

EXHIBIT I

Dr. Sabina Burton's rebuttal to Dean Throop's Letter of Direction

Dean Throop's letter of direction is in standard font and Dr. Burton's rebuttal is in underlined italics.

October 28, 2014

Dr. Sabina Burton

Dear Dr. Burton:

I am writing this Letter of Direction in response to some of your recent activities in which you have displayed unprofessional and concerning interactions with your campus colleagues. In this Letter, I will describe some of the specific incidents that have caused me concern and give you directions about my expectations for your future behavior.

The following is a summary of the most serious incidents that have led to this letter:

1. I have received dozens of your emails since May 2014 in which you have made serious accusations against Dr. Dalecki and have claimed that he has abused you. Each time you have failed to support your allegations with factual basis.

This would have been disturbing even if you only sent the email to Dr. Dalecki himself or to me, but at times you have sent them out to your entire department or to the Provost and Chancellor, such as the email of October 2, at 8:40 PM . It is entirely inappropriate for you to engage in this public and unsubstantiated campaign against Dr. Dalecki.

On Nov 3, 2014 I sent an email to Dean Throop saying: "In your letter of direction you referenced an 'email of October 2, at 8:40 PM.' I don't have such email in my sent folder. Please send me a copy of the email in question." Dean Throop's response was "You are incorrect. There is no reference to an Oct. 2, 2014 email in my letter of direction." (exhibit 551-c)

I looked for the email I sent to the Chancellor on Oct 2, 2014 but it has disappeared from my account. Fortunately I have a copy of it. I have also noticed that other important emails, such as (exhibit 551-b), have disappeared from my account as well. So, it seems that someone is going through my email account and systematically deleting incriminating files. Dean Throop's denial of the existence of an email that she reprimanded me for is an indication of cover up.

Dean Throop appointed Dr. Dalecki as interim chair of the CJ department in violation of policy. (exhibits 532, 503, ZZA-1)

I asked for a grievance against Dr. Dalecki on Aug 27, 2014. I asked for an investigation into Dr. Dalecki's actions on Oct 2, 2014 at 8:41 PM (exhibit 551-a) and I was refused (exhibit 551-b). On Oct 11, 2014 I expressed to the Chancellor, the Provost and to the grievance committee chair, Dr. Fairchild my desire to have the grievance hearing "as soon as possible" (exhibit 551-b). Dean Throop's letter of direction comes two months after my initial request for grievance hearing with no date for the hearing on the calendar and no prospect of ever having the hearing. I was not able to "support my allegations with factual basis" because the proper forums for presenting my evidence have been unfairly denied me.

2. You wrote an inflammatory email on June 6, 2014 at 10:45 PM to the entire Criminal Justice Department accusing recently resigned colleagues of unethical behavior and threatened to ask the Wisconsin Attorney General to investigate what you claim—without supporting information—is a conspiracy.

I believe Dean Throop is referring to an email I sent on June 5, 2014 at 10:45, not June 6, 2014 at 10:45 PM (exhibit 571b). The American Association of University Professors' (AAUP) Statement of Ethics says: "When considering the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions" (exhibit 553). The two departing faculty members, by giving short notice, exhibited "unethical" behavior according to the AAUP's Statement of Ethics. I accurately classify their behavior as "unethical." People who behave unethically are "unprofessional."

All it takes to make a conspiracy is for two people to conspire to do something wrong. I'm sure Dutelle and Johnson, who were close friends, discussed their plans to leave on short notice, although I do not have proof. Since I did not have proof of their conspiring I did not "claim" that Dutelle and Johnson conspired but instead I wrote that it "seems like a conspiracy." Dean Throop intentionally misconstrued my statement.

Dean Throop feels it is acceptable for her to call me "unprofessional" numerous times in an official reprimand for no good reason but she reprimands me for calling Dutelle and Johnson unprofessional when they do something that is, according to the AAUP's Statement of Ethics, unethical. Dean Throop applies far higher standards to me than to herself.

I did not threaten to ask the Wisconsin Attorney General to investigate. I wrote "I think the Attorney's General office would be a good institution to look into this mess." An in depth investigation is warranted and should be conducted. Dean Throop intentionally misconstrued my statement.

It would not be wrong for someone, like me, to request an investigation. Failing to provide a requested investigation may violate policy and/or law.

You also threatened to involve students in your campaign. It is entirely inappropriate for you to make unsubstantiated and inaccurate claims of unethical behavior against people and it is particularly wrong and disturbing that you might involve students in your personal campaigns.

I did not threaten to include students in any "campaign." I said that I would tell students the truth. I am an academic advisor for 70 students. I will not lie to them. I tell them the truth. That's what I do. I wrote: "I plan to tell students the truth about what's been happening in the department." By this statement I meant that I would explain the repercussions of the FI program's problems, options going forward in the curriculum and what sort of job prospects they have in the FI field as evidenced by expert reports. (exhibits 521, 521a, 521b, 521c) Dean Throop interpreted integrity to be "threatening." People with something to hide often do.

I wrote "Our FI students were aggressively recruited into a program with, as confirmed by the recent reports, at least partially false information or intentional lack of information." This is a true statement and not one that Dean Throop should reprimand me for, especially since she ordered and paid for these reports.

I wrote "FI students deserve to know what they are up against so they can make meaningful, informed career choices before it is too late for them to do so, before we take their money for a program we know is flawed and understaffed." This is a true statement and not one that I should be reprimanded for.

I wrote "Let the students know who abandoned them and give them some options for moving forward into a field of study that has some hope of securing them a good paying job." I wrote "I think the students deserve to know who is responsible for the 'train wreck' and put blame where blame is due." I still believe the students deserve to know who is responsible but telling students rumors about people is definitely not the right thing to do. That is why I have not told rumors. It was never my intention to tell students who abandoned them. It was never my intention to spread rumors about culpability for what Dean Stojkovic called a "train wreck." My intention was to push for an investigation that would determine culpability so we can move forward. Students should be given clear direction about how they should proceed in their pursuit of good paying and fulfilling employment.

3. After partially organizing a visit by colleagues in Germany, in June 2014 you abruptly informed your chair that you had no intention on being part of that visit only a few days before your German colleagues arrived, forcing Dr. Dalecki to assume responsibility for the entire visit. You knew that you were arranging for this visit to take place over the summer and you should never have set up this event if you were unwilling to follow through.

As shown in my email of 6/6/14 at 02:54 pm (exhibit 571c) I informed Dr. Dalecki that my mother's health was failing rapidly. She nearly died and I talked to her for hours

each day during the German delegation's visit. I was emotionally drained by her medical and psychological problems and coordinated with family and medical staff to help her through her ordeal. She was my only concern at that time. My father passed away recently, on Feb 14, 2013, and the pain of the way Dr. Caywood and Dean Throop treated me during that time was, and still is, poignant. Now she is doing it again. My emotional health had already been severely strained by the unfair treatment I had been receiving. The stress from unfair treatment finally put me in the hospital on Aug 15, 2014. So, saying that I was "unwilling" is just plain cruel.

The German delegation are not my colleagues any more than they are Dr. Caywood's colleagues. They were invited by International Programs, not by me. Dr. Caywood pushed for the exchange program, not me. Deb Rice and a student worked on an itinerary for the visit in fall 2013 and never shared it with me. I was ok with that because I never planned to be their tour guide. I expected international programs to coordinate for things like transportation and housing etc. This was a volunteer project. I was not paid to do it. I was not given release time for it. It was during my summer vacation. I am on a 9 month contract but Dalecki, Caywood and Fuller are on 12 month contracts. My mother needed me. I had been humiliated by my chair and the stress of a hostile working condition was tearing me apart. Reprimanding me for not "following through" is unfair and vindictive.

4. You asked Dr. Valerie Stackman, a new Assistant Professor and your mentee at the time, to house-sit for you during the summer. This request was inappropriate and placed a junior colleague in an awkward position. As a result of this unprofessional demand as well other poor interactions with Dr. Stackman, we had to remove you as her mentor. You have continued to complain about this and have refused to take responsibility for your own part in your removal as Dr. Stackman's mentor.

What is wrong with asking a colleague if they would like to house sit? If she doesn't want to house sit she can say "no." It does not put her in an awkward position. Dean Throop says, in the same admonition that I "asked" and "demanded" Dr. Stackman to house sit. It was not a "demand," it wasn't even a "request," it was an "offer" for her to house sit if she would like to. Saying that I "demanded" that someone house sit for me is ludicrous. Calling me "unprofessional" for asking someone if they would like to house sit is, wow, what's the word?

Dr. Stackman has not made a complaint to anyone about this matter.

Dean Throop did not cite any "other poor interactions" because there were none.

It is unprecedented that a department chair mentors a new faculty member when tenured faculty are available and interested in the assignment.

Never before has anyone told me that the reason for removing me as Dr. Stackman's mentor had anything to do with house sitting. Dean Throop's letter of direction, which I received on Oct 29, 2014, was the first time I heard of this outlandish rationale for the

malicious decision to remove me from mentoring Dr. Stackman. I cannot "take responsibility for my own part in my removal" because Dr. Dalecki removed me without even telling me why.

Dr. Dalecki is guilty of far worse than asking Dr. Stackman to house sit for him. For more insight into this read (exhibits 523, 527). Dean Throop wrote a letter of direction to me for asking if someone would like to house sit but Dalecki gets no reprimand for a clear conflict of interest that he aggressively protects. That is disparate treatment. If I deserve a letter of direction for my actions Dr. Dalecki deserves to be fired for his. Dean Throop thinks that asking someone to house sit disqualifies me from being a mentor but Dr. Dalecki's attempt to benefit politically and/or financially doesn't seem to be a problem to her. That is disparate treatment and is unfair to me.

Our department is understaffed. I have been allowed to chair only two search and screen committees and I have produced three hires from my two searches. Other members of our department have chaired multiple failed searches. One of my recent hires is Dr. Valerie Stackman. She came to UW Platteville primarily because of my efforts to convince her to come. I get along with her well. I have her best interests in mind and heart. I am a member of the UW Platteville Mentoring Advisory Team. I have only been a mentor to one other faculty member. Dr. Dalecki told Dr. Stackman and me that I would be her mentor. I brought Dr. Stackman to the school and I had already been working with her as her mentor. Dr. Stackman saw me as her mentor as shown in (exhibit 524a).

Dr. Dalecki's explanation for removing me as Dr. Stackman's mentor was in essence: 'Because I say so.' (exhibits 535, 524) This is not a valid explanation and did not mention house sitting. I would have certainly challenged that ridiculous rationale. Dr. Dalecki assigned me as her mentor and then took the job away from me for no good reason.

Dalecki said "Your promotion will not live or die based on mentoring Valerie—or anyone for that matter--and given the number of new hires we expect there will be other opportunities for mentoring in the future." (exhibit 535) This is a tactic that has been used against me before: take something away from me now, tell me it won't hurt me, tell me I'll have other opportunities and then deny my future opportunities too.

Last year Dalecki asked me to give up my assignment to the CRST in favor of working as a committee member in the DRB because he needed my help to straighten out the mess in our department. I gave up my position on the CRST with the understanding that Dalecki would be giving me other opportunities to make up for my sacrifice. However, he instead has overlooked me for several prestigious opportunities such as Coordinator of the FI program and the 700 hour academy. I am better qualified for both of those assignments than the people he assigned. Dr. Dalecki wants to hurt me any and every way he can.

Dr. Dalecki removed me as Dr. Stackman's mentor because he is retaliating against me, not because of any house sitting nonsense. For more insight into my background with Dr. Dalecki read (exhibit 521e).

I plan to file a separate grievance against Dr. Dalecki for this and other issues soon.

5. On October 7, 2014 at 7:23:18 AM, you sent an email to Academic Staff member Deb Rice demanding information regarding an independent study for a criminal justice student. The tone you used was unnecessarily accusatory and entirely unprofessional.

(exhibit 571d) I was trying to gather evidence to aid me in gaining satisfaction in a grievance. I didn't expect Rice to send me the information because I suspected her to be part of the problem but I wanted to get a record of the fact that I requested the information and that she had the opportunity to provide it to me. My suspicion seems to have been confirmed when, instead of giving me the information I requested, it appears that she complained about the tone of my email to Dalecki and/or Throop. I have complained about terribly unfair and illegal things but nothing has been done against the perpetrators. Rice complains about the tone of one email request from me and within three weeks, and without any notification to me, it winds up in an official reprimand of my activities. That is unfair and disparate treatment.

If the email seems terse, well, I am German. It is a cultural thing. I should be given a little slack for my cultural background. It is a well known fact that we German-American immigrants tend to be more direct than most Americans. Saying that the tone of my email was "unnecessarily accusatory and entirely unprofessional" is absurd. What would one call the tone of Dean Throop's letter of direction to me?

6. On October 16, 2014, at 4:34:12 PM, you threatened Dr. Patrick Solar, a second-year assistant professor, with consequences to his potential tenure bid because you were displeased with his interpretation of his role as committee chair.

You said:

"I am doing my best to treat you with the respect and collegiality due a junior faculty member by a senior tenured faculty member. I will be writing an annual evaluation of your performance giving you my input about your possibilities for tenure as I am required to do by policy. I will of course reference this violation [sic] but I'm sure that with your hard work and commitment to following policy in the future I will have fabulous things to say about you that may help offset this little bump in the road."

I did not write the above statement (exhibit 571e) because I was "displeased with Solar's interpretation of his role as a committee chair." I wrote the statement because Solar violated policy and state law, lied to me, demonstrated his ineptitude and failed to follow Dr. Dalecki's directions at the department meeting of Aug 29, 2014. (exhibits 565, 565a, 565b, A11, A11a) Dean Throop intentionally misconstrued my words.

I did not threaten Dr. Solar with consequences to his potential tenure bid. I said I would write about his policy violation in my annual letter concerning his prospects for tenure. It is no more a threat than a police officer issuing a traffic citation to a motorist who she caught speeding. I informed Dr. Solar that I would hold him accountable for his violation and suggested that he might mitigate the damage to his possibilities for tenure by moving forward in compliance with policy in the future. Dean Throop intentionally misconstrued my words.

CJ dept policy and procedures (exhibit ZO) states: "It is the responsibility of tenured members of the department to make tenure recommendations. Tenured faculty will provide an annual letter (could be one combined letter or each faculty member may provide own separate letter). The letter(s) will be signed by the tenured faculty. The letter will indicate a probationary faculty member's prospects for tenure." I never received the benefit of this required annual letter from tenured faculty while I was probationary. Now that I am tenured I plan to abide by this policy for the benefit of the department, the school and the students. Correcting, or weeding out, policy violators can only serve to improve the credibility and quality of our department and school.

This annual letter is intended to give the probationary faculty member information to help them with their decisions in building their DRB so that, when they are ready to apply for tenure, their application will be strong. The annual letter is a feedback tool to help probationary faculty members learn what is expected from them so they won't have problems later on when it really matters. Similarly, a speeding ticket is a feedback tool to encourage a motorist to obey traffic laws.

I feel that policy violations should not be overlooked when considering a tenure bid. It is possible that continued violation could affect Dr. Solar's bid for tenure at some time in the future but, as I said in the email, he would have opportunity to mitigate any damage.

It was wrong for you to threaten Dr. Solar on his tenure application at all. It was even more inappropriate for you to threaten Dr. Solar over a matter in which only you believe that he has improperly carried out his duties as committee chair.

I did not threaten Dr. Solar.

The truth is still the truth even if only one person believes it. Dr. Solar violated policy and I can prove it.

7. On October 23, 2014, I learned that you had told students who wished to pass on a concern about Dr. Stackman to by-pass the interim department chair because, you said, he was biased. Standard operating procedure provides that students should start with the department chair for any such concerns. It was wrong for you to tell students that the interim chair was biased and wrong to involve students in your campaign against Dr. Dalecki. I also fear that you may have instigated the complaint against Dr. Stackman.

I suggested to one student that she go to Student Affairs for her complaint about Dr. Stackman. By using the plural form of the word "student" Dean Throop implies that there were more than one and that is not accurate. Dean Throop intentionally misconstrues facts.

I did not tell the student that Dr. Dalecki is biased. The student already knew that Dr. Dalecki is biased well before she brought her complaint to me.

Dean Throop is incorrect that "Standard operating procedure provides that students should start with the department chair for any such concerns." It was not wrong for me to refer a student to Student Affairs in regard to her complaint about Dr. Stackman. I followed policy.

I did not involve any students in a campaign against Dr. Dalecki. I had a grievance against Dr. Dalecki. Dean Throop's use of the word "campaign" implies that I am passing out bumper stickers and standing on soap boxes but that is not true. I have been diligently following policy and law in a frustrated effort to bring about fair resolution of my grievances and complaints. The administration needs to start following school policy on grievance procedures.

Dean Throop's "fear that I may have instigated the complaint against Dr. Stackman" is unfounded, unwarranted and malicious. She has no evidence to support her statement because it is not true. I have no reason to alienate Dr. Stackman. Dean Throop's statement is one of many lies that have alienated me within my department.

These events show a consistent pattern of unprofessional and inappropriate behavior by you. I am particularly concerned by your attempts to bully junior faculty and your involving students in your personal grievances. As a result of these behaviors in the last eight months, I am compelled to provide you with a clear set of directions to solve the issues and problems that you have created.

Dr. Dalecki and Dean Throop are bullies, not me.

Direction #1. You will actively work to resolve your complaints and issues on the most local level possible: your department, before invoking assistance from the administration.

This direction is not in keeping with university policy, which allows a grievance hearing for my complaints. Dean Throop is violating my due process rights.

Direction #2. You will cease all email activity making groundless and unwarranted accusations against Dr. Dalecki or any other members of the university community.

My accusations are not groundless or unwarranted. I wanted to present evidence supporting my claims in mediation, but that was denied me, at a grievance hearing, but that was denied me and in a formal investigation but that too was denied me.

Direction #3. You will hence forth treat your colleagues in the criminal justice department with respect and keep your comments about them to the appropriate arena.

When a faculty member violates policy and lies to me about it I have every right, and even the obligation, to tell him that he has violated policy and suggest that he stop doing so. I have an obligation to write about his infraction in his annual report on prospects for tenure. I am trying to keep my comments in the appropriate arena but I have been denied access to appropriate mediation, grievance hearings and investigations.

Direction #4. You will apologize to Dr. Solar for your inappropriate comment regarding his progress toward tenure. When it becomes time to consider Dr. Solar for tenure, you will recuse yourself if you are unable or it appears that you are unable to consider his application fairly.

None of my comments to Dr. Solar were inappropriate. I am able to consider his application fairly when it comes time for that. Dr. Solar owes me an apology for excluding me from the search process and lying to me.

Direction #5. You will cease involving students in your personal disputes and grievances.

I have not involved students in my personal disputes and grievances so I cannot cease doing so, by definition of the word "cease." I will continue keeping students uninvolved in my complaints and grievances against faculty members.

Failure to follow these directions will likely result in disciplinary action.

Dean Throop's letter of direction violates my right to due process guaranteed by the 14th Amendment of the United States Constitution.

I filed a grievance on Aug 27, 2014 which was not scheduled for hearing for well over two months. This is a violation of my due process rights.

I believe Dean Throop wrote this letter of direction with ill intent and malice. I believe the letter is intended to provoke me, cause me stress related health issues, make me want to quit my job and to lay the groundwork for her to fire me on fabricated charges some time in the future. I believe the letter is written as retaliation against me for having filed a federal lawsuit against her.

I strongly suggest that you contact the University's Employee Assistance Program for confidential help (608-342-1530; voelz@uwplatt.edu).

Yours very truly,

Dr. Elizabeth Throop

Dean, College of Liberal Arts and Education