



University of Colorado

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May 10, 2007

Dean J. Saitta
Professor, Department of Anthropology
President, DU chapter, American Association of University Professors
University of Denver
Sturm Hall 146-S
200 East Asbury Street
Denver, CO 80208

Re: April 24, 2007 Correspondence/Professor Ward Churchill

Dear Professor Saitta:

Thank you for your letter on behalf of the University of Denver chapter of the American Association of University Professors. Because of the pendency of faculty discipline proceedings against Professor Ward Churchill, President Hank Brown asked me to respond. It would be inappropriate for President Brown to consider requests outside of the University of Colorado's policies governing faculty discipline.

The University of Colorado's policies allow any faculty member who is the subject of dismissal proceedings to request a hearing before a panel of the Faculty Senate Committee on Privilege and Tenure. Professor Churchill could not be subject to a recommended dismissal unless a panel, comprised entirely of tenured faculty members who had no previous involvement in the investigative process, determined by clear and convincing evidence that Professor Churchill engaged conduct that fell below the minimum standards of professional integrity. The identities of the panel members were disclosed to Professor Churchill before the hearing without any objection from him that they were biased or otherwise unfit to serve in this capacity.

At the hearing, which occurred over the course of seven days in January of 2007, Professor Churchill had the opportunity to present any evidence or documents that he believed demonstrated any errors in the Investigative Committee's report. Most notably, in respect to your request that the Investigative Committee's report be withdrawn because of evidence supplied by Professor Eric Cheyfitz of Cornell

University, Professor Churchill called Professor Cheyfitz at the hearing and had an opportunity to present any pertinent evidence to the panel hearing the charges. Professor Churchill also called Professor Michael Yellow Bird of Kansas University, another signatory to the "Open Letter from Faculty Calling for Churchill Report Retraction," to testify on his behalf.

The University of Colorado's policies governing faculty discipline provide the most appropriate forum for the University to consider whether there is any evidence that the Investigative Committee's report was inaccurate or biased against Professor Churchill. The panel possesses the ability to weigh the evidence, including testimony from Professor Churchill, Professor Cheyfitz, Professor Yellow Bird, and other witnesses that Professor Churchill called on his behalf. The panel also received extensive written submissions from Professor Churchill and other witnesses. After having received the evidence, the panel has the ability to make any recommendations it deems appropriate to President Brown, including a recommendation that President Brown dismiss any unwarranted charges.

Consequently, the University of Colorado respectfully declines to withdraw the Investigating Committee's report. The hearing before a panel of the Faculty Senate Committee on Privilege and Tenure is the appropriate forum for Professor Churchill to present any witnesses or evidence on his behalf. Allowing outside requests to influence the University of Colorado's handling of Professor Churchill's case would be contrary to the Faculty Senate's clear intent when it adopted processes applicable to all faculty members.

Very truly yours,

A handwritten signature in black ink that reads "Michael Poliakoff". The signature is written in a cursive, flowing style.

Michael Poliakoff, Ph.D.

Vice President for Academic Affairs and Research

cc: Professor Weldon Lodwick (weldon.lodwick@cudenver.edu)
Professor Ward Churchill (ward.churchill@colorado.edu)
Professor Daniel Kim (dk@colorado.edu)