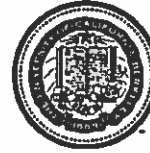


# UNIVERSITY OF CALIFORNIA, BERKELEY

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OFFICE OF THE DEANS  
UNIVERSITY OF CALIFORNIA, BERKELEY  
COLLEGE OF LETTERS AND SCIENCE  
BERKELEY, CALIFORNIA 94720-2920



FAX (510) 642-7578

## NOTICE OF INTENT TO DISMISS

SENT VIA FEDERAL EXPRESS

Howard D'abrera, PhD  
[REDACTED]

December 18, 2015

Dear Dr. D'abrera:

In accordance with the University of California and University Council American Federation of Teachers Memorandum of Understanding (IX contract), Article 30, "Discipline and Dismissal," section C, this is a letter of intent to dismiss you from University employment effective January 18, 2016, for serious misconduct. This action is based on the attached redacted report of investigation and findings conducted by the Office for the Prevention of Harassment and Discrimination. Your actions, as described in the report, constitute serious misconduct that is unacceptable and violates Article 3, "Academic Responsibility/Duty" section B.4.f. of the IX contract. As stated in the contract, "The parties agree that certain conduct by NSF's is unacceptable and is inconsistent with their role as instructional faculty." Therefore, your violation of these established standards of conduct is grounds for dismissal.

As detailed in the attached Report of Investigation and Findings, in mid-September the campus received a report that a student had received sexually harassing emails from you. The Office for the Prevention of Harassment and Discrimination (OPHD) conducted an investigation. OPHD met with the relevant parties in order to conduct their investigation and attempted, through Labor Relations, to meet with you on October 2, November 12, and November 17, 2015. OPHD then sent you a series of questions via email and conducted a phone interview with you on December 4, 2015. The investigator then issued a Report of Investigation and Findings on December 16, 2015.

The University takes sexual harassment and violations of Article 3, Academic Responsibility/Duty very seriously. Given your actions, you cannot be allowed to continue as an instructor on the Berkeley campus.

As outlined in Article 30, section D, you have the right to respond either orally or in writing within thirty (30) calendar days of the date of issuance of this Notice of Intent to Dismiss. Therefore, your response must be received by January 18, 2016. If you wish to respond, please contact Associate Vice

Provost Angelica Stacy, who may be reached by telephone at (510) 642-1935, by email at astacy@berkeley.edu, or by mail at 200 California Hall, Berkeley, CA 94720-1500. You also have the right to representation by a representative of your choice, including the union. If you opt for Senate Review under the terms of Article 30, you must provide written notification of this election within fourteen (14) calendar days of the issuance of this Notice of Intent to Dismiss. Such notice must be received by Associate Vice Provost Stacy by January 4, 2016.

You are currently on an administrative leave that is scheduled to conclude on December 31, 2015. Your administrative leave has been extended to January 18, 2016 in order to provide for the review process described in this letter.



Frances Hellman  
Dean of Math and Physical Sciences

Attachments: OPHD Redacted Report of Investigation and Findings  
Attachments to OPHD Report  
Article 3  
Article 30  
Proof of Service

cc: Associate Vice Provost Angelica Stacy  
[REDACTED] Chair of the Department of Statistics  
Academic Personnel Office  
Employee Personnel File  
Labor Relations  
AFT (w/ attachments)

Frances Hellman, Dean  
Mathematical and Physical Sciences  
Letters & Science Deans' Office  
101 Durant Hall #2920  
Berkeley, CA  
94720

Michael Jordan, Chair  
Statistics Department  
401 Evans Hall #3860  
Berkeley, CA 94720-3860

January 15, 2016

Dear Dean Hellman and Professor Jordan:

I am resigning from my position as lecturer in the Statistics Department, effective January 15, 2016, in order to focus on [REDACTED]

Sincerely,



Howard D'Abrera

cc: Associate Vice Provost Angelica Stacy  
Academic Personnel Office  
Labor Relations  
Michelle Squitieri

2016 JAN 15 PM 12:02  
HUMAN RESOURCES