alleging improprieties in a denial of promotion, was withdrawn.

A third petition that was filed during the prior reporting period by the Provost, seeking the removal of a faculty member, resulted in a petition during the current reporting period against the head of the faculty member's unit. After the Chair dismissed this new petition as untimely, the faculty member filed a petition against the Chair of the Adjudication Panel alleging bias and other improprieties. The Chair recused himself from any further decision making responsibility as to matters relating to this faculty member and responded to the petition against himself. The faculty member also filed a counter-petition against the Provost. An Acting Chair was appointed to preside over matters relating to the faculty member in question. All these petitions were settled before the Acting Chair rendered a decision on any of the pending matters relating to this faculty member.*

Old Petitions Still Open at End of Period

One petition filed in the prior reporting period, alleging that another faculty member, a superior, had harassed the petitioner and had misappropriated the petitioner's ideas and data, remained in adjudication and open at the end of the reporting period.

Respectfully Submitted by Adjudication Panel Chair

Thomas R. Andrews, Professor, Law

**Paragraph edited and approved by the Acting Adjudication Panel Chair*

Gail Stygall, Professor, English