

# Response to the 2<sup>nd</sup> FPP Investigation Against Dr. Sayeed

## October 23, 2020

### (Private & Confidential)

#### Executive Summary

This response to the 2<sup>nd</sup> investigation against Prof. Sayeed meticulously exposes fundamental and serious issues in the brazen manner in which UW-Madison's Faculty Policies and Procedures (FPP) have been abused by the investigator, Dr. Palmenberg, and the UW administration, including the Provost's office and the ECE Department, to defame, denounce, dismiss and "cancel" Dr. Sayeed to support the five charges put forth by Provost Scholz that were superfluous and unwarranted given the four charges and scope of the first investigation. As a result, this investigation has taken on a significance that is far more consequential and broader than its devastating impact on Dr. Sayeed's family and career. As this response demonstrates, the 2<sup>nd</sup> investigation, as well as elements of the 1<sup>st</sup> investigation, give a lie to the stated commitment of UW-Madison to "foster an environment of tolerance, civility, awareness and respect" (FPP II-303). In effect, UW-Madison's treatment of Dr. Sayeed as part of these investigations is guilty of the same charges that have been put forth against Dr. Sayeed: bullying, harassment and abuse of authority. The only difference is that UW-Madison administrators have done it without yelling or using profane language! Instead they have done it through the abuse of the authority and power vested in them by the FPP. The details of this investigation, especially in the way it has been conducted, should be of deep concern to anyone who cares about the integrity of the FPP and the implications of their implementation at UW-Madison.

One of the first UW officials Dr. Sayeed met in October 2016, following [REDACTED] of his graduate student and the initiation of the 1<sup>st</sup> investigation by then-Provost Sarah Mangelsdorf (prompted by complaints from the student's parents), was Rachel Jeris, Senior University Legal Counsel. And one of the first things Ms. Jeris said to Dr. Sayeed was (paraphrasing): "No one can be held responsible for someone else taking their own life." Yet, all the newspapers, including the *Wisconsin State Journal* and *Inside Higher Education*, shamelessly pointed the finger at Dr. Sayeed for the student's death, following the public disclosure of the 1<sup>st</sup> investigation in October 2019. UW-Madison did not do much to counter that flawed reasoning and the subsequent student protests against Dr. Sayeed capitalized on it, while most of them, if not all, did not even know the graduate student or Dr. Sayeed personally. That uproar eventually led to the 2<sup>nd</sup> investigation and even the investigator, Dr. Palmenberg (a scientist by training), could not resist insinuating the flawed reasoning in her report!

As Dr. Sayeed had predicted to Provost Scholz in their first meeting on March 20, 2020, following the initiation of the 2<sup>nd</sup> investigation, he is not at all surprised by the confirmation of all five charges by Prof. Palmenberg. Dr. Sayeed commends Prof. Palmenberg for providing a detailed description of the logistics of the investigation, including the material provided in Ex 5-evidence. At the same time, what really surprised Dr. Sayeed was the way the investigation was conducted and conclusions drawn from the collected evidence. A careful examination of the Provost's 9/15/20 letter outlining his initial decision and evidence to support it, as well as Dr. Palmenberg's report (ACP-Report-20), and associated five exhibits (Ex 1, Ex2, Ex3, Ex4, Ex5),

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reveals five significant and disturbing themes in the implementation of the investigation that compromise the integrity of the FPP:

1. Contrived arguments for bypassing the “no double jeopardy” provisions in the FPP.
2. Cherry picking, distortion and in some cases downright fabrication of evidence to support the charges.
3. Lack of acknowledgement, let alone accountability, for institutional failure, despite overwhelming evidence.
4. Malicious and prejudicial hostility towards Dr. Sayeed on part of key ECE faculty, staff and administrators.
5. Brazen disregard to Dr. Sayeed’s statements in his defense, including substantial comments made by Dr. Sayeed with regard to biased, discriminatory and defamatory comments from ECE colleagues and staff directed towards him.

As a result, and not surprisingly, the tone of the report is authoritarian and condescending, as exemplified by the following two statements by Dr. Palmenberg (there are many more!):

- “I found no indication that any witness made up any stories or exaggerated incidences just to discredit Dr. Sayeed or to skew recalled timelines.” (ACP report page 4). This is contrary to several contradicting pieces of evidence, collected and documented by Dr. Palmenberg in Ex 5, that should have prompted her to seek further information or corroboration.
- “In my judgement, Dr. Sayeed’s stated defenses against any/all of the allegations arising from Dean Jankowski’s investigation, or from mine, lack credibility.” (ACP report, page 19). This statement is made without providing any credible evidence or arguments.

During the course of these investigations, a question that kept gnawing at Dr. Sayeed was: would things have turned out differently if Dr. Sayeed’s name, ethnicity and cultural background was different? So, he requested a meeting with UW-Madison’s Chief Diversity Officer. Eventually, Luis Pinero of the Office of Equity and Diversity, had a virtual meeting with Dr. Sayeed on September 19, 2020 on behalf of the acting CDO. Dr. Sayeed was surprised to find out that the Office of Equity, Diversity and Inclusion is typically not even consulted when a faculty, staff or student of color is under investigation! This was surprising and disappointing since a person of color under investigation is probably one of the most significant events when all “Equity, Diversity, and Inclusion” gears of UW-Madison ought to be engaged! This only confirmed Dr. Sayeed’s lingering suspicion that all the talk and proclamations by UW-Madison administrators with regard to EDI, smack of hollowness and vacuousness, as is true at virtually all other institutions of higher education. Perhaps this investigation will also spur some action to change that.

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This is first time the new Hostile and Intimidating Behavior (II-332) language is being pushed to the limit. Rather than showing some restraint, the UW administrators have implemented the process in a rather authoritarian and coordinated multi-faceted attack on Dr. Sayeed. This includes evidence of: i) overtly punitive and hostile behavior in the ECE department towards Dr. Sayeed, ii) embellishment of the true events to lend more strength to the charges, iii) minimizing of, or complete disregard for, key points raised by Dr. Sayeed directly relevant to the investigation, and iv) most importantly, no sense of responsibility, at the department, college, or institutional level, in how their actions, or lack thereof, impacted Dr. Sayeed's trajectory, despite overwhelming evidence to the contrary.

This investigation is bigger than Dr. Sayeed now. It seriously questions the integrity of the processes laid out in the FPP and reveals the hollow and vacuous nature of the "equity, diversity and inclusion" proclamations made by UW-Madison. Dr. Sayeed intends to bring light to this issue in every way possible so that no faculty of color is railroaded by the bias and bigotry of UW-Madison in the future.

The rest of this document consists of the following four components:

- Timeline of Key Events
- Fundamental Issues that Question the Validity of the 2<sup>nd</sup> Investigation
- Response to Provost Scholz's 9/15/20 letter
- Response to Dr. Ann C. Palmenberg's (ACP's) report
- List of exhibits

### **Timeline of Key Events**

- Oct. 31, 2019: Wisconsin State Journal publishes an article on the 1<sup>st</sup> investigation involving Dr. Sayeed based on an open records request.
- Nov. 19, 2019: Dean Robertson sends a complaint to the Provost based on new information gathered following the 10/31/19 WSJ Article.
- Feb. 15, 2020: Provost's notice to Dr. Sayeed of a 2<sup>nd</sup> investigation, prompted by Dean Robertson's 11/19/20 letter.
- Mar. 4, 2020: WSJ publishes an article reporting the opening of the 2<sup>nd</sup> investigation, following a second open records request. No additional information about the investigation is provided to WSJ.
- Mar. 20, 2020: Virtual meeting (1 hour) between Dr. Sayeed, Provost Scholz, and legal counsel Brian Vaughan.
- Apr. 7, 2020: First virtual meeting (80 mins) between the investigator Dr. Ann C. Palmenberg (ACP) and Dr. Sayeed.

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- Apr. 14, 2020: Dr. Sayeed sends a letter to Dr. Palmenberg summarizing the discussion during April 7 meeting (Ex 4).
- May 20, 2020: ACP sends a set of questions to Dr. Sayeed for his response prior to a final meeting (Ex 4).
- June 2, 2020: Dr. Sayeed sends his response to ACP questions (Ex 4).
- June 4, 2020: Final virtual meeting between ACP and Dr. Sayeed.
- July 19, 2020: ACP submits the report of her investigation to Provost Scholz (ACP Report-20)
- Sep. 15, 2020: Provost sends a (confidential) letter to Dr. Sayeed with his initial decision based on the report.
- Sep. 19, 2020: Dr. Sayeed has a virtual meeting with Mr. Luis Pinero of the Office of Equity and Diversity, regarding bias/discrimination issues that he had brought to the attention of the Provost during the investigations, but which were not even acknowledged, let alone acted upon.

### **Fundamental issues that challenge the validity of the 2<sup>nd</sup> investigation, given the charges, scope and results of the 1<sup>st</sup> investigation, in particular the “no double jeopardy” provision in the FPP**

There are five charges in the 2<sup>nd</sup> investigation:

1. Whether you engaged in behavior, both prior to and after the events investigated by Professor Wolleat, that could be described as “unwelcome...pervasive or severe enough that a reasonable person would find it hostile and/or intimidating and that does not further the University’s academic or operational interests” and/or “is unacceptable to the extent that it makes the conditions for work inhospitable and impairs another person’s ability to carry out his/her responsibilities to the university” in violation of Faculty Legislation II-332, Part I;
2. Whether, through unprofessional behavior and conduct in the period prior to the events investigated by Professor Wolleat and afterwards, you engaged in conduct that adversely affects the performance of your responsibilities to the university as defined in FPP 9.02 and 9.03;
3. Whether you received previous warnings regarding your behavior that occurred prior to the matters investigated previously in a FPP Ch. 9 complaint by Professor Wolleat;
4. Whether your behavior in the period before and since the events investigated by Professor Wolleat demonstrates a pattern of conduct that suggests you have been unsuccessful in your ability to satisfactorily engage in teaching duties, which includes advising and mentoring graduate students, as required by your employment contract as faculty member;
5. Whether, on at least one occasion after having been placed on a two-year suspension for prior misconduct and receiving notice of your prior violations of university policy, you engaged in verbally abusive behavior directed toward a staff member in the College of Engineering.

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There were 4 charges in 1<sup>st</sup> investigation:

1. The concern that:
  - a. You engaged in behavior that could be described as, “unwelcome behavior pervasive or severe enough that a reasonable person would find it hostile and/or intimidating and that does not further the University’s academic or operational interests” (II-332, Part I).
  - b. Your behavior “is unacceptable to the extent that it makes the conditions for work inhospitable and impairs another person’s ability to carry out his/her responsibilities to the university” (II-332, Part I).
2. The concern that your behavior evidences an “abuse of authority, such as using threats or retaliation in the exercise of authority, supervision, or guidance...” (II-332, Part I).
3. The concern that your behavior has included “abusive expression ... directed at another person in the workplace, such as derogatory remarks or epithets that are outside the range of commonly accepted forms of disagreement, disapproval, or critique in academic culture and professional setting that respects free expression” (II-332, Part I)
4. The concern that you have engaged in “conduct which adversely affects (your) performance of (your) responsibilities to the university but which is not serious enough to warrant dismissal.” (FPP, Chapter 9.02).

In the 3/20/30 meeting with the Provost, 4/7/20 meeting with Dr. Palmenberg (ACP), and the 4/14/20 letter to ACP, Dr. Sayeed argued that Charges 1, 2, and 4 are superfluous and unwarranted, given the charges and scope of the 1<sup>st</sup> investigation and Dr. Sayeed’s response to the investigation report, and the “no double jeopardy” provision in the FPP. Furthermore, Dr. Sayeed questioned the validity of Charge 3 (prior warnings) and Charge 5 (recent “minor” 2018 event). Dr. Sayeed’s arguments are summarized below.

- **Challenge to Charge 1:** The new charge 1 is identical to charge 1 in the 1<sup>st</sup> investigation except for the contrived introduction of the phrase “both prior to and after the events investigated by Professor Wolleat.”
- **Challenge to Charge 2:** The new charge 2 is identical to charge 4 in the 1<sup>st</sup> investigation except for the contrived introduction of the phrase “prior to the events investigated by Professor Wolleat and afterwards.”
- **Challenge to Charge 3:** This is a new charge but it is based on a Chair’s memo to Dr. Sayeed from August 2003 that is part of Dr. Sayeed’s personnel file and would have been available to, and/or should have been brought to Prof. Wolleat’s attention in the 1<sup>st</sup> investigation. One single written feedback in a 23+ year career that started in 1997 and involved Dr. Sayeed being granted tenure in 2003 and promoted to full professor in 2008. There were countless opportunities to provide more detailed and possibly constructive feedback, which were not availed by several faculty who clearly acknowledge knowing about Dr. Sayeed’s behavior but never had the courage to bring them to his attention, personally.
- **Challenge to Charge 4:** This is a blanket charge that is spanned by Charges 1-2 and is covered by charges 1, 4 in the 1<sup>st</sup> investigation, except for the contrived introduction of

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the phrase “in the period before and since the events investigated by Professor Wolleat”

- **Challenge to Charge 5:** This is a new charge but based on one incident which was considered “minor” by the person (W2) who was asked to file the complaint by the ECE chair. Originally reported as “relatively minor”, this charge really grew in intensity in the final report by ACP. On the contrary, the evidence collected and documented by ACP, clearly demonstrates the prevalence of a “hostile and malicious” culture towards Prof. Sayeed in the ECE Department, exemplified by statements from W1, W2, W23, Susan Hagness, John Booske, W5, W12 and others. Specifically, for Ch 5, the statements of W23 acknowledge intense feelings of hate and prejudice harbored by W2 towards Dr. Sayeed. Any reasonable person would question the validity of the Charge 5 in view of the documented evidence in Dr. Palmenberg’s report.
- Furthermore, charge 4 in the 1<sup>st</sup> investigation adds another layer of “no double jeopardy” protection against charges 1, 2, and 4 in the 2<sup>nd</sup> investigation.

Based on the above comparison of charges, in terms of their scope and description alone, any reasonable person would conclude that the 2<sup>nd</sup> investigation has been justified, despite clear violations of “no double jeopardy” provisions, through post facto imposition of an expedient timeframe on the 1<sup>st</sup> investigation by the use of phrases like “prior to and after the events investigation by Prof. Wolleat.” The purported timeframe was never explicitly stated or implied in the charges of the 1<sup>st</sup> investigation. The premise of Charge 3 would have been exposed in the 1<sup>st</sup> investigation except for negligence or administrative incompetence. Charge 5 is the only truly new one based on a “minor” event and any reasonable person would find it objectionable to use it for justifying the opening of a new investigation.

Overall, as documented in this response, the evidence collected by HR Dean Jankoski and Dr. Palmenberg demonstrates that the 2<sup>nd</sup> investigation is a brazen attempt by the UW-Madison administrators to dismiss Prof. Sayeed by distorting and in cases even fabricating accusations and allegations.

Why would the UW-Madison and ECE administrators do so? It is anyone’s guess. But one very plausible reason is that in the current climate of “conformity” and “group think” that is plaguing academia (and UW-Madison is no exception), independent-minded faculty like Dr. Sayeed who are not willing to “drink the conformist kool aid” are not welcome anymore. Thus, any opportunity to “cancel” them is fully exploited.

A secondary, equally troubling, motivation seems to be that UW-Madison is pandering to the students in response to their protests, when most if not all of them had not even known Prof. Sayeed or interacted with him.

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#### **Response to Provost Scholz's Letter (9/15/20)**

Dr. Sayeed brought up the “no double jeopardy” concerns to the Provost during their 3/20/20 meeting. Provost Scholz responded that it was part of the investigator's (ACP's) job to determine whether it applies or not. Dr. Sayeed's response to ACP's justification, which is quoted in Provost's letter, is discussed in the response to ACP's report in this document.

In his 9/15/20 letter, Provost Scholz supports his decision by discussing each of the 5 charges separately and quoting relevant witnesses. Dr. Sayeed's response to Provost Scholz's justification for each charge is included below. Since the nature of the new charges is disputed by Dr. Sayeed, as discussed above, the following discussion focuses on the witness testimony that the Provost has used to justify the charges.

#### **Charge 1: hostile and intimidating behavior**

The witness statements for this charge don't add anything new to what is already known from the 1<sup>st</sup> investigation and fully acknowledged by Dr. Sayeed in his response. **Some statements are defamatory and untrue and need to be retracted.**

- a. **Witness 9 (W9):** Dr. Sayeed's [REDACTED], who [REDACTED], and was very close to Dr. Sayeed in age. Dr. Sayeed fully acknowledges his shouting and temper with W9 and other students as he did in his response to the 1<sup>st</sup> investigation. However, Dr. Sayeed refutes the accusation that he used “control of scholarships” (“scholarship” presumably means “funding”) to place his students “under threats and stress.” There is no evidence for this accusation since Dr. Sayeed has never revoked funding of any student in his entire 23+ years at UW-Madison.
- b. **W3:** Again, nothing new here compared to the 1<sup>st</sup> investigation. In fact, this event is squarely within the timeframe of the 1<sup>st</sup> investigation. Dr. Sayeed admits that he has often been harsh in his feedback to students. However, characterizing the event as “berating the student viciously” is subjective at best and prejudicial at worst. Furthermore, as noted by the Provost, W3 interacted with Dr. Sayeed's lab for only [REDACTED]!
- c. **W4:** Dr. Sayeed has no recollection of who this witness is and again the use of the word “savagely” is rather extreme, if not prejudicial. The prejudicial nature of this testimony is further exposed by the un-supported accusation that Dr. Sayeed has “issues with female students and was much more aggressive towards them.” Did ACP try to corroborate these accusations with anyone? No other witness from this or the 1<sup>st</sup> investigation has made such defamatory accusations. **This accusation needs to be retracted.**

#### **Charge 2: unprofessional behavior**



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The witness statements for this charge don't add anything new to what is already known from the 1<sup>st</sup> investigation and fully acknowledged by Dr. Sayeed. **Some statements are blatantly untrue and need to be retracted. In fact, taken together, the statements squarely point to institutional failure and a coordinated attempt to deflect responsibility.**

- a. **W1:** This is very surprising and troubling witness statement, given the fact that W1 was one of Dr. Sayeed's [REDACTED]! **It is surprising and troubling since Dr. Sayeed does not recall anytime during his 23+ years at Wisconsin when W1 brought Dr. Sayeed's "totally inappropriate" behavior to his attention or discussed it with Dr. Sayeed.** Dr. Sayeed would have expected this from [REDACTED] who often came to his office (which was [REDACTED]) to talk of "non-technical" matters. W1's statement that [REDACTED] changed [REDACTED] research area so that [REDACTED] did not have to interact with Dr. Sayeed is bewildering and laughable. How is any faculty's research area so tightly coupled to interacting with any other faculty? W1, like many other researchers in the area, could have easily does [REDACTED] research without interacting with Dr. Sayeed! The real reason by W1 changed [REDACTED] research areas away from Dr. Sayeed was that their (W1's and Dr. Sayeed's) efforts to secure joint funding were not very successful. And by then W1 had started a fruitful collaboration with Professor Hagness and they were both part of the "bible study group" (along with Prof. Booske, another faculty, and another student) that Dr. Sayeed inadvertently discovered from a printout of a group discussion sitting in a department printer (documented in his response to the 1<sup>st</sup> investigation). In addition to excluding Dr. Sayeed from the "bible study" group, W1 actually tried to sincerely convert Dr. Sayeed to Christianity during a flight to Dallas (for a joint industry funding opportunity). W1 would also often indulge [REDACTED] in bigoted/racist statements against Dr. Sayeed; e.g. "you can take a third-worlder out of the third-world but you cannot take the third-world out of the third-worlder". **See also the email from W1 (Exhibit A) in which W1 is belittling Dr. Sayeed's work while preparing his tenure package. These statements from W1 need to be corroborated with evidence (e.g. emails) or retracted.**
- b. **W4:** The same witness from charge 1 whom Dr. Sayeed cannot fully place. Perhaps the graduate student who was part of the "bible study" group? **Regardless, this witness's defamatory testimony needs to be retracted unless corroborated or supported.**
- c. **W12:** W12 was Dr. Sayeed's [REDACTED] (along with W1) when [REDACTED] started as an assistant professor in [REDACTED]. Many faculty considered W12 to be one of the most toxic and gossipy people in the department. When Dr. Sayeed was interviewing, W12 told him: "UW-Madison is an extremely democratic place. So, if you are not happy with something your chair does, you can go to their office and spill hot coffee in their lap and it would be okay." W12 would also berate Dr. Sayeed by calling him a "towel head" (documented in 1<sup>st</sup> investigation), and often sent him inappropriate emails. In particular, W12 sent Dr. Sayeed a highly worrisome email regarding his tenure package while Dr.



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Sayeed was in Pakistan visiting his parents! Dr. Sayeed suspects that W12 is retaliating, given ■■■ vindictive nature, for Dr. Sayeed's statements about ■■■ bigotry in the 1<sup>st</sup> investigation by accusing Dr. Sayeed of "extreme bullying to the point of violence". **This statement needs to be retracted.**

- d. **W12:** ACP specifically asked a question about this incident and Dr. Sayeed's response is documented in Ex 4 (6/2/20 letter). Dr. Sayeed does remember grabbing the student's shoulders and asking ■■■ "where were you?" This student was often late for meetings or skipped them without notice. Regardless, W12's statement that ■■■ did not report this incidence because ■■■ wanted to help Dr. Sayeed is not accurate. W12 wanted to keep Dr. Sayeed under ■■■ thumb.
- e. **W12:** This testimony of W12 is not adding anything new to the 1<sup>st</sup> investigation. The more important question is: if "every person [in nearby offices] knew [Dr. Sayeed] yelled at students" why did not anyone of the faculty in the nearby offices, including W1, do anything about it? Points to institutional culpability. The statement that Dr. Sayeed did not fear anyone after receiving tenure is patently false. Dr. Sayeed did not fear anyone even before getting tenure!

#### **Charge 3: prior warnings**

The Provost's statement "Multiple colleagues asserted that they continually confronted you about your inappropriate behavior and were apparently ignored" is not supported by the facts or evidence in ACP's report or Ex 5. There is only one instance of concrete feedback from an ECE faculty – the 2003 memo from then-chair DeMarco. However, that memo is part of Dr. Sayeed's personnel file and would have (or should have) been available to Prof. Wolleat in the 1<sup>st</sup> investigation.

- a. **W1:** W1's statement about cautioning Dr. Sayeed many times about the inappropriateness of Dr. Sayeed's alleged interference in tenure packet preparations is not supported by fact. Dr. Sayeed has no recollection of this or ever receiving any such feedback from W1, written or otherwise. As the email in Exhibit A shows, W1 was continuing to belittle Dr. Sayeed's work during the tenure package preparations. In this email, **W1 states: "I am trying real hard to get psyched for this afternoon – making a silk purse out of a sow's ear – it's going to be tough, but I think I can do it ..."**
- b. **W12:** Dr. Sayeed does acknowledge this incident with the student and W12 response and it never occurred again.
- c. **Former Department Chair Chris DeMarco:** Dr. Sayeed has fully acknowledged this incident and the resulting 2003 memo from DeMarco is the only concrete and meaningful feedback given to Dr. Sayeed regarding his behavior. At the same time, Dr. DeMarco also told Dr. Sayeed personally: **"if you are going to yell at me, at least close the door!"**, thereby minimizing it to some extent. Around the same time-frame, Dr.

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DeMarco, as department chair, made a comment at a faculty meeting, in jest, that went something like: “I have received some recent complaints about yelling but I have been assured it’s not Akbar”. The result was chuckles from a number of faculty members.

- d. [REDACTED] (W11): This statement from [REDACTED] is very troubling and disappointing since Dr. Sayeed has no recollection of [REDACTED] admonishing Dr. Sayeed in any meaningful manner ever. Dr. Sayeed and [REDACTED] had collaborated on projects, off an on, for a long time and would often have heated arguments on technical issues. In fact, Dr. Sayeed recalls talking to [REDACTED] recently, while the 2<sup>nd</sup> investigation was underway, and acknowledging that his yelling and use of profanity is not appropriate, to which [REDACTED] responded that [REDACTED] did not care about it and was fine with it. Thus, this statement from [REDACTED] comes as a big surprise and really disappointing to Dr. Sayeed. Dr. Sayeed suspects that [REDACTED] may have been coerced by the current ECE administration into making this false statement.

#### Charge 4: teaching and mentoring of graduate students

The statements on this charge don’t add anything new to what is already known from the 1<sup>st</sup> investigation and what Dr. Sayeed has fully acknowledged in his response to the 1<sup>st</sup> investigation. In addition, some statements (W8) are false and defamatory and need to be retracted. Finally, the statement from W13 again points to institutional culpability.

- a. **W5:** This is a former student of Dr. Sayeed’s from [REDACTED] timeframe. There are many defamatory and untrue claims made by this witness that are documented in Ex 5 of the ACP’s report. These statements are belied by the many social interactions between Dr. Sayeed and W5 as part of sports-related activities of their kids.
- b. **W5:** The accusation by W5 that “there was no direction or mentoring” is laughable given that Dr. Sayeed has a long list of students who have successfully finished their degrees and gone on to successful careers! The statement by W5 that [REDACTED] would have made faster progress had not been for the toxic interaction with Dr. Sayeed is highly speculative and subjective. It should be noted that Dr. Sayeed successfully nominated [REDACTED]. However, W5 exhibited an extremely entitled attitude. W5 was more interested in traveling to conferences than doing research. W5 once asked Dr. Sayeed if [REDACTED] could go to a conference in Paris ([REDACTED]) even before [REDACTED] had even prepared a first draft for a paper to submit! Dr. Sayeed gave W5 lots of feedback – W5 was just not cut out to tackle the kind of research problems Dr. Sayeed was suggesting. Eventually W5 switched advisors. Now W5 is back at the UW as [REDACTED].
- c. **W8:** This witness is a [REDACTED] of Dr. Sayeed’s. Dr. Sayeed’s heated discussions at conferences are well-known and he has fully acknowledged them (see 6/2/20 letter in

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Ex 4 and also the response to ACP report in this document). Claiming that this was “extremely detrimental to students and postdocs” is not supported in fact - all of Dr. Sayeed’s students have gone on to successful careers. Similarly, the assertion that “advancing [students/postdocs] careers was not [Dr. Sayeed’s] priority” is not supported in fact. Dr. Sayeed has always supported the careers of all his students/postdocs and other researchers around the world through countless letters of recommendations over the course of his career. More specifically, Dr. Sayeed personally challenged the rejection of a couple of papers with W8 that had been the victim of unfair reviews.

- d. **W8:** W8’s assertion that “most students weren’t comfortable standing up to Dr. Sayeed because of visa status” is wild speculation and not supported in fact. First, Dr. Sayeed has never cut-off any students funding in his 20+ years at Wisconsin. Second, at every time in Dr. Sayeed’s career there would be students who stood up to him and challenged Dr. Sayeed technically or relating to this behavior. Dr. Sayeed always appreciated and welcomed such challenges and never retaliated against any of those students. It should also be noted that Dr. Sayeed is fully aware of the visa issues for foreign students since he was himself one when he first came to the UW-Madison as a transfer student in 1989.
- e. **W8:** Dr. Sayeed admits that he has a high bar for quality of work and he is not going to apologize for that. W8’s claim that “it would be months before one got feedback on papers” is a gross exaggeration and not supported in fact. It should be noted that W8 was a co-author on [REDACTED] papers from his [REDACTED] in Dr. Sayeed’s lab! The claim that for least two papers, W8 made significant contributions but was not made a co-author is false. Dr. Sayeed does not know what papers W8 is talking about. W8 has also made some additional unfounded and defamatory statements, documented in Ex 5. For example, W8 claims (Ex 5 – page 10) that Dr. Sayeed “derailed [REDACTED] life” by giving [REDACTED] a negative recommendation for a faculty position. **This is blatantly false and defamatory and needs to be retracted.** Exhibit B contains a letter of recommendation Dr. Sayeed wrote for W8 for a faculty position – the content speaks for itself.
- f. **W13:** Dr. Sayeed cannot quite place W13 – possibly a former chair or senior colleague. However, the statement **“Retrospectively, I now see it was poor mentoring” is honest and again points to institutional culpability.**

#### **Charge 5: verbally abusive behavior during 2-year suspension**

This is the only truly new charge in the 2<sup>nd</sup> investigation, relative to the charges and scope of the 1<sup>st</sup> investigation. However, this incident was initially considered “minor” by the complainant (W2). Through cherry-picking of documented evidence (Ex 5), this charge has been amplified to a higher status during the course of the 2<sup>nd</sup> investigation, reflecting a biased investigation.

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- a. **W2:** It should be noted that the new assertions by W2 were not part of the original detailed complaint documented in Dean Robertson's 11/19/19 letter to the Provost, in which the **Dean stated that W2 had labeled the incident "minor"**, and also supported by the corresponding email chain between Dr. Sayeed and W2 (**Ex 1, item 5, pages 27-49**). **Thus, this new testimony from W2 seems to be contrived, exaggerated and possibly coerced.** It is also worth pointing out **that HR Dean Jankoski revealed his bias and prejudice in summarizing W2's complaint in his original investigation (Ex 1 – interview #2, page 14) by accusing Dr. Sayeed of uttering the word "f@%k" in two places when Dr. Sayeed only said "What is this \$hit"**.
- b. **W23:** W23 is another [REDACTED] who worked with W2. W23's recounting of the incident seems embellished. For example, there was no mention of "crying" by W2 in [REDACTED] own original complaint and description of the event (**Ex 1**). There are other statements from [REDACTED], documented in Ex 5, that are very revealing about W2's acute hostility and "hate" towards Dr. Sayeed that the Provost has not included (discussed below). This is sad and disappointing since Dr. Sayeed had known W2 for a long time (when [REDACTED] started [REDACTED] job in ECE) and they always got along well. Dr. Sayeed was taken aback by the change in W2's attitude towards Dr. Sayeed during his suspension. W23's testimony sheds light on this change, again reflecting extreme bias and prejudice in the ECE department towards Dr. Sayeed exemplified by the statements of W1, W2, John Booske, and Susan Hagness, in particular.

Provost Scholz acknowledges Dr. Sayeed's assertion on improved behavior and continuing efforts towards that end but minimizes it.

More significantly, Provost Scholz goes on to explain the reason why W2's initial recounting of the 2018 incident as "minor" has been elevated to "major" during the course of the 2<sup>nd</sup> investigation:

**"However, Witness 23's description of the events cannot be discounted, as it evidences a recurrence of the pattern of verbal abuse and a lack of professionalism that is unacceptable behavior."**

Provost Scholz is correct in saying that W23's testimony cannot be discounted. But rather than cherry-picking W23's comments that support the alleged charge, W23's entire testimony, documented in Ex 5, should be considered. Here are some relevant parts of the W23's testimony (Ex 5, page 12):

- **"W2 could occasionally have a bit of a temper with some faculty, but I never saw W2 respond as passionately angry or speak with so much hate about anybody else."**
- **"In the time I worked with W2, (they) also told me stories of the incident (of the student [REDACTED]) when it first happened and how W2 and John Booske (then Chair) got into**

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screaming matches because [REDACTED] was so angry that he wasn't taking more serious action. W2 and John got along extremely well (were friends outside of the dept, knew each other's spouses, [REDACTED], etc.) W2 said that John 'didn't want to ruin his [AS] career.' **W2 felt AS should have been fired then.** I did not witness any of this."

The boldfaced parts (to highlight relevant content) of W23's statements are highly revealing of the "passionate anger" and "hate" W2 evidently harbored towards Dr. Sayeed. The statement that W2 would get into "screaming matches" with John Booske because [REDACTED] was angry that he was not taking more serious action against Dr. Sayeed reveals further extreme prejudice on part of W2 towards Dr. Sayeed. The final statement that "W2 felt AS should have been fired then" could not be more explicit.

In view of the above documented testimony from W23, any reasonable person would conclude that W2's testimony is deeply tainted with extreme prejudice towards Dr. Sayeed and should be outright discounted if not taken with a very heavy dose of skepticism. Most certainly, this post facto elevation of the 2018 incident involving Dr. Sayeed to something "major" is not justified and reflects extremely prejudicial and biased implementation of the 2<sup>nd</sup> investigation.

In summary, as the above dissection of the witnesses cited by Provost Scholz in support of his initial decision demonstrates, the testimony of key ECE faculty/administrators, including W1, W2, W12, John Booske, and Parmesh Ramanathan is laced with questionable, sometimes downright fabricated defamatory statements. This alone raises fundamental and serious issues about the integrity of the second investigation.

The following discussion of ACP's report further amplifies these points. The resulting picture that emerges indicates a concerted and deliberate effort by some ECE staff and faculty to dismiss Dr. Sayeed through exaggerated, prejudicial and sometime downright fabricated statements.

### Response to ACP Report

Overall, an authoritarian and condescending tone is prevalent throughout the report. Dismissing and disregarding Prof. Sayeed's comments is another aspect that would be evident to any reasonable person reading this report.

A detailed response to Dr. Palmenberg's report is provided next. In particular, an examination of her arguments for the confirmation of the five charges that also highlights the problematic aspects identified above.

In Sections I-III of her report, Dr. Palmenberg reviews the 5 charges to be investigated (Sec. I), states the summary of findings on the charges (**Confirmed** in bold on all 5 charges) in Sec. II,

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and provides a detailed description of the materials, resources, and procedures employed in the investigation (Sec. III). Sections IV-VIII contain the substance of ACP's arguments and discussed in detail next.

#### **ACP Section IV: Jankoski Evidence Bearing on Current Charges**

ACP simply goes on to confirm that the evidence collected by Dean Robertson and HR Dean Jankoski fully supports the 5 charges put forth by the Provost. However, ACP completely ignores and dismisses all the substantial comments made by Prof. Sayeed, including:

- No warnings were given to Dr Sayeed by ECE faculty beyond the Chair's memo from 2003. ACP's confirmation is based on W1 statements and as Dr. Sayeed wrote in his 4/14/20 letter to ACP (Ex 4), he has no recollection of getting any such feedback.
- The prejudicial "note taking" by Jankoski where he adds a "f\*\*k" into Dr. Sayeed's original statement which only had "sh\*t" in it, as also corroborated by W2 emails and statements. Then Jankoski goes on to assert that again in two other places.

ACP not only does not discuss Dr. Sayeed's very relevant refuting comments from the 4/14/20 letter in this section, but goes on to make the following blanket statement (**ACP report page 4**):

"I found no indication that any witness made up any stories or exaggerated incidences just to discredit Dr. Sayeed or to skew recalled timelines."

On the contrary, any reasonable person would find that there is plenty of evidence to support just the opposite: stories were made up and incidents exaggerated just to discredit Dr. Sayeed and support the charges. This significant issue is also highlighted in the earlier response to Provost's letter in this document.

Furthermore, the issue of HR Dean Jankoski injecting prejudicial elements into evidence is not even discussed in this section, but dismissively minimized later in Sec. V when discussing Charge 5 (**ACP report page 6**):

"Dr. Sayeed's behavior was loud, aggressive, profanity-laced bullying (regardless of the semantic specifics laid out in various e-mails), ..."

#### **ACP Section V: New Evidence Bearing on Current Charges**

In Section V of the report, ACP examines new evidence, documented in Ex 5 and collected through a questionnaire and phone/email interviews, to support her confirmation of the five charges. ACP first provides a summary of check box (Yes/No) responses (**AC report page 5**) to specific questions (#5, #6, #7, #8, #9), and also summarizes the comments offered by the witnesses to the above questions and including those in response to prompt #10 for any additional comments. According to her analysis, the comments breakdown is:

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Supportive of Dr. Sayeed: x9

Neutral: x9

Supportive of Provost Charges: x8.

However, what she concludes in her FINDING does not quite follow her own data. Regarding check box responses, ACP states:

**‘the checkboxes divided roughly 1:2 into those who responded “no” to potential inappropriate behavior allegations and those who answered “yes”.’**

This is more or less correct for questions #5 (inappropriate language), #6 (uncomfortable feelings), #7 (hostile or intimidating behavior), and #9 (departmental expectations).

However, tellingly, the response to question #8 (feedback to Dr. Sayeed about his behavior) is just the opposite: 18x respondents stated “no” that they never spoke or gave feedback to Dr. Sayeed about his behavior, whereas 9x respondents stated “yes” to providing feedback. **This piece of evidence supports Dr. Sayeed’s challenge to Charge 3, and also indicates misrepresentation (prejudicial or otherwise) of the evidence by ACP.**

ACP then follows the above incorrect statement with an even more egregiously false statement in her FINDING:

**‘The offered comments approximately follow those divisions.’**

This is objectively false given her own roughly equal accounting of positive, neutral, and negative comments above (roughly 1/3<sup>rd</sup> in each category; in blue).

Any reasonable person reviewing this material would find the conclusions drawn problematic at best and prejudicial at worst.

#### **ACP’s discussion of specific charges in Section V**

ACP discusses Ch. 5 (new 2018 incident) and Ch. 3 (prior warnings) separately and then discusses Chs. 1, 4, and 2 together (which, in Dr. Sayeed’s view, are superfluous and unwarranted, given the 1<sup>st</sup> investigation and his response to it). The same order is kept in the responses below.

#### **Ch 5 – Alleged abusive behavior towards a staff member (ACP report page 6)**

This alleged behavior was against W2 and ACP quotes testimony from W2, W23 ( [REDACTED] ), and W24 ( [REDACTED] ). This event was initially referred to as “relatively minor” by W2 and Dean Robertson in his (11/19/19) letter to the Provost. However, the description of the event has been radically accentuated in the ACP report. Several aspects of this charge reflect bias and malicious intent, and are summarized below:



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- W2's new testimony in interviews with ACP is very inflammatory. E.g. according to W2: "retaliation is a concern. Is he going to come after me?". There was no time when Prof. Sayeed retaliated in any way against W2. **W2 needs to provide support for this accusation or retract this comment.**
- W23 testimony is stating that W2 was crying after the event. There was no mention of crying or anything like that in the original Jankoski findings communicated in Dean's 11/19/19 letter to the Provost. In fact, as Prof. Sayeed wrote in his email exchange with W2 and also in his 4/14/20 letter to ACP, W2 was showing Sayeed [REDACTED] while this event was happening! This is gross exaggeration.
- Jankoski's summary of the event was highly prejudicial – he accentuated the exchange by adding "f@\*k" in two places when Sayeed only uttered: "What is this sh\*t?". Sayeed brought this up to ACP in his 4/14/20 letter and his interview but ACP totally minimizes and disregards this concern by stating in her FINDING: "Dr. Sayeed's behavior was loud, aggressive, profanity-laced bullying (regardless of the semantic specifics laid out in various emails)".
- The Provost is right in stating that while the event was originally labeled as "relatively minor" by W2, the testimony of W23 cannot be ignored. However, it's the testimony of W23 (in Ex 5 – ACP Interview notes) that is **not quoted** by the Provost or ACP that is very illuminating. The following statements from W23 (Ex 5 – page 6) are very revealing.
  - "W2 also said to me at one point that (AS) was going to 'blow a gasket' and be furious when he found out that W2 gave a lab space to another faculty even though he had wanted it for his own students." Note that there is no recollection of Dr. Sayeed 'blowing a gasket' related to this event. The fact that Dr. Sayeed was denied this space by W2 is also reflective of W2 prejudicial behavior against Sayeed.
  - "W2 could occasionally have a bit of a temper with some faculty, but I never saw W2 respond as passionately angry or speak with so much hate about anybody else." Wow, so much hate – Sayeed was not aware of that!
  - This last statement from W23 is the most troubling: W23 relates: "In the time I worked with W2, (they) also told me stories of the incident (of the student [REDACTED]) when it first happened and how W2 and John Booske (then Chair) got into screaming matches because [REDACTED] was so angry that he wasn't taking more serious action. W2 and John got along extremely well (were friends outside of the dept, knew each other's spouses, [REDACTED], etc.) W2 said that John 'didn't want to ruin his [AS] career.' W2 felt AS should have been fired then. I did not witness any of this." This statement clearly demonstrates the hate, prejudice, and malice of W2 with regard to Dr. Sayeed. This also explains why the "recounting" of this interaction between W2 and Dr. Sayeed

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underwent an un-supported and extenuating distortion between the original summary from Jankoski and Dean's letter of 11/19/19 and the final ACP report. In view of these statements by W23, any reasonable person would find W2's statements against Sayeed to be tainted with extreme prejudice.

#### Ch 5. Other allegations of unauthorized behavior (ACP report page 7)

The collection of allegations documented on **page 7 of ACP report** are gratuitous given Dr. Sayeed's response to the appropriate people involved at the time. More significantly, they are strictly speaking un-warranted given the circumstances and reflect incompetence, lack of coordination, and malice towards Dr. Sayeed on part of the ECE people involved.

First of all, it is important to note that during his suspension (from November 2017-April 2019), Dr. Sayeed was getting paid by the UW-Madison through a grant from the National Science Foundation (NSF) since he had gotten a job there as a rotating program director in November 2017. As part of the NSF job, Dr. Sayeed was granted "Independent Research & Development" days when he could return to Madison and work on his research. During Fall 2017 and through May 2018, Dr. Sayeed was allowed to meet with one or two of his graduate students in the presence of other faculty or staff from the Dean's office. So, the statements from W2 and Susan Hagness, documented in the email trail in **Ex 5 (page 15-18)**, are factually incorrect and prejudicial in nature.

For example, as quoted on **page 7 of ACP report (and on page 17 in Ex 5)**, W2 writes to John Booske and Susan Hagness:

(4/28/18): "I believe that Akbar has used the pro-card to register a student for a conference. This charge showed up on our report (staff member) contacted (a student) to inquire about the charge. (The student) replied by indicating that Professor Sayeed registered him last week. There's several problems with this, 1) he used the department pro-card, and 2) he has registered a student for a conference, 3) he's spending on UW funding and finally, 4) he has a PayPal account set up that uses the department pro-card. I truly do not want to continue reporting him for these things but given that he is on leave under direction of the Provost, none of these things should be happening. I do not want anyone on the administrative staff get into trouble for allowing it. Please advise on what to do with this."

It is worth noting that Dr. Sayeed was actually meeting with the student in question at the time whenever he came to Madison from NSF and the Dean was aware of it. The student was planning to attend a conference and Dr. Sayeed registered [REDACTED] using the procard on a legitimate grant. In fact, Dr. Sayeed had asked Dean's permission to meet with the student in Washington DC in preparation for the conference, and Dean Robertson had okayed it (**see Exhibit C**). Dr. Sayeed has no idea what paypal account W2 is referring to, that is connected to procard. **This is factually incorrect and prejudicial and needs to be retracted.**

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The student that Dr. Sayeed was trying to hire in 2019 (in preparation for [REDACTED] joining in 2020 potentially) was the same student from above incident. [REDACTED] had contacted Dr. Sayeed about [REDACTED] plans to [REDACTED]. Dr. Sayeed had explained the situation in his letter to the Dean dated 8/6/19 (see Exhibit D). Dr. Sayeed also explained this matter to ACP in his 6/2/20 letter (Ex 4).

The workshop Dr. Sayeed was helping organize in 2019 was part of an NSF grant for a Research Coordination Network (<http://mmwrcn.ece.wisc.edu>) that Dr. Sayeed had established in 2016. No one else at the UW-Madison was familiar with the logistical requirements for running the workshops and hence Dr. Sayeed was trying to work with Prof. Ramanathan as much as possible.

**FINDING: In summary, these allegations are gratuitous, factually incorrect and reflect the bias of the ECE department administration. The fact that ACP did not even bother to corroborate the allegations or connect the dots reflects lack of diligence and bias on part of ACP.**

#### **Ch 3. Previous behavior warnings prior to the 1<sup>st</sup> investigation (ACP report, page 8)**

Other than the one Chair's memo of reprimand from 8/11/03, there was no feedback from fellow faculty members or any administrators in the CoE or UW-Madison regarding Dr. Sayeed's behavior. The statement from W1 on page 8 of the ACP report:

**W1: (Dr. Sayeed) over the years (since hire) was told multiple times by personal e-mail from W1 that his behavior was inappropriate.**

is factually untrue. Dr. Sayeed has no recollection, or record, of any emails from [REDACTED] ([REDACTED]) telling him that his behavior was inappropriate. **W1 needs to either provide copies of emails or retract this statement.**

The situation is worse than that. W1 [REDACTED] from Dr. Sayeed. And [REDACTED] would often come to his office to have private conversations. Never once did [REDACTED] bring up any behavioral issues – either as [REDACTED]. As noted in the response to 1<sup>st</sup> investigation, three faculty members had been contacted by students, including Nowak, Booske, and Vernon and none of them had the courage to directly speak with Dr. Sayeed regarding it.

The statement from W11 ([REDACTED]):

**W11 [REDACTED] “(Dr. Sayeed) frequently used non-professional language against me. (My response was) to tell him to stop, and walk out.” “(I found his behavior) intimidating toward me and unprofessional.”**

is also deeply misleading. Not only W11 never confronted Dr. Sayeed, [REDACTED] would minimize the impact of Dr. Sayeed's behavior when Dr. brought it up to [REDACTED] in conversations after the 1<sup>st</sup> investigation. [REDACTED] would say something like “I am totally fine with it.”

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The only people who raised behavioral issues were students – as readily admitted by Dr. Sayeed in the 1<sup>st</sup> investigation. For example, the statement from W9 has already been discussed in response to the Provost’s letter. The only formal feedback Dr. Sayeed received during his 23+ years was from Prof. Chris DeMarco (then chair).

**FINDING:** Any reasonable person would find this as a blatant example of institutional failure in terms of faculty informing their colleagues when they are crossing a line, either as other members of the faculty, or as friends/colleagues. It should be noted that Prof. Sayeed has known W1, Prof. Booske, and Prof. Nowak for a long time since his undergraduate days at UW-Madison.

**Contribution of Culture:** ACP acknowledges this failure of departmental culture on page 9 of the report. She asked 15 people and only 4 allowed her to cite their responses.

**Dr. Sayeed has no recollection of the statement from W4 and finds it particularly inflammatory** by accusing that “He had issues with female students and was much more aggressive towards them.” This is not true. Furthermore, W4 apparently sent an email to the then department chair, who told W4 orally not to bother him again “There is a culture in engineering; don’t put it in writing.” **ACP did not bother to corroborate this accusation from the previous chairs, reflecting a lack of due diligence or bias.**

**W11** ( ) is basically providing information on grievance mechanisms to minimize departmental culpability.

**W12’s** statement is again an admission of institutional failure (W2 ). This statement is also discussed earlier as part of the response to the Provost’s letter.

**FINDING:** In view of the above discussion, the only concrete prior warning given to Dr. Sayeed was in the 2003 memo from Chair DeMarco. However, as noted earlier, this memo is part of Dr. Sayeed’s personnel file and would have been available to Prof. Wolleat during the 1<sup>st</sup> investigation. Dr. Sayeed challenges W1’s claims of any warnings – there is no evidence for that. Any reasonable person would find that the confirmation of Ch. 3 is wanting and is also an attempt to deflect any institutional culpability on part of the ECE Department.

#### **Charges 1, 4, 2 (ACP Report, pages 9-14)**

Overall, as Dr. Sayeed documented in his 4/14/20 letter to ACP, these charges are superfluous and gratuitous given the charges and scope of the 1<sup>st</sup> investigation. This is also evident from the language used for charges 1, 4, 2 in Provost’s 3/127/20 letter to ACP, which include the following phrases (Ex 1):

Ch 1: “both prior to and after the events investigated by Professor Wolleat”

Ch 2: “in the period prior to the events investigated by Professor Wolleat and afterwards”

Ch 4: “in the period before and since the events investigated by Professor Wolleat”

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This is an artificial timeframe imposed, post facto, on the scope of the 1<sup>st</sup> investigation. There was no timeframe implicit or explicit in the corresponding charges in the 1<sup>st</sup> investigation as laid out in then-Provost Mangelsdorf's letter dated 11/2/2017 (Ex 3).

Furthermore, Dr. Sayeed fully took responsibility for these charges in the 1<sup>st</sup> investigation and also noted to the investigator (Prof. Wolleat) and in his response to the investigation that he has been dealing with these anger-related issues all his life. For example, Dr. Sayeed's response to 1<sup>st</sup> investigation states (Ex 4, page 23):

"Prof. Sayeed believes that the abusive aspects of his behavior identified in this report are tied to anger-related issues that he has been dealing with all his life. .... He is not proud of it, but his relationships with virtually all of his students have been negatively impacted by his behavior at some point during their graduate studies. At the same time, he knows that he has never intentionally tried to hurt any of his students or jeopardize their academic or professional development or careers. In fact, he is proud to say that he is on good terms with all of his former students."

**Thus, looking at the findings from the 2<sup>nd</sup> investigation, any reasonable person would conclude that Charges 1, 4, and 2 do not bring anything new to the forefront beyond what is already known from the 1<sup>st</sup> investigation.**

#### **Ch 1: Unwelcome, severe, hostile and/or intimidating, unacceptable behavior (ACP report, pages 9-10)**

The statements from the witnesses are not credible based on Dr. Sayeed's recollection of his interactions with them. ACP's statement "threatening students with loss of funding or program dismissal" is a blatant exaggeration and biased given the fact that Dr. Sayeed has never removed funding for any student, or tried to remove them from the program, in his 23+ years at Wisconsin!

- **W5:** Dr. Sayeed has run into this former student as part of their kids sports. W5 came to Dr. Sayeed to start a conversation several times, also telling him about [REDACTED] last job and then being recruited by the UW. So, [REDACTED] statement on "zero trust" is kind of hard to swallow.
- **W9:** Dr. Sayeed's first student with whom Dr. Sayeed had disagreements. However, Dr. Sayeed is still on good terms with W9 as also noted in other testimony from W9. The interactions with W9 are also discussed in the response to Provost's letter.
- **W12:** One of the [REDACTED] of Dr. Sayeed, who was one of the most toxic people Dr. Sayeed interacted with. [REDACTED] would also berate Dr. Sayeed by calling him a "towel head". W12 would often be gossiping about others. Most significantly, a few years prior to W12 [REDACTED], W12 came to Dr. Sayeed to campaign against the promotion of a

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fellow colleague to full professor. Dr. Sayeed found this very distasteful since in Dr. Sayeed's opinion the colleague deserved promotion. ■ statement "extreme bullying to the point of violence" is highly inflammatory and patently untrue. Dr. Sayeed thinks that W12 is retaliating after Dr. Sayeed documented biased and bigoted comments from W12 towards Dr. Sayeed in his response to the 1<sup>st</sup> investigation report. Dr. Sayeed has several stories about W12 that are highly disturbing and unprofessional.

- **W16:** W16's statement are extremely problematic since ■ was ■ at the time of the 1<sup>st</sup> investigation, ignored a student's complaint against Dr. Sayeed, and never spoke to Dr. Sayeed as a colleague or friend about his behavior when Dr. Sayeed had known ■ since ■ undergraduate days at the UW when W16 was ■. W16, rather than accepting responsibility for ■ and the Department's failure, is trying to put all the blame (and some more) on Dr. Sayeed. If the behavior was going back 20 years, why didn't W16 ■ or colleagues directly talk to Dr. Sayeed?

To ACP's credit, she does list 6 positive comments towards Dr. Sayeed. In particular, the comment from W30 comes closest to the reality:

**W30:** I knew (Dr. Sayeed) and his students for many years. His attitude of not tolerating fools lightly worked well with some but not the more sensitive. I've seen a hell of a lot worse advisors at UW. The picture of (Dr. Sayeed) as the one bad apple among a sea of faultless faculty is a lie. He's a scapegoat.

**FINDING:** In view of the above, and the charges and scope of the 1<sup>st</sup> investigation, any reasonable person would find that Charge 1 is superfluous, as it was already confirmed and acknowledged by Dr. Sayeed in the 1<sup>st</sup> investigation. The new findings do not add anything substantial beyond what was found in the 1<sup>st</sup> investigation.

#### **Ch 4: Unsatisfactory engagement in teaching duties, which includes advising and mentoring graduate students (ACP Report, pages 10-13)**

- **W4:** a former student who never even worked with Dr. Sayeed.
- **W7:** a former student who also participated in the 1<sup>st</sup> investigation. The statements: WSJ article prompted renewed feelings. Seeing public sentiment turn made W7 more against (Dr. Sayeed) and wanted to do more. In 2017 W7 was afraid of (Dr. Sayeed) retaliation, because (Dr. Sayeed) "was pissed over it" (response to initial graduate student's allegations) and so did not tell all to Dean Jankowski of personal experiences, then are prejudicial and inflammatory. Dr. Sayeed never expressed or felt being "pissed over it" regarding the initial complaints.

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#### Student observations on mentoring:

- **W3:** three comments from [REDACTED] – a former student who only stayed in the lab [REDACTED] before switching advisors!
- **W4:** former UW student who never worked with Prof. Sayeed!
- **W5:** former student, [REDACTED], whose testimony is highly prejudicial, as noted elsewhere in this document as well. This student wanted Dr. Sayeed to approve travel to a conference in Europe so that [REDACTED] could [REDACTED], before even writing an outline of a paper to submit, let alone getting it accepted!
- **W8:** [REDACTED]. The statement about making contributions that were not acknowledged by Dr. Sayeed is unfounded. **Needs to be supported with documentation or retracted.**
- **W14:** A former student, currently gainfully employed! It was clear to Dr. Sayeed that [REDACTED] was not fit for a PhD, at least in [REDACTED] group. [REDACTED] could have switched groups but [REDACTED] decided to leave for industry.
- **W22:** Most likely one of two former students who were [REDACTED] and Prof. Sayeed referred them both to University Health Services as well.

#### Faculty observations on mentoring:

- **Susan Hagness as Chair:** The statement from Susan Hagness is highly prejudicial and reflects the ill-will and animosity in the ECE Department towards Dr. Sayeed. **“witness moments when Dr. Sayeed ‘became extremely agitated’ and believed that if a supervisor were not there ‘he would have blown.’”** What does “he would have blown” mean? **Evidently, ACP did not even try to corroborate this statement with other members of Dean’s Office (e.g. Manuela Romero, Dean Robertson, and others) who supervised Dr. Sayeed’s meetings, or with the students involved in the meetings!**
- **W25:** [REDACTED] of Dr. Sayeed’s interacting with whom is not a pleasant memory for Dr. Sayeed either. Once in a search committee meeting while discussing a potential faculty candidate that Dr. Sayeed thought was promising, W25 called the faculty candidate a “hack”.

#### Support for Dr. Sayeed’s mentoring:

The comments from W15 and W18 are closer to the truth. Dr. Sayeed likes to challenge himself and others and does not take it personally when others challenge him or even yell or use profanity against him in the process.

- **W15:** Professor Sayeed has always blown a little hot and cold. ... but I would not characterize any of it as inappropriate behavior. He’s always treated me as an equal in the sense that I was always able to challenge his viewpoint/opinion and he never took it



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personal.

- **W18:** Dr. Sayeed is a super intelligent person. This is his blessing and curse at the same time as he expects that his research staff can deliver on the same level as he does. Unfortunately, this is impossible to happen and this was the source of all problems. His language was indeed intimidating whenever he was not content with the progress of his group. Personally, I did not take these outbursts very seriously as I am aware of my capabilities and limitations but I completely understand that some of his students felt hopeless against him.

ACP's choice of Sayeed's rebuttal comment from the 1<sup>st</sup> investigation, in the context of "student mentoring", is rather prejudicial (and out of context) in which he is saying that he has not physically hurt any students in his 20+ years at Wisconsin. There was plenty of more relevant material from the 2017 response. For example (Ex 4, pages 16, 23):

"Prof. Sayeed makes it clear to the students joining his research group that he works hard and he expects them to work hard and if that was an issue then the students would likely be better off joining a different group."

"As a researcher and colleague, Prof. Sayeed is not the stereotypical faculty member. He can be very candid – to the point of being very direct or blunt at times – that is not always comfortable for others. Sayeed feels that he is very thick skinned and (unreasonably) expects others to be so as well."

"Sayeed also does not take himself too seriously and expects others not to take themselves too seriously either. This has backfired with some professional colleagues who find his candid feedback almost offensive or disrespectful. It has also backfired with some students, and possibly junior faculty, who take him more seriously than he realizes!"

#### **Mentored student turnover and didactic classroom experiences:**

Investigation of these aspects is really reaching and indicates a determined approach on part of the ECE Department and the College to throw everything and the kitchen sink at Dr. Sayeed to confirm the charges. To ACP's credit, she did not find credible evidence to support either aspects conclusively. The two statements from W1 and Susan Hagness (as Chair) are rather revealing of this defamatory campaign by the ECE departmental administration.

- **W1 (from 2019 Jankowski report):** "(I have) concerns for student's safety and feel(s) the college needs to address culture issues."
- **(SH as Chair):** "Is really frightened (Dr. Sayeed) will blow again" and would be "scared to put him in a classroom." Personal assessment is that (Dr. Sayeed) feels remorse but still does (hostile behavior) anyway. "He uses swear words to get a kick" when he hasn't been successful in getting his way.

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SH is again really frightened that Dr. Sayeed “will blow again” in the classroom, without any evidence to support. It should be noted that leading up to Jan 1, 2020 when Dr. Sayeed was scheduled to return from his suspension, **Dr. Hagness was determined to assign not one but two courses to Dr. Sayeed for Spring 2020, until the Dean reassigned him to the Dean’s office!**

Similarly, W1’s concern for “students’ safety” is unwarranted and prejudicial. He is right about “college need to address culture issues”, including those of bigotry, bias and exclusionary practices against non-white faculty. It should be recalled that W1 was Dr. Sayeed’s [REDACTED] when he started as an assistant professor and [REDACTED] would routinely make bigoted comments to Sayeed, like: **“you can take the third worlder out of the third world but you cannot take third world out of the third worlder.”**

It should also be recalled from Dr. Sayeed’s response to the 1<sup>st</sup> investigation, that **Susan Hagness (current chair), W1, and John Booske (former chair) were part of the “bible study group” that Dr. Sayeed accidentally discovered from a printout left in a departmental printer (from Dr. Sayeed’s assistant professor days).** During the same timeframe, W1 was flying with Dr. Sayeed for meeting with industrial collaborators, when **W1 tried to convert Dr. Sayeed to Christianity!** Dr. Sayeed is not a particularly religious person, and very thick skinned, but he wonders how other assistant professors in his shoes would feel about such an entreaty from a mentor!

Finally, it should be noted that W1 ([REDACTED]), Susan Hagness (current chair), and John Booske (former chair) are also part of the ECE administration! Thus, **their combined, prejudicial comments against Dr. Sayeed are very unbecoming of their titles and also reflect a concerted effort by the ECE administration to minimize or deflect any departmental responsibility or culpability in the multi-faceted issues underlying this and the previous investigation involving Dr. Sayeed.**

**FINDING:** In view of the above, and the charges and scope of the 1<sup>st</sup> investigation, any reasonable person would find that Ch 4 is superfluous, as it was already confirmed and acknowledged by Dr. Sayeed in the 1<sup>st</sup> investigation.

#### **Ch 2: Unprofessional behavior that adversely affects responsibilities to the university (ACP report, pages 13-14)**

ACP first finding relating to this charge (ACP report, page 13) is not warranted, especially given the fact that the allegations of “unauthorized use of ECE resources” and “recruitment of a graduate student” while under suspension are not only misguided and prejudicial (as discussed on earlier in this document) but also reflect a heavy-handed, authoritarian and overly punitive approach on part of the ECE department and UW-Madison.

#### **ECE faculty experiences:**

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- **W1:** the documentary email threads for this allegation (Ex 5) speak for themselves! W1 and Dr. Sayeed had a difference of opinion on how the two sections of the class should be taught, and W1's intolerant response to Dr. Sayeed's suggestion is self-evident. Dr. Sayeed agrees with W1 – "collaborative respect just wasn't the dominant theme of this activity."
- **W12:** This statement from Dr. Sayeed's [REDACTED] is blatantly offensive and distorted and again suggests retaliation on part of W12 because Dr. Sayeed revealed [REDACTED] bigotry in his response to the 1<sup>st</sup> investigation. For the record, W12 never questioned Dr. Sayeed's desire to teach those courses and actually supported him teaching them. Furthermore, [REDACTED] would bad mouth the other instructors interested in teaching the course (one of them W25) to Dr. Sayeed.
- **W16:** This statement from [REDACTED] is rather disappointing and inflammatory, especially the unwarranted statement that "He had a distaste for anyone telling him how to teach, or for undergrads." I don't know if this last statement is truly from W16 or some creative embellishment by ACP – regardless, it is false. In fact, W16 and Dr. Sayeed had many conversations about teaching practices and learning styles, including online teaching. Again, a reflection of the concerted effort of the "bible study group"/ECE administrators to throw Dr. Sayeed under the bus.
- **W25:** The textbook in question that W25 wanted to teach the course from was far from the traditional, rigorous approach to teaching the material and even W12 was not supportive of teaching the course using that book authored by W25. W25's claim that [REDACTED] changed [REDACTED] research areas because of this interaction with Dr. Sayeed is laughable!

#### **Publicly uncivil outbursts at outside professional situations.**

Dr. Sayeed stands by his original response to ACP regarding a specific question on this (**Ex 4, 6/20/20 letter**):

"I certainly had arguments at conferences – as do many other researchers – in the spirit of free intellectual inquiry. Sometimes these would get a bit heated. Sometimes these resulted from some senior researcher unduly criticizing and/or bullying one of my students during a presentation. As I told you during my interview, I think such heated technical arguments and blunt feedback very likely negatively impacted my reputation. I don't think my students had to suffer because of that, since they did not do it, and as evident from the fact that all of them got jobs of their choice after graduating and I don't know anyone whose career has been impacted by my behavior. Again, I don't know who these "witnesses" are, but they should be reminded that nobody approached me about the arguments, including the "witnesses". In fact, the Institute of Electrical and Electronics Engineers (IEEE), the main sponsor of the conferences I attended, elected me an IEEE Fellow in 2012! Furthermore, I was tenured in 2003 and promoted to full professor in 2008 at the UW! Talking of "bad press", many faculty engage in rather despicable and unprofessional manner in criticizing paper submissions from others, including former students, during paper/proposal review meetings under the guise of "anonymity". To me that is

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much “worse press” and hypocritical. However, since it is behind closed doors and under the veil of anonymity, it is not considered so! Intellectual honesty, which I cherish, often leads to contentious arguments/discussions, as the history of science would attest. I would rather engage in an intellectually honest fashion, rather than being non-confrontational (or worst conformist) when it comes to scientific/research inquiry (or equally worst, unjustly put down others while hiding behind anonymous reviews!). That is the only way real progress is made in science.”

#### **Departmental interactions, disrespect and interference.**

- **W1:** Dr. Sayeed has no recollection of W1 cautioning Dr. Sayeed about these alleged interference in the tenure package preparation. W1 was in fact busy sending belittling emails to Dr. Sayeed during this process (**see Exhibit A**)
- **W2:** This statement is also patently false and exaggerated in terms of “**bullied W2 into making changes**” and that eventually the tenure committee/dept intervened. W2 was new to the job at the time and was actually asking Dr. Sayeed for help.

W1 and W2 statements are also contradicted/minimized by the following statement by Chris DeMarco (the chair at that time)

- **Chris DeMarco:** (Dr. Sayeed) pushed much harder than any other faculty but was not unique when it came to micromanaging tenure package and imposing on staff for this. Wanted to improve his tenure package. The culture then allowed that unless chair intervened. As chair, tried to change that culture, not necessarily the rules, but so that people could no longer run roughshod over staff, chair or committee when configuring packets.

**FINDING:** ACP again reveals her heavy handedness and bias in her finding.

“I did not interview a single witness who would characterize Dr. Sayeed’s career at the UW as welcoming, civil, or collegial.”

W19’s testimony contradicts this blanket statement. The actions of the department in hiring Dr. Sayeed, granting him tenure in 2003 and promoting him to full professor in 2008 give a lie to this statement. What was the department administration, including Dr. Sayeed’s [REDACTED] (W1 and W12) and numerous department chairs, including Willis Tompkins, Nick Hitchon, Chris DeMarco, Parmesh Ramanathan, and John Booske, all apparently well-aware of Dr. Sayeed’s behavior, doing in making sure that the FPP policies were appropriately emphasized, let alone implemented? **This is screaming of institutional failure and no one wants to take responsibility for it!**

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#### ACP Section VI: Concerns for Double Jeopardy (ACP report, pages 14-15)

In this section, ACP has tried her best to force the conclusion that double jeopardy restrictions don't apply to the second investigation, give the scope and charges of the 1<sup>st</sup> investigation. However, any reasonable person would question whether she has succeeded or not.

According to the FPP:

FPP Chapter 9: Discipline and Dismissal of Faculty for Cause; 9.13. No Further Jeopardy.

*"Following recommendations of CFRR and a decision by the chancellor, or following action by the provost if the committee is not involved, **the faculty member concerned shall not be subject again under these rules to the same charges arising from the original complaint.**"*

It should be noted that charges 1, 4, 2 of the second investigation are fully covered by the charges 1, 3 and 4 of the 1<sup>st</sup> investigation in terms of the behavioral issues in question. The only difference introduced in the 2<sup>nd</sup> investigation is the addition of the artificial qualifier "prior to and after Prof. Wolleat's investigation." There was no time-frame stipulation in the charges in the 1<sup>st</sup> investigation.

ACP seems to be conflating "original complaint" with the "original complainant" in reading the above stipulation on double jeopardy. In other words, the charges are the same but a different set of people are coming forward to provide additional testimony in support of the original charges. This is not new information, as evident from the 1<sup>st</sup> investigation and Dr. Sayeed's own acknowledgement that his behavioral issues have been there all his life and have impacted virtually all of his students, and potentially other people outside his lab, during the course of his career.

Even when ACP interviews Dr. Wolleat, she asks a *leading* question: **"More specifically she (Dr. Wolleat) was asked if she chose to focus her investigation primarily on the graduate student's experiences with Dr. Sayeed as corroborated by contemporary witnesses."**

Dr. Wolleat's summarized responses belie her own opening statement in the interview with Dr. Sayeed, in which she says (from the audio recording): **"From my standpoint this investigation is not exclusively about (the graduate student), although I will treat him as any other student."**

The last summarized response from Dr. Wolleat, further implicates the UW administration for lack of due diligence:

**Only a few additional faculty including then Chair Booske and current Chair Hagness were also interviewed, mostly in their administrative capacities, but "(Dr. Wolleat) didn't talk to other faculty" or other students because at the time, the Provost, the Dean, the Chair and interviewed faculty in ECE, "did not suggest a wider probe."**

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Or if we take a more sinister view, perhaps this was the plan all along: Do an initial investigation, impose discipline with the hope that Dr. Sayeed does not return. However, if he does return, use the open records channel to widen the investigation and finally put the nail in the coffin. This is supported by W5 statement (**Ex 5 page 9**):

W5 was prompted to speak up (to Dean Jankowski) after faculty meeting by Dean Robertson in 2019 because was surprised by AS return. "We weren't told he was coming back."

**FINDING:** In view of the above, ACP's first statement in her FINDING is more a reflection of "confirmation bias" rather than being factually correct:

"Dr. Wolleat's 1st investigation and her subsequent report to the Provost focused primarily on documenting the experiences of the graduate student."

Contrary to the conclusion that ACP is forcing in her FINDING to avoid double jeopardy, any reasonable person would find that the Charges 1, 4, 2 of the 2<sup>nd</sup> investigation, despite the contrived qualifier "prior to and after Dr. Wolleat's investigation", are in violation of the double jeopardy provisions in the FPP.

#### **ACP Section VII: Prior Authority of II-332 (ACP Report, page 16)**

Here again ACP is trying to have it both ways. If earlier faculty legislation, like II-303, was relevant, why was not Prof. Sayeed charged according to that? Clearly there was a reason for the introduction of II-332, perhaps the fact that the entire university seemed to be unaware of earlier legislation or did not do anything to implement it, as evident from the testimony from multiple ECE faculty who knew or were directly contacted by students but did not have the courage or integrity to discuss it with Dr. Sayeed.

It should also be noted that the UW-Madison administration seems to selective about what actions and by whom violate an "environment of tolerance, civility, awareness and respect." Specifically, Dr. Sayeed brought up several issues/incidents related to bias and bigotry from his mentors and colleagues in his response to the 1<sup>st</sup> investigation. Yet, it does not seem like anyone even noticed them, let alone taking any action on them. For example, W1's repeated comments belittling Dr. Sayeed's work (see exhibit A) and his country of origin ("third worlder" comments). Or W12, [REDACTED], calling Dr. Sayeed a "towel head" and taking pictures of Dr. Sayeed at a nude beach in Spain, without Dr. Sayeed's permission, and then showing them to colleagues in the ECE Department! Or Susan Hagness, seeing Dr. Sayeed in dress pants and a jacket, and saying "you clean up well".

**FINDING:** The bottom line is that Dr. Sayeed has been charged under the new legislation, II-332, defining "Hostile and Intimidating Behavior" and is the first faculty member who has been disciplined and the decision made public through a public disclosure request. Any reasonable person would have expected the UW administrators to have a little more humility in this first

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case, rather than a laser-driven desire and focus to make an example of Dr. Sayeed, contrary to all evidence and his own statements.

#### **ACP Section VIII: Summary and Conclusions (ACP Report, pages 16-19)**

In this section, ACP is reiterating her earlier stances. However, her response to point 4 raised by Dr. Sayeed (**ACP report page 17**) is revealing:

**(ACP) response to point 4: FPP is comprised of policies setting forth the rights and responsibilities of UW-Madison faculty as authorized by statute and the Board of Regents. Those policies and procedures are implemented and monitored by faculty governance within which Dr. Sayeed has had career-long opportunities to participate. My UW position is completely external to ECE and the College of Engineering.**

In his point 4, Dr. Sayeed was pointing out the limitations of the process and potentially the need for external investigators, to which ACP's response is that "My UW position is completely external to ECE and the College of Engineering." Wow, that is a remarkable statement, especially from a scientist! ACP is part of the same university and the Provost asking for her input is also her Provost who has considerable authority over her. Dr. Sayeed's experience is that faculty are terrified of doing anything against the wishes of UW administrators these days. For example, once in an ECE Steering Committee meeting, other members (including John Booske, then chair, and Susan Hagness) were raising concerns about some new requirements/directives from Dean Robertson. Listening to the discussion, Dr. Sayeed simply suggested to the committee that if they did not agree to something the Dean had asked for, they could make the case for an alternative option to the Dean. The response was stunned silence and a "deer caught in a headlight" look in their faces!

#### **Investigation Summary: (ACP Report pages 17-19)**

The investigation summary is full of self-serving and often contradictory statements that if true, and publicly acknowledged, would cause severe backlash:

- **"Whether Dr. Sayeed technically intended to carry this out or was making idle threats, is irrelevant, as these new arrivals having never experienced graduate school, had no outside guidance elsewhere in the department or in their lives, to tell them otherwise."**

If the boldfaced (Dr. Sayeed's emphasis) were true, it would be in direct contradiction of all the student-centric services that the UW constantly publicizes! Furthermore, information on issues is also included in the graduate student handbook, as also noted by Prof. Ramanathan elsewhere in the report. For example, ECE graduate student handbooks can be found at:



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<https://www.engr.wisc.edu/departments/electrical-computer-engineering/academics/ece-graduate-student-handbooks/>

and Chapter 24 specifically outlines guidance and mechanisms for graduate students that ACP claims do not exist!

- “Dr. Sayeed does not tacitly recognize or apparently accept that **any** acts of this kind impede with and interfere with the personal space and boundaries of those who witness these episodes, or to whom they are directed.”

Seriously? Apparently, ACP did not read Dr. Sayeed’s response to the 1<sup>st</sup> investigation, where he explicitly (let alone tacitly) acknowledges the potential impact on others. For example, **here are the first four lines from Dr. Sayeed’s response to the first investigation (Ex 4 page 15)**

“Prof. Sayeed takes full responsibility for the unprofessional and negative aspects of his behavior and how they have impacted his students and colleagues. He is sincerely sorry for all the pain and suffering his behavior has caused his students, colleagues and others. At the same time, he reiterates what he has not done and refutes any charges related to “abuse of authority”.

- With the next quote from her report, ACP is not only blatantly distorting Dr. Sayeed’s statements but also attempting to rewrite history of the ECE Department:

The motivation one cites for hurting people is irrelevant to the fact of it. This principle applies to any workplace, much less a university. The overall employment and learning climate of ECE and its reputation as a welcoming overall environment for students, staff and faculty has been impinged by Dr. Sayeed over many years. That, “war stories among faculty were common and treasured (W12)” or that others in the department have not (yet) been called to account for an historic environment of a difficult departmental climate is not a defense. His record is uniquely toxic, hostile and documented.

The underlined part is a blatant distortion of what Dr. Sayeed has stated. Dr. Sayeed has repeatedly said that it was never his intent, let alone motivation, to hurt people – it was a manifestation of “him fighting his inner demons.”

With the reference to “war stories” from W12 ( ) and that others in the department have not been called to account for a difficult departmental climate, ACP is asserting that Dr. Sayeed is claiming it as defense. Again, this is a distortion. Dr. Sayeed never claimed this in his defense. These facts have been unearthed by ACP’s own investigation! May be this is reflecting a cognitive dissonance on part of ACP since this evidence squarely points to institutional culpability in failing to

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impress the “values” of the Department through appropriate mentoring and, more importantly, failing to address such issues when they are brought to their attention.

- With the last statement, “His record is uniquely toxic, hostile and documented”, ACP is exhibiting her lack of knowledge (or denial) of the actual state of affairs and trying to erase and/or rewrite history.

For example, ACP is ignoring the testimony of W30 (**ACP report page 10**): “I’ve seen a hell of a lot worse advisors at UW. The picture of (Dr. Sayeed) as the one bad apple among a sea of faultless faculty is a lie. He’s a scapegoat.”

As another, very well-documented example, I refer ACP and everyone else to **Exhibit E**, which is a transcript of an Interview with Prof. Denise Denton (a former ECE faculty from 1987-1996) as part of the UW-Madison Archives Oral History Project. On page 3 of Exhibit E, Prof. Denise Denton talks about her experiences with Prof. Henry Guckel, another ECE Professor who was definitely part of the “war stories” at that time and well-known bully. (Incidentally, Dr. Sayeed overlapped with Dr. Denton and Dr. Guckel during his undergraduate days at UW-Madison.)

Here are some excerpts:

“DD (Denise Denton) soon realized that Guckel hoped she would act as his post-doc or graduate student, rather than as an independent faculty member. She surmises he thought that by hiring a woman it would be easier for him to control her work for his own advantage. Their relationship became strained shortly after DD arrived. After a year or two, Guckel had the locks on the clean room changed to prevent DD and her students from conducting their research.”

When Dr. Denton complained to the ECE Chair:

“DD’s department chair did not express surprise at her complaints about Guckel. DD learned that the entire department had been harassed by Guckel, but had been too intimidated to stand up to him.”

Even the College of Engineering Deans ignored her complaints. DD had to contact the acting chancellor to get some response. Eventually, the situation was resolved by essentially “pushing the issue under the rug”:

“DD explains how the situation was finally resolved. Her department chair set up a committee that concluded that Guckel should no longer run the clean room. DD was then given keys to the laboratory and was able to resume her research.”

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The lack of action by departmental and college administrators in Dr. Denton's case is reminiscent of all the ECE faculty who knew about Dr. Sayeed's behavior but chose not to do anything about it. This included, Professor Booske (as chair, refusing to acknowledge complaints from a student), Prof. Nowak (who was contacted by the graduate student who [REDACTED], not once but twice, the last time a couple of days before his death), Prof. Vernon (who was also contacted by a student and ignored it). The situation with Dr. Nowak and Dr. Booske is particularly sad and disappointing since Dr. Sayeed had known them for a long time, from his undergraduate days at UW-Madison (when Dr. Nowak was a fellow graduate student and Prof. Booske was an assistant professor).

In the remainder of the Investigation Summary ACP recalls all the evidence she had collected and the process of the investigation. However, interspersed in there are a couple of statements that reveal exceptional bias:

*"That this happened is not a misunderstanding but an indication that despite his continual professed personal intentions towards behavior rehabilitation, no reasonable person can now expect civility improvement will ever occur."*

Wow! This is quite a statement – ACP is claiming to be omniscient now! Tell us how you really feel ACP!

The final statement in the report is an excellent example of the biased, contrived and distorted arguments made throughout the report:

*"My own interactions with Dr. Sayeed found him highly defensive. Perhaps some of this is rightfully so for anyone subject to 2 FPP behavior investigations. Yet despite the obvious harm he has caused, as proven in the 1st investigation and alleged by my witnesses, I did not find him apologetic. He is angry he is being held to account but there is almost no sympathy for the career-long string of victims. If aggressively directed at subordinates, staff or even faculty colleagues, that anger, regardless of how each instance was triggered, would lead to exactly the types of allegations charged by the witnesses. In my judgement, Dr. Sayeed's stated defenses against any/all of the allegations arising from Dean Jankowski's investigation, or from mine, lack credibility. I find the Provost's 5 charges are totally supported."*

Dr. Sayeed found ACP to be confrontational and at times condescending during his two interviews with her. These aspects got accentuated when Dr. Sayeed asked her pointed questions. Apparently she had not read Dr. Sayeed's response to the 1<sup>st</sup> investigation or chose to ignore it, but she continued to insinuate that Dr. Sayeed was questioning the validity of the "hostility related charges". For example, she asked her the following question specifically prior to the second interview (**see Ex 4 – 6/20/10 response from Dr. Sayeed**):

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**ACP question to Dr. Sayeed:** Why do you think so many people make so many “hostility” allegations against you if they are not true?

Dr. Sayeed never questioned the validity of these charges in the 1<sup>st</sup> or 2<sup>nd</sup> investigation. His main claim is that Charges 1, 4, 2 in the 2<sup>nd</sup> investigation are superfluous and unwarranted given the results and Dr. Sayeed’s response to the 1<sup>st</sup> investigation. However, that did not stop ACP from continuing with her false premise.

It is also very telling (the last two sentence in her last statement) that ACP takes all the statements from the witnesses to be true without any appropriate verification or corroboration (several are patently false, as has been noted in this document), whereas she finds Dr. Sayeed’s statements lacking credibility (without any justification for that either!). Talk about an unbiased and fair investigation! And ACP is a scientist!

### **List of Exhibits**

- Exhibit A - Email to Dr. Sayeed from W1
- Exhibit B – Letter of Recommendation for W8 from Dr. Sayeed
- Exhibit C – May 2018 email exchange between Dean Robertson and Dr. Sayeed
- Exhibit D – Dr. Sayeed letter to Dean Robertson 8/6/19
- Exhibit E – Dr. Denise Denton’s recorded testimony as part of UW-Madison Archives

# Exhibit A

[REDACTED]  
[REDACTED]  
Wed 10/9/2002 11:30 AM

To: Akbar Sayeed

Akbar,

I think I discovered a typo in the list of journal papers.... The paper with [REDACTED] for the [REDACTED] special issue says accepted for publication, but has a date of January [REDACTED] Same with the Vehic. Tech. paper with [REDACTED]

I'm guessing Jan [REDACTED] was the submit date, not the "to appear" date. Is that correct?

I'm trying real hard to get psyched for this afternoon - making a silk purse out of a sow's ear - it's going to be tough, but I think I can do it.....

[REDACTED]

# Exhibit B



Reference Letter for [REDACTED]

Akbar Sayeed <akbar>

Thu 2/12/2004 3:33 PM

To: [REDACTED]

Cc: akbar

 1 attachments (77 KB)

Adobe Portable Document Format (PDF) v1.2.pdf;

Dear [REDACTED]

Please find attached my reference letter ( pdf) for [REDACTED] who is being considered for a faculty position at [REDACTED]

Regards,  
Akbar Sayeed

--

Akbar Sayeed  
Associate Professor                      Vox 608 265-4731  
Electrical and Computer Engineering Fax 608 262-1267  
University of Wisconsin-Madison    E-mail akbar@engr.wisc.edu  
1415 Engr Dr, Madison, WI 53706    URL <http://www.engr.wisc.edu/ece/>

# Exhibit C

## RE: notification

Ian Robertson <irobertson@wisc.edu>

Sat 5/5/2018 1:34 PM

To: Akbar Sayeed <akbar.sayeed@wisc.edu>

Akbar, thanks for letting me know. Your plan to meet with [REDACTED] is fine. Ian

---

Ian M Robertson

Dean, College of Engineering

University of Wisconsin-Madison

<http://www.engr.wisc.edu/>

---

**From:** Akbar Sayeed

**Sent:** Friday, May 4, 2018 6:47 PM

**To:** Ian Robertson <irobertson@wisc.edu>

**Cc:** Akbar Sayeed <akbar.sayeed@wisc.edu>

**Subject:** notification

Hi Ian,

I hope all is well on your end. I just wanted to let you know that my student [REDACTED] will be visiting Alexandria from Saturday through Tuesday to work with me to prepare for a conference presentation on May 23 in Boulder (I don't have any trips planned to madison until after that conference).

While I will meet with [REDACTED] during [REDACTED] stay to work on the presentation, we will never be alone - it will always be in public spaces like coffee shops or hotel lobbies.

If I don't hear from you, I will assume its okay with you.

Have a great weekend.

Akbar

PS. Alexandria is quite an interesting place - lots of bike routes, and all the way to DC as well.

---

Akbar M. Sayeed

Professor

Electrical and Computer Engineering

University of Wisconsin-Madison

Email: [akbar.sayeed@wisc.edu](mailto:akbar.sayeed@wisc.edu)

Web: <http://dune.ece.wisc.edu>

Tel: 608.265.4731

# Exhibit D



August 6, 2019

Ian Robertson  
Dean, College of Engineering  
UW-Madison

Re: your letter dated August 2, 2019 regarding my reinstatement in Spring 2020

Dear Dean Robertson,

Thank you for your recent letter, dated 8.2.19, regarding my reinstatement in Spring 2020 per the conditions stipulated in (then) Provost Mangelsdorf's letter dated November 2, 2017. Your letter noted a few important things that I would like to acknowledge and respond to as appropriate.

First, you reminded me that I am prohibited from accepting any new graduate students under my immediate direction or supervision until Spring Semester, 2020.

Second, you reminded me of the conditions related to my return as stipulated in the above referenced 11.2.17 letter, including the appointment of a faculty mentor for me (to discuss my role and responsibilities as a mentor to graduate students), and the establishment of a committee of faculty members who will serve as an ad hoc committee for monitoring any students and/or postdoctoral fellows under my direction.

I would like to assure you that I am fully aware of the conditions laid out in (then) Provost Mangelsdorf's letter dated 11.2.17 and appreciate the all the work that will have to be done by the ECE Department, your office, and the Provost's Office upon my reinstatement on Jan 1, 2020.

Third, you asked me to formally notify the ECE department and your office as soon as possible if I have decided to turn to the university so that teaching duties can be assigned accordingly. As you may recall, I had informed you in my letter dated April 30, 2019 (following my meeting with you, Jason Jankoski and Jake Blanchard upon my return from the NSF) that:

"Second, I would like to inform you that at this point, I do plan to return to UW-Madison in Spring 2020, starting Jan 1, 2020, after my suspension ends. If my plans change, I will inform you as soon as possible and no later than early-to-mid November as Jason had suggested. I will also provide my course preferences to the ECE Department in preparation for Spring 2020 semester."

I also reiterated the same to ECE Department Chair, Susan Hagness, in response to her recent email inquiry dated July 11, 2019. I have also communicated my preferences for teaching and committee assignments in response to the department-wide requests.

So, please accept this letter as a formal notification of my plans to return to the ECE Department at UW-Madison in Spring Semester, 2020.

Fourth, you noted the following towards the end of your letter (dated Aug 2, 2019) regarding the process involving my reinstatement:


"I anticipate it will take the Spring 2020 semester to work through the details of these points and reach an agreement with all parties, which will include the Provost. Accordingly, you will not be permitted to accept any new graduate students under your immediate direction or supervision in the Spring Semester, 2020. I wish to reinforce the point that you are on suspension and it is therefore inappropriate for you to be contacting the graduate student admissions office in ECE regarding enrolling graduate students for the Spring 2020 semester."

I would like to clarify a few things in this context. According to the terms of my suspension, I cannot have any new students until Spring 2020, which I have not done. However, as you know, new admissions take some time and that was the reason for my recent contact with the graduate admissions committee and office. In fact, the student in question, [REDACTED], had contacted me with [REDACTED] desire [REDACTED] the UW in Spring 2020 to [REDACTED], and that prompted my contact with the admissions office after [REDACTED] submitted [REDACTED] application. (Note also that, based on the information I received from the ECE Graduate Admissions Chair, ECE graduate admissions in Spring are only done upon a referral by a faculty member.) As you may recall, [REDACTED] [REDACTED] and is very familiar with the circumstances and the investigation (following [REDACTED] death of my former student [REDACTED] on [REDACTED]) that led to my suspension.

Finally, I would like to make it clear that during the initial period of mentoring and monitoring, as stipulated in (then) Provost Mangelsdorf's letter dated 11.2.17, I plan to advise students jointly with at least one other faculty member. Given that I had a couple of collaborative ongoing projects with Prof. Parmesh Ramanathan prior to my suspension, I think Parmesh would be an appropriate joint advisor for any students who may initially work with me. I have Parmesh's consent for this arrangement. In particular, Parmesh will work with the Admissions Office for [REDACTED] application for Spring 2020 – I had cc'ed Parmesh on all correspondence with the Admissions Office regarding [REDACTED] application.

In closing, I would like to reiterate that while the last couple of years have been a very difficult time for me and my family, I have also taken several steps, including regular counseling, meditation and medication, to address my behavioral issues that are at the heart of my suspension. It is an ongoing process and I feel hopeful and confident moving forward.

Sincerely,



Akbar M. Sayeed  
Professor, Electrical and Computer Engineering  
University of Wisconsin-Madison  
[akbar.sayeed@wisc.edu](mailto:akbar.sayeed@wisc.edu), <http://dune.ece.wisc.edu>

cc: J. Karl Scholz, Provost and Vice Chancellor for Academic Affairs  
Susan Hagness, Chair, Department of Electrical and Computer Engineering

# Exhibit E



**UNIVERSITY OF WISCONSIN-MADISON ARCHIVES  
ORAL HISTORY PROJECT**

**Interview #644  
DENTON, DENICE**

**DENTON, Denice** (1959-2006)

Professor of Electrical and Computer Engineering

*At UW:* 1987-1996

*Interviewed:* 2003 (2 sessions)

*Interviewer:* Joyce Coleman

*Length:* 1 hour, 11 minutes

*Series:* Women in Science and Engineering

Childhood; Undergraduate and graduate work in electrical engineering at Massachusetts Institute of Technology (MIT); Appointment to UW; Problems caused by colleague; Tenure; Women in engineering; Service; Engineering education; National Institute for Science Education; Appointment as dean of the University of Washington College of Engineering.

**First Interview Session (November 20, 2003): Digital File**

<b>Time</b>	<b>Keywords</b>
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00:00:00	[Begin Tape 1/Side 1] <i>Start of Interview/ Interviewer's Introduction</i>
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00:00:16	Denice Denton was born and raised in Texas. As a high school student, she was interested in math and science. She is the first person from her family to attend a four-year college.
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00:01:20	In high school, DD was a member of the Junior Engineering Technological Society, a student group that participated in science contests. The summer between her junior and senior years of high school, she participated in an engineering program at Rice University.
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00:02:02	She explains why she chose to attend the Massachusetts Institute of Technology (MIT). Because she had enjoyed the electrical engineering portion of her Rice University experience, she decided to major in electrical engineering. There were few women in her classes.
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00:04:04	DD talks about the climate for women in science and engineering at MIT. The college had a women's room reserved specifically for its female students. DD does not recall having any female faculty members until she was a graduate student.
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00:05:30	Mildred (Millie) Dresselhaus, a renowned physics and electrical engineering faculty
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- member, served as a role model to DD. DD talks about Dresselhaus's work relating to women in science at MIT.
- 00:06:16 As an undergraduate and Master's student, DD had several co-operative education positions in Silicon Valley. Although she enjoyed the work she did in integrated circuit design and manufacturing, she decided she did not want to continue this type of work for the rest of her career. This realization, along with her love of teaching, led her to pursue a PhD.
- 00:07:28 As a graduate student, DD developed an informal intercession course targeted to women. In this course she taught students introductory hands-on skills relating to electronics, such as soldering and building small circuits. DD explains that although many male students learned these skills before they arrived at MIT, most women students did not, and therefore they were less likely to pursue electrical engineering because they were intimidated by the equipment.
- 00:08:56 After earning her PhD, DD interviewed at seven schools. She explains that her job search was limited by her need to work at a school with a multi-million dollar facility known as a "clean room," a room in which integrated circuits can be built. DD recalls that she was asked illegal questions at most campuses that interviewed her. For example, several interviewers asked her if she was married. She sensed a lot of discomfort and awkwardness during her interviews due to the fact that the men who interviewed her were not used to the idea of having a female colleague.
- 00:11:17 DD was offered positions by most of the schools that interviewed her. She gives other examples in which interviewers betrayed their assumptions that her gender would impact the work she could perform.
- 00:13:49 DD talks about the circumstances surrounding her visit to the UW-Madison campus. There were no women faculty in the department at the time, but she was pleased to see that several women staff members attended her talk. DD explains why she accepted UW's offer over UC-Berkeley's offer.
- 00:17:04 When DD arrived at UW-Madison, there were 180 or 200 faculty in the College of Engineering. Of these, only one was a woman. DD spoke to this woman, who worked in the mechanical engineering department, and learned that she had not had a positive experience. Soon afterwards this woman left the university to take a position at the University of Texas-Austin.
- 00:19:02 DD became friends with several of her colleagues, particularly the younger ones. Many of the older colleagues were unsure how to interact with her. She recalls that one senior faculty member refused to shake hands with her, and instead walked away when she introduced herself. Other faculty tried to be welcoming to her.
- 00:21:22 DD compares the climate at UW to the climate at MIT. She notes that faculty at UW had a better balance between work and home life, in contrast to faculty at MIT, who

were fanatical about their work.

- 00:22:01 DD talks about Henry Guckel, the faculty member who ran the “clean room.” He had strongly supported hiring her because he wanted a colleague in his area of microelectronics. DD soon realized that Guckel hoped she would act as his post-doc or graduate student, rather than as an independent faculty member. She surmises he thought that by hiring a woman it would be easier for him to control her work for his own advantage. Their relationship became strained shortly after DD arrived. After a year or two, Guckel had the locks on the clean room changed to prevent DD and her students from conducting their research.
- 00:24:11 DD recalls talking to a female colleague in the law school who specialized in race and gender discrimination law. A number of senior women in the law school met with DD and encouraged her to write a letter to her departmental chair about Guckel’s behavior.
- 00:28:52 DD’s department chair did not express surprise at her complaints about Guckel. DD learned that the entire department had been harassed by Guckel, but had been too intimidated to stand up to him.
- 00:29:42 DD met with the college’s associate dean for research and then with the college’s dean, but was unsatisfied with their responses. The only other senior woman in the college, a staff member who ran the career services center, encouraged DD to see the university’s acting vice-chancellor, Phillip Certain. Certain was very helpful, and urged DD to send a letter to the acting chancellor, Bernard Cohen, informing him of her dean’s lack of support for her.
- 00:33:54 DD explains how the situation was finally resolved. Her department chair set up a committee that concluded that Guckel should no longer run the clean room. DD was then given keys to the laboratory and was able to resume her research.
- 00:36:14 Because of her battles with Guckel, DD was given a two-year tenure extension. Before this extension expired, DD pushed her department chair to put her up for tenure. She was convinced her department would turn her down the first time because her colleagues were not ready to have a female colleague, and wanted to get the experience over with so that she could apply for tenure a second time. DD was given tenure the second time she applied.
- 00:37:48 One of DD’s colleagues told her that her outside letter from Mildred Dresselhaus would not count because Dresselhaus was a woman. DD was infuriated because Dresselhaus alone had more honors than the entire UW electrical engineering department.
- 00:39:11 DD talks about her work in helping to change the law governing what happens when a candidate is unfairly denied tenure. Until this time, a department could discriminate against a candidate and the candidate could not have his or her tenure decision

reversed.

00:41:51 DD recalls that Governor Tommy Thompson made a sexist comment at the signing ceremony for this law.

00:42:45 *End of First Interview Session*

**Second Interview Session (November 25, 2003): Digital File**

**Time      Keywords**

00:00:00 *Start of Interview/Interviewer's Introduction*

00:00:11 [Begin tape 2, side 1] DD explains why more women began to join the College of Engineering in the late 1980s. As soon as there were a few women in engineering, DD organized a monthly lunch at which they could meet and network. She also started an evening wine and cheese event for junior women in engineering and science.

00:02:47 DD served as faculty advisor for the student chapter of the Society of Women Engineers. She talks about some of the organization's activities.

00:03:51 Although the College of Engineering was making some efforts to recruit more women, DD does not remember a concerted effort from the dean's office until the mid 1990s, when the dean hired a director of diversity.

00:04:34 DD does not believe that Donna Shalala took an interest in increasing the number of women faculty in the college. At the campus level, Janet Hyde and then Betsy Draine held an administrative position relating to diversity and climate. One of them initiated a faculty mentoring program in which DD participated.

00:06:02 DD talks about some of her service activities relating to women in science and engineering. In the early 1990s she served on the college's Gender Equity Pay Committee.

00:08:59 DD discusses her interest in improving engineering education. With funding from Defense Advanced Research Projects Agency (DARPA), she worked with the dean to create new introductory classes in order to improve students' team-work and communication skills and to give them more hands-on experience.

00:11:36 In the early 1990s, the National Science Foundation decided to fund a National Institute for Science Education (NISE). DD and a colleague put together UW-Madison's proposal to house this institute. She explains why she thinks UW's proposal was successful.

00:14:00 DD notes that engineering comes from a military, hierarchical tradition. By replacing the discipline's boot-camp mentality with a more welcoming and supportive

- atmosphere, she believes a more diverse group of students will be attracted to engineering.
- 00:15:52 In 1996, DD accepted a position as dean of the College of Engineering at the University of Washington. She talks about the leadership roles she held and other experiences at UW that prepared her for this position.
- 00:18:44 DD describes the efforts she has made to recruit and retain under-represented faculty and students at the University of Washington. She added resources to a number of pre-existent programs that focus on the disabled, women, minorities, and K-12 students. DD worked to create an online faculty recruitment toolkit that has been used at other universities.
- 00:20:30 She explains that many engineering colleges began instituting recruitment and retention programs in the mid 1990s. Although the University of Washington is among the leaders in this area, it is not alone in promoting diversity.
- 00:21:57 The University of Washington was given an NSF Advance Award in recognition for its success in recruiting and retaining women faculty. DD explains the ways in which the college has succeeded in attracting women faculty and students.
- 00:23:11 DD talks about the importance of efforts at both the leadership and grassroots level in order to improve diversity. She gives examples of policy decisions that can negatively affect women's ability to succeed in academia. Most universities now have liberal tenure-clock extension policies that make it easier for women to balance their academic responsibilities with childbirth.
- 00:25:33 DD makes final comments about her career at UW. She says that she arrived at a time when the college was not yet ready for women faculty, and for this reason had a very difficult time. She attributes her success at UW to her strong-willed, stubborn nature and to the many people at the university who encouraged her to persevere.
- 00:28:29 *End of Second Interview Session*

*End of Interview #644*