

Lawrence M. Krauss
Professor, SESE and Physics
krauss@asu.edu

November 29, 2018

David William Foster
Chair
Grievance Clearinghouse Committee
c/o Pamela Hoyle, Administrative Specialist
University Senate
1120 S. Cady Mall
Interdisciplinary B Building
Mail code 1703, ASU

Dear Professor Foster:

I received your letter by electronic mail today from Ms. Hoyle, and am responding by email to Ms. Hoyle's email address at the University Senate Office. I am disappointed with the decision of the Grievance Clearinghouse Committee not to pursue my grievance request. More importantly, I strongly assert that this decision is an incorrect one. I am requesting reconsideration of your decision, for the following reasons:

1. First, you refer only to the grievance paperwork received in the Senate Office on Nov 20, 2018. As you are aware, I have since sent you two sets of correspondence that provide further elaboration of behaviors by the Dean and Provost that clearly attack my academic freedom at ASU, and also reflect inappropriate governance procedures that need to be examined by an independent university body. The grievance committee seems to be the most relevant body for that purpose.
2. Both the Dean and the Provost are attempting to restrict my ability to access and work with the research materials in my office and to meet with colleagues at ASU necessary to pursue my activities as a research scientist while I remain a tenured Professor at the University. This clearly infringes on my academic freedom.
3. There is NO ABOR policy that allows restricting access to campus by a faculty member not under explicit investigation for allegations that imply the faculty member's presence may undermine the orderly functioning of the University. For the Provost or Dean to assert their a priori authority to restrict access to campus without explicit justification of any sort represents at the very least misguided governance.
4. ASU is a State University. Public lectures are open to members of the public and, without any formal legal justification based on campus safety, or evidence of a crime, the University surely cannot restrict attendance at such events. This is an affront to civil rights, and asserts authority not possessed by the Dean or Provost.
5. As the most recent correspondence I forwarded to you indicates, the Dean and Provost have asserted authority to restrict my ability to attend retirement sessions put on by the Benefits Office for retiring employees, and most significantly have asserted a right to restrict my ability

to appear before your committee to support my grievance, and to meet with the Office of Equity and Inclusion to discuss the complaint I have concurrently filed with that Office. Restricting my ability to carry out any grievance process is once again surely a violation of both academic freedom, and University governance procedures.

These issues are independent of any dispute regarding my settlement agreement. They all objectively violate both academic freedom and overstep the bounds of good governance, independent of any terms of a settlement agreement. The University is not empowered to violate civil rights and academic freedom without justification. For these reasons I believe my grievance complaints fall within the jurisdiction of both Senate Grievance Committees, and I request that both committees be presented with this evidence for adjudication.

Regarding the more limited question of the dispute over the wording of the settlement agreement referred to in your letter, it is inappropriate for your committees to merely stand aside. If you do then there is no body that can monitor the claims of University officials, or require any mediation of this disagreement. In this case and you would, in effect, be allowing various University Officials to act with impunity by asserting that they have governance authority on issues that they may, in fact, have no authority to act upon.

For all the reasons I have described here, including the new documentation I sent to your committee since November 20th, I ask you to reconsider your decision.

Sincerely,

A handwritten signature in black ink, appearing to read 'L. Krauss', with a long horizontal flourish extending to the right.

Lawrence M. Krauss