

UNIVERSITY OF CALIFORNIA, BERKELEY

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DISABLED STUDENTS PROGRAM
260 CESAR CHAVEZ STUDENT CENTER #4250
BERKELEY, CALIFORNIA 94720-4250

FAX (510) 643-9686 TEL (510) 642-0518

FEDERAL EXPRESS DELIVERY WITH PROOF OF SERVICE

September 23, 2011

Mr. Scott Anderson
[REDACTED]

Dear Scott,

In accordance with Personnel Policies for Staff Members (PPSM) Policy 64, this is a Notice of Intent to dismiss you from University employment effective October 5, 2011. This intended action is based on your misconduct as the Disabled Students' Program Student Disability Specialist serving students with psychiatric disabilities.

As the Student Disability Specialist 4, it is your responsibility to professionally counsel, in private meetings or consultations, students with psychiatric disabilities; and, in turn, approve their academic accommodations. The Student Disability Specialist must follow the professional standards of conduct and professional code of ethics. Per your job description when you were hired in the department, you are also expected to be "knowledgeable of and comply with the policies and practices of the Disabled Students' Program" and be "knowledgeable of and adhere to the terms, rules, and regulations stipulated in the U.S. Department of Education TRIO/Student Support Services grant." In addition, all University employees are expected to adhere to the UC Standards of Ethical Conduct. (Your job descriptions and policies cited are contained in the appendices of the attached investigatory report.)

In May 2011, one of your [REDACTED] raised allegations which, if true, would constitute a violation of these professional standards and codes of ethics. An investigation was conducted by Division of Equity and Inclusion Human Resources Manager Debbie Fong and her report is attached.

The report contains evidence of highly inappropriate, unprofessional, and unacceptable email communications between you and this student (e.g., making reference to your [REDACTED] sending an email attachment with a picture of Kim Jong Il with "DAT ASS" written on the bottom and writing that you changed the student's grade; making a reference to being jealous about the student's male friend; referring to the student as "lazy-bones" and referring to her "profane ass" and "weary ass"; referring to your students as having feelings of entitlement; making references to self-medicating; [REDACTED] [REDACTED]. Completely unacceptable are emails containing strong sexual innuendo or are of a sexual nature (such as sending an email attachment with a picture of whip cream and handcuffs and asking the student what her plans are for Valentine's Day; making a reference to punishing the student for not completing class assignments and telling her "meet me at registrars office, I'll bring the cuffs"; sending a web link to "frotteurism" and writing "I've finally been diagnosed. Will you give me a hand with it?"; sending a list of "50 Things you don't say while

having sex"; writing "I knew it was a bad idea to take Levitra before I read your email" and suggesting that the student think about "being a Dali Lama or Dominatrix"; writing that you would go to the student's class wearing a "Banana hammock" and ask to speak with her in the men's room; describing the student in a photograph as a "total babe" and "HOT"; and writing that you were [REDACTED] at work). These communications spanned a nine month period of time and document the highly inappropriate nature of these communications between you and the student.

In your meeting with the investigator, you did not deny sending any of the emails. Your responses to the emails included that you were using humor, you were coaching or providing encouragement to the student, you were using "casual banter," and that the nature of the communications was a response to how the student interacted with you.

Your explanations for these communications neither explain nor mitigate this behavior. As a Student Disability Specialist 4, your professional training and education have afforded you the opportunity to learn and understand what the proper relationship must be between the DSP specialist and his or her assigned students with disabilities. As you know, students with psychiatric disabilities are among the most vulnerable students we serve. As such, adherence to the professional disability standards and codes of conduct is critical.

The investigator found that your behavior violated the department's and the TRIO SSS professional standards and professional codes of ethics as well as the University's Standards of Ethical Conduct, and that your actions constituted misconduct. In view of the findings and the evidence in the report, as the Director of the Disabled Students' Program, I have no choice but to initiate this action. Your misconduct is of such an egregious nature that it represents a liability to both the students we serve as well as the University.

In addition to this Notice of Intent to dismiss you from University employment effective October 5, 2011; and, per PPSM Policy 64.D, effective immediately with the date of this notice, you are hereby suspended without pay. You have the right to respond to this notice either orally or in writing, within 8 calendar days from the date of issuance. Please direct your response to [REDACTED]

Sincerely,
[REDACTED]

Attachments:

Investigatory Report and Attachments
Proof of Service

cc: [REDACTED]

Vice Chancellor Gibor Basri
[REDACTED]

September 26, 2011

Disables Students Program
260 Cesar Chavez Student Center
Berkeley, CA 94720

Dear [REDACTED]

Please accept this as formal notice of my resignation from the position of disability specialist at the University of California Berkeley, with effect from September 26, 2011.

I am sorry to leave and I thank you for your support during my time with Cal, which I have found enjoyable and fulfilling.

I am eager to acquire my personal effects. Perhaps they may be mailed to my or, I am available to come in after hours to pick them up.

I wish you all the best going forward.

Sincerely,



Scott Anderson
[REDACTED]

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September 27, 2011

Mr. Scott Anderson


Dear Scott,

I am in receipt of your letter dated September 26, 2011, in which you offer your formal notice of resignation from the Disabled Students' Program specialist position.

The purpose of this letter is to accept your resignation effective this date.

Sincerely,
