

March 2, 2018

Ken D. Peterson
173 N Donlee Drive
St. George, UT 84770-4537

Re: Notice of Dismissal and Termination of Appointment.

Professor Ken D. Peterson,

Please be advised that this is your Notice of Dismissal and Termination of your Appointment from Dixie State University ("DSU"). Effective immediately, you are suspended with pay from all duties until a final determination has been reached (*See DSU Policy 371, § 4.2.4*). During this suspension, you are prohibited from being on DSU campus and or property.

This letter fulfills DSU's requirement to provide Notice of Dismissal for Cause (*See DSU Policy 371, § 4.2.4*). The causal circumstances include professional incompetence, serious misconduct or unethical behavior, and serious violation of University rules and regulations, as supported by the following:

1. Professor Ken Peterson disclosed confidential information about Mark Houser's employment to unauthorized third persons, including information about Houser's tenure review process in violation of *DSU Policies, 641 (Retention, Promotion & Tenure); and 633 (Faculty Rights & Responsibilities)*.
2. Ken Peterson engaged in at least one such unauthorized conversation at the Trailblazer Cafe on DSU campus, when numerous persons were within earshot and overheard his remarks.
3. Ken Peterson improperly represented the Music Dept. in stating to a third person that the Music and Theatre Department wanted Houser "terminated," in violation of *DSU Policy 633, § 4.4.3.4.5* ("Act in any way as an official spokesperson of the University unless explicitly authorized to do so. Faculty members may represent themselves, but may not represent the institution unless specifically directed to do so by a dean or higher level University administrator.").
4. Ken Peterson violated *DSU Policy 633, § 4.4.3.4.5*, when he spoke on behalf of the Music Department telling a third person that the Music Department was refusing to work with the Theatre Department to produce musicals in retaliation for Houser recommending that Davenport be terminated.

5. Ken Peterson violated *DSU Policy 633, § 4.4.3.4.5 and §4.4.3.2.4*, when he told a third person, "All of us at Music Department don't want Houser here."
6. Ken Peterson's language slandered Mark Houser when he told a third person that Houser is "destroying" the Theatre department, a direct impact on Houser's professional reputation.
7. Ken Peterson's language slandered Mark Houser and DSU President Williams when he told a third person, loudly in a public place in the presence of students and staff, that Houser and President Williams were "corrupt" and had "conspired together against Varlo Davenport" by sending "secret correspondence" to have Varlo Davenport terminated so that Houser could get tenure and promotion.
8. Ken Peterson's language slandered Mark Houser and DSU President Williams when he told a third person that Houser and Williams had worked together "as part of a big conspiracy" to escalate the student complaint of Davenport "to get rid of Davenport."
9. Ken Peterson violated *DSU Policy 633, §4.4.3.2.4, Standards of Conduct*, in failing to "Demonstrate professional standards of behavior, including collegiality and the open exchange of ideas through civil discourse".
10. Ken Peterson has attributed wrongdoing to other members of the Music Department and boasted of influencing other Faculty Review members to inject bias on the Faculty Review Committee, thereby intending to cause professional, economical and emotional harm to Houser.
11. Several faculty members have confirmed that Ken Peterson is "known" to speak to members of the public ("to anyone who would listen") about his dislike for Houser and his determination to have Houser terminated from DSU in violation of *DSU Policies, 304 (Personnel Files); 641, § 4.3 (Retention, Promotion & Tenure); and 633, §§§§ 4.4.3.2.2, 4.4.3.2.4, 4.4.3.2.5, 4.4.3.2.19, and 4.4.3.2.9 (Faculty Rights & Responsibilities)*, which requires that confidential information related to the tenure and promotion review process be kept confidential "indefinitely."
12. Ken Peterson's scoring of Houser's Rubric provides evidence of Peterson's biases towards Houser indicating that Peterson failed to assess Houser fairly on acceptable criteria for tenure/promotion, which is in violation of *DSU Policy 641, § 4.3.4 – ("Votes should be based on comprehensive review of each candidate's portfolio and application of appropriate criteria")*.
13. Ken Peterson's actions were intentional and willful to destroy the reputation of Mark Houser and were not in the interest of Dixie State University in violation of *DSU Policy 633, §§ 4.4.3.2.1 and 4.4.3.2.5*.

You have specific rights and I urge you to read and understand *DSU Policy 371*. You have the rights to Due Process, "including the right to contest the information before an impartial board of faculty peer (See *DSU Policy 371, § 4.2.5*)".

Per *DSU Policy 371, § 4.2.5*, you have thirty (30) calendar days to refute, by written request to DSU's Department of Human Resources Office, the cause(s) stated in this notice of dismissal. *DSU Policy 371 § 4.3.1* states the process how a Faculty Review Board is selected and operates. The Faculty Review Board has twenty (20) business days after the meeting to release its findings. Finally, DSU's President reviews the record, findings, conclusions, and recommendations of the Review Board and renders a final decision within ten (10) business days after receiving the Review Board's decision. If you chose not to refute the cause of dismissal, your dismissal will automatically become effective *April 1, 2018*. At any point during the process you also have the option to resign your appointment.

If you have any questions please contact Travis Rosenberg, Executive Director of Human Resources.

Sincerely,



Michael Lacourse, Ph.D.,

Provost and Vice President of Academic Affairs

cc: Richard B. Williams, Ph.D., President, Dixie State University
Doajo D. Hicks, J.D., General Counsel, Dixie State University
Ronald Isaacson, Chief of Police, Dixie State University