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November 1, 2015

David Williams, Chairperson  
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Dr Williams,

This correspondence is intended as a followup to my October 28, 2015 email, to which as of the above date you have not responded. By the electronic presentation of the "Terms and Conditions," "FLORIDA ATLANTIC UNIVERSITY GUIDELINES ON CONFLICT OF INTEREST, CONFLICT OF COMMITMENT AND OUTSIDE ACTIVITIES, INCLUDING FINANCIAL INTERESTS," on the Annual Assignment document, the FAU administration seeks to compel bargaining unit members to acknowledge and agree to, as a condition of their employment and livelihood, such "GUIDELINES." In my October 28 email I explained my reservations concerning this coercive maneuver.

Despite the clear language of the above referenced "GUIDELINES" and the policy's accompanying form, "REPORT OF OUTSIDE EMPLOYMENT or PROFESSIONAL ACTIVITY for FAU EMPLOYEES," you have repeatedly insisted that the form should only be completed in situations where "outside employment income" is being received by the employee. You further directed me on October 27, 2015 to sign the electronic form promptly. Yet College of Arts and Letters Dean Heather Colman's October 20, 2015 email to assistant deans and department chairs states nothing concerning the criteria to discern which faculty are required to fill out the REPORT OF OUTSIDE EMPLOYMENT or PROFESSIONAL ACTIVITY.

As I emphasized in my October 28 email, your repeated misrepresentation of this policy has potential repercussions for faculty members who acknowledge the "GUIDELINES," yet fail to complete the accompanying "REPORT OF OUTSIDE EMPLOYMENT or PROFESSIONAL ACTIVITY." Not only does this serve to compound the significant confusion surrounding CBA Article 5.3(d) and administrative constraints on intellectual activity and free speech, it is also misleading, perhaps even fraudulent.

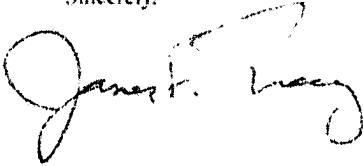
I further noted in my October 28 email your dismissiveness toward my observations concerning administrative governance. For example, in a September 25 faculty meeting you responded emotionally to my suggestion that there was little-if-any managerial transparency concerning Dean Colman's unilateral plans to reorganize Multimedia Journalism--the area of my faculty assignment --calling such concerns "bullshit."

This is not the only indication of unwarranted hostility toward me. For example, on April 26, 2015 when I sought to provide evidence to faculty colleagues via email of a clear conflict of interest in a recent promotion and tenure situation you oversaw that continues to seriously jeopardize the integrity of that process in our School and College, you proceeded to remove an announcement of my son's birth from the department's community bulletin board. While these separate actions are arguably of limited significance, taken as a whole, and particularly in the context of Dean Colman's unwarranted (and later rescinded) disciplinary action against me of March 28, 2013, the April 30 pillory of me in the local press condoned and apparently coordinated by Colman and Associate Provost Diane Algerian, the arbitrary cancellation of my classes and manipulation of my teaching assignment the following month, such actions suggest an intent to create what I have long perceived as a hostile work environment. Moreover, such actions clearly seek to discourage and stifle through intimidation a faculty member's freedom to call attention to and contest administrative

policy and procedure protected under the CBA Article 5, in addition to state and federal statutes

As of November 1 I have not received a response from you on my October 28 email. Thus for my records and legal protection, and more immediately to preclude any further harassment or disciplinary actions you or other administrators may take against me, I am furnishing you with copies of our email exchange culminating in said October 28, 2015 email. Please also find enclosed a copy of my 2015-2016 Annual Assignment, signed and sent to you via the referenced email of October 28, 2015.

Sincerely,

A handwritten signature in black ink, appearing to read "James F. Tracy". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

James F. Tracy