

**University of Washington**

**Report of the Adjudication Panel, 2011-12**

The Adjudication Panel again had a fairly quiet year July 1, 2011-June 30, 2012.

There was only one petition for adjudication filed during this reporting year, and it related to an adjudication petition filed in the prior reporting period.

In the prior reporting period (2010-11) petitioner had filed a petition alleging faculty code violations in the denial of promotion and tenure. Then in this reporting period (2011-12), the same petitioner filed a second petition. For clarity, it will be helpful to divide the proceedings relative to this petitioner into two portions: (a) Reconsideration of promotion and tenure and (b) Order for economic relief.

(a) The Reconsideration Decision. The hearing panel in the prior case had ordered that the promotion and tenure decision be reconsidered. After an unsuccessful attempt at mediation, the promotion and tenure decision was reconsidered in the summer of 2011 and again promotion and tenure were denied. Petitioner appealed to the President who refused to reconsider the denial. Petitioner then filed a second petition in this reporting year alleging improprieties in the reconsideration and alleging that the Hearing Panel's mandate had not been followed. I determined that this petition was timely and proper and sent it to the original hearing panel for adjudication. The original hearing panel concluded that the reconsideration of promotion and tenure had been proper and the President affirmed this determination on appeal.

(b) Order for economic relief. But the first petition of this faculty member, filed in the prior period, was still active during this reporting period because the hearing panel had ordered the administration to provide financial relief to the petitioner on the basis of the first petition. The administration had appealed this portion of the hearing panel's order to the President and the President remanded this economic relief decision to the hearing panel for reconsideration. On remand, the hearing panel reaffirmed its economic relief order. The respondents again appealed to the President, who overturned the economic relief order after concluding that the evidence petitioner presented did not justify the relief ordered. Relevant to the President's conclusion were collateral proceedings by the petitioner in federal court where the quality of petitioner's evidence had been called into question.

*Respectfully Submitted by Adjudication Panel Chair*

*Thomas R. Andrews, Professor, Law*