



UNIVERSITY OF CENTRAL FLORIDA

**Office of the Dean
College of Sciences**

12716 Pegasus Dr.,
Orlando, FL 32816

Dr. Charles Negy
14121 Alafaya Oak Bend
Orlando, FL 32828
(sent by email and certified mail)

January 13, 2021

NOTICE OF INTENT TO TERMINATE

Dear Dr. Negy:

This letter is to notify you of the university's intent to terminate your employment at the close of business on Monday, January 25, 2021, for misconduct. This notice is required under Article/Section 16.4 (b) of the 2019-2021 BOT-UFF Collective Bargaining Agreement (CBA). You were placed on paid administrative leave (PAL) on January 5, 2021, and you will remain on PAL, pending final disposition of this proposed personnel action.

As you know, beginning in June 2020 the university received a high volume of reports regarding your conduct in the classroom. Many of the concerns brought to the university's attention were complaints about discrimination, bias, and unfair treatment of students in the classes you have taught. The university also heard from persons who were supportive of you and your teaching. However, based on the reports received, the Office of Institutional Equity (OIE) began an inquiry on June 4, 2020 into the allegations involving your actions and comments toward students. OIE informed you on July 17, 2020 that an investigation would be conducted concerning allegations that you subjected multiple students and employees to discriminatory harassment, engaged in unprofessional conduct, and failed to fulfill your obligations to report a complaint of discrimination to an appropriate university official with the authority to take action.

OIE has completed a report on its investigation. (A copy of that report is provided to you as an attachment to this notice.) OIE's findings are contained in the attached report and include:

- You repeatedly violated Regulation UCF- 3.001 (Non-Discrimination; Affirmative Action) and UCF Policy 2-004.1 (Prohibition of Discrimination, Harassment and Related Interpersonal Violence) by creating a hostile learning environment for your students through discriminatory harassment. Additionally, your conduct in the classroom violated UCF's Employee Code of Conduct.
- You repeatedly violated UCF Policy 2-700.1 (Reporting Misconduct and Protection from Retaliation) by deterring students from filing complaints about your classroom conduct.

- You violated Regulation UCF-3.001 (Non-Discrimination; Affirmative Action Programs) when you failed to report that a student disclosed to you that she had been sexually assaulted by one of your teaching assistants in February 2014. In addition, instead of directing the victim to appropriate university resources, you discouraged her from reporting the incident and advised her to be more conscientious when choosing her friends.
- You violated UCF Policy 2-700.1 (Reporting Misconduct and Protection from Retaliation) and the UCF Employee Code of Conduct (regarding Honesty and Integrity: Our Guiding Principles) by providing false information during OIE's investigation.

Details about each of these findings are too numerous to fully document here; they may be found in OIE's investigative report. Note that none of the findings by OIE are related to your Twitter postings as OIE found they were protected by your First Amendment rights. In addition, some of the complaints about your spoken or written comments to students about sensitive or controversial matters were found to be permissible based on academic freedom. The university respects your right to exercise academic freedom in making those comments, although that does not mean that your views on such matters and those of the university are the same.

All of the findings by OIE are serious. They include nine examples of false information you provided to OIE during its investigation. Specifically, you:

1. Provided false information with regard to the tenure-related comment about the university being unable to fire you unless you raped a student;
2. Denied having bribed a health clinic representative while in Peru for a UCF study-abroad program;
3. Denied having told students that God does not exist;
4. Denied having told students that minorities never invented anything that impacted society;
5. Denied that you ever used the term "Black privilege" with your students;
6. Denied that you told a male GTA that you hoped a female GTA for whom he was covering some duties was "compensating him but that is none of my [your] business";
7. Denied ever using the term "faggot" in class;
8. Denied discussing the sexual assault allegations against Brett Kavanaugh and related Congressional hearings; and
9. Denied ever discussing cerebral cortices during your class lectures.

The other findings by OIE are related to actions and comments by you that are serious. Incidents like the unreported sexual assault and the hostile learning environment due to discriminatory harassment of students in your classes (i.e., derogatory statements about protected classes including race, religion, sex, and gender identity, as well as unwelcome comments of a sexual nature) were not reported by students as they should have been in large part because you repeatedly discouraged students from submitting complaints about your conduct. You repeatedly gave students the impression that you were insulated from complaints because of tenure. In other words, your frequent emphasis of your power advantage over your students was a deterrent to their reporting their concerns about your classroom conduct.

According to CBA 16.3, penalties imposed for misconduct depend on the seriousness of the offense(s) and any aggravating or mitigating circumstances. Discriminatory harassment, deterring students from reporting, failing to report a sexual assault, and dishonesty are all serious. Your repeated references to tenure as insulation from consequences for complaints about your actions and comments toward your students is considered by the university to be an aggravating circumstance.

Therefore, the university intends to terminate you in accordance with terms and procedures in the CBA. As permitted by CBA 16.7, you are not being provided with six months' notice because the university has determined that your actions, e.g., failing to report and discouraging the report of a sexual assault that was disclosed to you, "jeopardize the safety or welfare of ... students."

Effective immediately, you are hereby directed not to return to any UCF campus or to any UCF-occupied space off the main UCF campus without notifying me in advance and receiving my approval. If I approve of your return, an escort will be arranged for you. From now until the end of your PAL, you are forbidden to contact any current UCF employees (except me and anyone I approve for you to contact) or students personally or via telephone, email, text, social media, or in any other way without my approval in advance. You are also to refrain from contacting former UCF students, former UCF employees, donors, and research sponsors in any way while you are on PAL. You must surrender any UCF property that is in your possession or under your control including, but not limited to, identification cards, keys, books, laptops, and other computers and equipment. Any such UCF property that is not currently on campus must be returned to me by noon, Friday, January 15, 2021. I will need to know as soon as possible if you wish to come to campus on January 15, 2021, to return UCF property or to retrieve any personal items that you need immediately from your office so that arrangements can be made for an escort. If I learn that you have not abided by these directions, your insubordination will be considered additional grounds for your termination. Any UCF property that is not returned to me on time will be considered stolen.

I also remind you that UCF Policy 2-700.1 prohibits retaliation against any person who you think has or may have submitted a complaint against you or who you think has or may have participated in OIE's investigation. Any retaliation by you will be additional grounds for your termination.

The university desires to reduce the risk of error in taking an action such as this against you and is therefore interested in receiving and considering any relevant information you may wish to provide concerning this matter. In accordance with CBA 16.4 (b), you have ten calendar days, or until 9:00 AM on Monday, January 25, 2021, to provide a written response regarding this notice and/or the findings in the attached report that pertain to the grounds listed above. Any response should be addressed to me in the COS Dean's Office, CSB 201.

If you intend to provide your written response to this notice in hardcopy form in person, please let me know by noon, Friday, January 22, 2021, so that an escort can be arranged for you. You may notify me of your intention via email at Tosha.Dupras@ucf.edu. If you prefer, you may also submit your written response to me at that email address no later than 9:00 AM on Monday, January 25, 2021.

After any timely written response from you is reviewed, a final decision on your proposed termination will be rendered based upon all information available. You will receive a letter from the university communicating that decision as soon as practicable.

Sincerely,

A handwritten signature in black ink that reads "Tosha Dupras". The signature is fluid and cursive, with the first name "Tosha" and last name "Dupras" clearly legible.

Tosha Dupras
Interim Dean, College of Sciences

Attachment (1): Investigative Report by OIE

cc: Alexander N. Cartwright, President
 Michael D. Johnson, Interim Provost and Vice President for Academic Affairs
 Florian Jentsch, Chair, Department of Psychology
 Youndy C. Cook, Interim Vice President and General Counsel
 Sherry G. Andrews, Associate General Counsel and Associate Provost
 Rhonda L. Bishop, Vice President for Compliance and Risk
 Nancy F. Myers, Director, Office of Institutional Equity
 Carl Metzger, Chief, UCF Police