



March 30, 2017

Dr. Sabina Burton
5768 Maple Glen Lane
Platteville, WI 53818

Re: Charges for Dismissal

Dear Dr. Burton:

On December 16, 2016, Interim Provost Elizabeth Throop and Interim Dean Melissa E. Gormley filed a complaint pursuant to Wisconsin Administrative Code § UWS 4.02(1) seeking your termination from your position as tenured professor in the Department of Criminal Justice. I concluded that the charges were substantial and that, if true, might lead to dismissal.

I appointed Dr. Petra Roter, of UW System Administration, to investigate the matter. Dr. Roter submitted her report to me on March 1, 2017. In her report, Dr. Roter found that:

- 1) You recorded a series of UW-Platteville internal conversations, meetings and proceedings without prior consent or notification, your husband published them to the public with your knowledge and consent, and some of the recordings related to confidential personnel matters.
- 2) All of your colleagues who were interviewed reported feeling threatened and/or harassed by you or witnessed you engage in those kinds of behaviors towards others. Your threats were focused on undermining the professional integrity of your colleagues and harming their future employment opportunities including tenure and promotion decisions.
- 3) You have strayed from or violated the letter of direction provided to you by Provost Throop.
- 4) Your "mission to expose corruption" has pulled students into matters and conflicts that are outside of the academic mission/environment of the university.

On March 2, 2017, I sent you a letter enclosing a copy of Dr. Roter's report. I also, as provided for in UWS 4.02(1), offered to meet with you for an informal discussion before I made a decision as to whether to issue a charge. That meeting was scheduled for March 16, 2017, to be held by Skype, but you objected to the presence of my chosen attorney, Jennifer Lattis, while insisting on the presence of your chosen attorney, and did not attend the meeting.

Having received and evaluated the information I have just described, I find that the evidence supports dismissing you for cause from your tenured faculty position at the University of Wisconsin-Platteville. Accordingly, pursuant to section UWS 4.02 (1), I issue this,

STATEMENT OF CHARGES

At all times relevant to this matter, you have been a tenured faculty member of the Department of Criminal Justice at the University of Wisconsin-Platteville (UW-Platteville).

Faculty members of UW-Platteville are expected to conform to all University of Wisconsin System and UW-Platteville expectations, and to provide quality service to the students and university community. Essential to that service is the necessity that faculty members perform their duties in a manner that engenders the trust of the university community.

- I. You have publicly disclosed confidential personnel information of colleagues.
 1. In October of 2013, you attended a Department Review Body (DRB) meeting during which the evaluations of probationary faculty members Rex Reed and Lorne Gibson were discussed. You secretly recorded this meeting.
 2. In October of 2014, you attended a meeting of the College Rank, Salary and Tenure Committee (CRST) at which the evaluation of probationary faculty member Pat Solar was discussed. You secretly recorded this meeting.
 3. In January of 2014, you attended a DRB meeting at which the evaluation of Lorne Gibson was discussed. You secretly recorded this meeting.
 4. In the fall of 2016, your husband, Roger Burton, with your knowledge and consent, posted these recordings in public places on the internet including a website that you and he maintain called "universitycorruption.com."
 5. You also prepared partial and edited transcripts of the meetings and allowed those to be published on "universitycorruption.com."

6. You admitted to Investigator Roter that you had recorded these meetings and that the recordings were posted on the internet with your knowledge and consent.
7. The files were archived on the internet by another source and remain available for public review despite your having removed them from the "universitycorruption.com" website.
8. You knew or should have known that performance evaluation data is considered highly confidential, personnel information. *See e.g.* Wisconsin Public Records Law, Wis. Stat. § 19.36(10)(d) (Records keeping authorities prohibited from releasing public employee performance evaluations in response to public records request) and the Wisconsin Open Meetings Law, Wis. Stat. § 19.85(1)(c) (authorizing closed session for considering performance evaluation data of a public employee).

Your decision to publicly post confidential evaluative information about junior colleagues at the university constitutes a serious breach of trust by you, a tenured faculty member, and violates the reasonable expectations of the UW-Platteville for its faculty.

- II. You have engaged in disrespectful, harassing and intimidating behavior towards your colleagues in an attempt to undermine them professionally and damage their reputation and careers.
 1. You received a letter of direction from Dean (now interim provost) Elizabeth Throop dated October 28, 2014 instructing you to, among other things, treat your colleagues with respect and cease all email activity making groundless and unwarranted accusations against members of the university community.
 2. You made statements to the effect that you had no intention of complying with the letter of direction.
 3. You received a letter of direction from Chancellor Dennis Shields detailing activities that violated Dean Throop's letter of direction and were otherwise unprofessional and harassing of colleagues. Chancellor Shields advised you to cease using University resources to harass, intimidate or threaten your co-workers and supervisors.
 4. You have repeatedly failed to comply with these letters of direction. Examples include:

- Posting or publicly sharing secretly made recordings (in addition to the ones described in Part I) on the internet, including after having promised not to do so.
 - Engaging in unprofessional and insulting conduct towards Dr. Solar, a junior colleague.
 - Engaging in unprofessional conduct towards Dr. Nemmetz, a junior colleague.
 - Falsely accusing Dr. Staci Strobl, chair of the Department of Criminal Justice of presenting misrepresentations on a federal grant application and engaging in sexism.
 - Engaging in unprofessional conduct towards David Couper, adjunct faculty member.
5. You admitted to Investigator Roter that you are direct and short with colleagues, and that you could be perceived as threatening.
 6. You have either admitted or not denied, writing the emails to or regarding Professors Solar, Strobl, Nemmetz, and Couper that I have determined are demeaning, intimidating, and unprofessional.

Your unprofessional conduct, threats and harassment towards colleagues has seriously harmed the functioning of the mission of the Criminal Justice Department and created a department environment that was chilling and dysfunctional.

- III. Dr. Throop's letter of direction advised you to cease involving students in your personnel disputes and grievances. You have violated this letter of direction.
 1. You have made statements on social media and in other places wherein you have directly reached out to students to complain about your personnel situation at UW-Platteville.
 2. You have publicly misrepresented the facts of a 2012 alleged sexual harassment incident to students (as exemplified by the "disappointed student" email.)
 3. You have discussed your personnel concerns during class when they had no relevance to the course topic.
 4. You have involved a graduate student in your concerns who shared a recording he secretly made of a conversation with Dr. Michael Dalecki, which was then posted on line on the "universitycorruption.com" website with your knowledge and consent. As such you used a student's secret

recording of a mentoring conversation with a professor as a means to publicly air your personal grievances.

Your behavior and involvement of students in your personnel concerns have negatively affected the learning environment for students and have undermined the university's ability to recruit and retain students in the Criminal Justice Department.

From the foregoing, I find just cause to dismiss you from your tenured faculty position at UW-Platteville.

You are entitled to a hearing on this matter. If you wish to have a hearing, you must file your hearing request with the Faculty Senate within 20 days of your receiving this statement of charges as required by Wis. Admin. Code § UWS 4.04.

Dated this 30th day of March, 2017.

Sincerely,



Dennis J. Shields
Chancellor

