

From: "jeffrey E." <jeevacation@gmail.com>
To: Lawrence Krauss <[REDACTED]>
Subject: Re: Appeal, OEI, and Conciliation Process
Date: Tue, 04 Sep 2018 16:44:14 +0000

Thanx mark , but who is the plaintiff in my case

On Tue, Sep 4, 2018 at 11:49 AM Lawrence Krauss <[REDACTED]> wrote:
FYI

Item 6 is bullshit of course. OEI did an investigation first time around. Nothing was different as far as I can see. Similar memo. Only difference was verdict. And mark wrote to me referring to it as an investigation I believe. I will check.

Lawrence M. Krauss

Professor

School of Earth & Space Exploration and Physics Department
Arizona State University, P.O. Box 871404, Tempe, AZ 85287-1404
Research Office [REDACTED]
Assistant (Jessica): [REDACTED]
[REDACTED]

| twitter.com/lkrauss1 | krauss.faculty.asu.edu

Sent from my iPhone

Begin forwarded message:

From: Mark Searle <[REDACTED]>
Date: September 4, 2018 at 7:17:37 AM PDT
To: Lawrence Krauss <[REDACTED]>, Deborah Clarke <[REDACTED]>
Cc: Lawrence Krauss <[REDACTED]>
Subject: RE: Appeal, OEI, and Conciliation Process

Lawrence,

This is a partial response to your email below. I have forwarded your note to Dean Patrick Kenney with the request that he respond to Question 5 below.

1. The dean selects a faculty member to serve on the conciliation committee as does the president of the university senate. The faculty member selected by the president of the academic senate serves as the chair of the conciliation committee.
2. The conciliation committee submits a brief 1 to 2 page report to the President and it is the President's decision whether to accept the committee's recommendation. The President will issue a letter to the committee members outlining their responsibility and the parties will be copied on the letter.

3. Thank you for providing your nominee for the Committee.
4. The President's Office will alert the committee chair to your prior commitment so that it can be taken into consideration when meetings are being scheduled.
5. As noted above, I have requested the dean to respond directly to you.
6. With respect to your request below and your email communications of August 29 and 30, 2018, the University will not re-open the OEI investigation. OEI completed its investigation and submitted its reports to me and I have rendered my determinations. The process under ACD 401 is completed. The dean has now acted on the outcome of that process by initiating a new administrative process. The items that you have raised in your recent correspondence can be considered in the conciliation process and, if necessary, in the administrative hearing on the recommendation of dismissal. Your characterization that this request is no different from when OEI re-opened its review of the Australia Skeptics Convention allegation is not accurate. As to Dr. Thomson's initial complaint, OEI conducted an initial inquiry, not an investigation. I did not render a determination. Rather, OEI concluded that there was "not sufficient credible evidence to support a full investigation regarding a potential violation of ACD 401: Prohibition Against Discrimination, Harassment or Retaliation."

Mark S. Searle, Ph.D.

Executive Vice President & University Provost

and

Professor, School of Community Resources & Development

Arizona State University

Fulton Center, Suite 420

Tempe, AZ

Ph: [REDACTED]

From: Lawrence Krauss [REDACTED] **On Behalf Of** Lawrence Krauss

Sent: Friday, August 31, 2018 11:14 AM

To: Michael Crow <[REDACTED]>; Mark Searle <[REDACTED]>; Deborah Clarke

Cc: Lawrence Krauss <[REDACTED]>

Subject: Appeal, OEI, and Conciliation Process

TO: Michael Crow, President

Mark Searle, Provost

Deborah Clarke, Associate Provost

Many thanks for your letter. I have several questions regarding the appeal process and conciliation committee process.

1. First, when you say "each party", who is the other party who will select a faculty member?
2. Can the conciliation committee recommend the dismissal recommendation be revoked and I be reinstated? In this regard, how broad and binding are their recommendations?
3. I have selected Prof. Kimberley Marshall as my nominee for the Committee. She is willing to serve, and understands the requirements. I have not discussed the case with her. I will also call Elizabeth King in your office with this information.
4. I will be lecturing in Mexico Sept 10-12 so I would appreciate an alternative date for any meetings.
5. I am currently on paid leave, and I live in Portland Oregon and commute to ASU. I was informed by the Dean that this is not a disciplinary procedure and that I could come in to the office to get materials and this should not interfere with my work. However, all of my ASU accts have been frozen since March, so that I have had to pay out of my own pocket for things like web maintenance, materials and supplies etc, and also had to pay out of my own pocket to fly down on two different occasions to meet with the OEI investigators. I would like to ask if my research accounts can be unfrozen so that I might be able to access them for my research materials, and also use the account that was set up to allow my travel to ASU in order to purchase air tickets to meet the committee whenever such a meeting is scheduled. (I submitted a similar request about this earlier but never heard back at the time.)
6. New evidence relevant to the OEI investigation has arisen. Some of this was contained in my appeal letter to President Crow. There is new evidence relevant to the allegation regarding Melbourne Australia. I am including the emails I sent to OEI in this regard with this letter. I would hope that OEI will revise their determination based on this new information. If they do, will this affect the process? Either way, would it be appropriate to include these emails to OEI along with my appeal letter for the Conciliation Committee?

Thanks for your attention to these questions.

Lawrence Krauss

I will attach the two recent emails to OEI..

Lawrence M. Krauss
Professor

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Arizona State University, P.O. Box 871404, Tempe, AZ 85287-1404
Research Office: [REDACTED] | Assistant (Jessica): [REDACTED]

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On Aug 28, 2018, at 5:47 PM, Deborah Clarke <[REDACTED]> wrote:

Dear Dr. Krauss,

Please see the attached letter.

Sincerely,

Deborah Clarke

Deborah Clarke, Ph.D.

Vice Provost for Academic Personnel

Professor of English

Arizona State University

Fulton Center, Suite 420

[300 E. University](#)

[Tempe, AZ 85287-7805](#)

Phone: [REDACTED]

Fax: [REDACTED]

<Krauss conciliation.pdf>

Lawrence M. Krauss

Professor

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Research Office [REDACTED] Assistant (Jessica): [REDACTED]

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please note

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