

# EXHIBIT 1

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: Sara Amani
1249 E. Spence Avenue
Apt 335
Tempe, AZ 85281

From: Detroit Field Office
477 Michigan Avenue
Room 865
Detroit, MI 48226

On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

Table with 3 columns: EEOC Charge No., EEOC Representative, Telephone No.
471-2017-01210, Anthony Warren, Investigator, (313) 226-6550

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

- List of reasons for closing file with checkboxes. Option 5 is checked: 'The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes.'

- NOTICE OF SUIT RIGHTS -
(See the additional information attached to this form.)

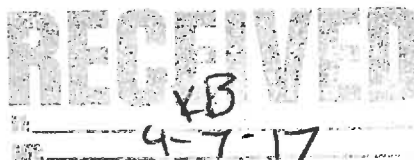
Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you.

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment.

Signature of Michelle Eisele, District Director, and Date Mailed: 04/04/2017

cc: Jill Hodges
Executive Director of Institutional Equity and Inclusion
MICHIGAN TECHNOLOGICAL UNIVERSITY
1400 Thompson Drive
Administration Building, Room 308
Houghton, MI 49931

Daniel D. Mead
2552 US 41 West
Suite 300
Marquette, MI 49855



# EXHIBIT 2

**Humanities Department — Peer Teaching Evaluation**

INSTRUCTOR: Sara Amani

COURSE # and TITLE: HU 3961 (Theoretical Foundations of TESOL)

SEMESTER: Fall 2015

EVALUATION DATE: November 2, 2015

Your evaluation should include a discussion of the following:

1. Clarity of course objectives and success in achieving them.
2. Attention to students' needs for a clear syllabus stating objectives, requirements, procedures, grading policy, etc.
3. Quality of texts, materials, and assignments.
4. Appropriate level of expectations for student performance.
5. Course content that reveals sound professional judgment.

If a class visit is involved, please consider the following:

1. Appropriateness of pedagogical strategies (e.g., lecture, discussion, group work, etc.).
2. Quality of class involvement and response.
3. Quality of presentation (organization, relevant focus, illustration or examples, voice, use of instructional resources, handouts, etc., where appropriate).
4. Ability to initiate and direct discussion or group work.
5. Achievement of effective classroom atmosphere (presence, rapport).

The committee asked me to conduct Dr. Sara Amani's teaching observation and evaluation as part of the annual evaluation of faculty. I write to report on my observation and evaluation. Dr. Amani requested that I observe her HU 3961-Theoretical Foundations of TESOL course. I visited the class which meets on Tuesdays and Thursdays from 3:05 to 4:25 on November 2, 2015 and stayed for a little over an hour.

Prior to the visit Dr. Amani shared her goals for the course but particularly for that day's class. She shared information on the class that preceded my visit and the material she was going to cover during my visit. After my visit, Dr. Amani provided me with the PowerPoint presentation used in class and a copy of her syllabus for the course. On the day of my visit the class was working on "Observing learning and teaching."

The Theoretical foundations course is the first course in the TESOL certificate program. Its goal is to "introduce key concepts and issues in TESOL (Teaching English to Speakers of Other Languages)." The syllabus clearly delivers a course that accomplishes this goal; it identifies

course objectives, outcomes, requirements, and expectations of students and includes a grading scale. In short, students have clear information on what is needed to be successful.

Dr. Amani's materials and assignments are demanding but appropriate and her expectations for student performance, though high, is particularly appropriate because she provides a lot of support for students and is conscious of the fact that students do not have much background in TESOL and its ancillary disciplines. During my visit the class was working out of the 2013 edition of *How languages are learned*, a text by P. Lightbown and N. Spada that is published by Oxford University Press. Assignments for the course include reflections, quizzes, projects, papers, leading discussion, a mid-term and a final exam. The course is reading-and-writing intensive, thereby emphasizing skills that students will need were they to become practicing language teachers.

The manner in which course content was presented demonstrates that Dr. Amani not only knows her field but is also able to make that field accessible to students who are new to it. She constantly connected new material to what students should already know. When students claimed to have "forgotten" she relied on probing questioning to lead them to what had been forgotten. Her professional judgment clearly factored into her teacher decision making. Another example related to her timing on when to allow students to work together and when to hold them accountable for their own learning and it was clear the students understood this. Tasks assigned to students beyond class time required them to apply what was presented in class. This allows students to reflect on what was presented and discussed in class, and return to relevant texts for further study before posting their work to Canvas. Here, for example, is the out-of-class task for the day of my visit:

- "Make the case for both structure-based and communicative instruction.
- Post on Canvas a 100-word case in favour of structure-based teaching in the language classroom. What is good about it?
  - Do the same for communicative instruction."

Dr. Amani used multiple pedagogical approaches and they were all appropriate. She called students' attention to strategies by asking them to connect them to theories of language learning that they had learned in the course of the semester and often extended learning of these by drawing attention to critiques of the strategies in the literature. Since this is a course on theories of language learning and teaching, this strategy is particularly effective—it facilitates the development of metacognitive awareness. During my visit there was a mini-presentation—lecture at the beginning, there were discussions, there was application and there was paired as well as individual work. Students were actively involved throughout the time I was present.

Students had a number of mini-tasks and Dr. Amani provided clear instructions and checked to make sure students understood what was expected of them before they began. Students asked questions and stayed on task and supported each other when that was permitted. Dr. Amani circulated among the students, often asking probing questions that extended student work. The students had a good relationship with each other—they worked well as a group. This is in no small part related to the fact that Dr. Amani has established a presence and good rapport with the group.

Dr. Amani's approach to the course is rigorous, and she successfully brought her students along by holding their attention and focusing them on tasks and classroom exchanges. We are extremely fortunate to have Dr. Amani as a colleague in the department.

EVALUATOR Beatrice Smith

SIGNATURE [Signature] DATE 12/1/2015

INSTRUCTOR: I have seen and reviewed this evaluation for errors of fact.

SIGNED: Nara Amani DATE: 12/1/15



*Graduate Program in  
Rhetoric and Technical Communication*

Department of Humanities  
319 Walker Arts and Humanities Center  
1400 Townsend Drive  
Houghton, Michigan 49931-1295  
906-487-2540 Fax 906-487-3559  
[www.hu.mtu.edu](http://www.hu.mtu.edu)

Dr. Sara Amani  
Humanities Department

July 1, 2015

Dear Sara,

I have completed the merit reviews for the period from July 1, 2014 to June 30, 2015. I have based your review on information from the FARS system and any supplemental information you have provided to me. Please let me know if you see omissions or errors.

**Scholarship and Professional Development:**

This was your first year as a Lecturer in our department, and you are off to a good start. You published a co-authored chapter entitled "Planning and production in computer-mediated communication (CMC) writing" in a new book entitled *Task-Based Language Learning: Insights from and for L2 Writing* (Philadelphia: John Benjamins, 2015). However, this publication is not listed in your annual FARS report. Please correct this omission at your earliest convenience.

You presented a paper at a regional conference:

Amani, S. A Quantitative Analysis of Metacognitively Trained L2 Learners' Writing Performance. Paper presentation at Texas Foreign Language Education Conference 16th Annual TexFLEC. University of Texas at San Antonio, USA. February 20-21, 2015.

You also made a presentation on second-language pedagogy strategies as part of the Modern Language Pedagogy Discussion series.

**Teaching:**

During this period you taught the following courses:

**Spring 2015**

ESL 0320 - L01, "Intermediate Writing I". 8 enrolled. 1 credit hour.  
ESL 0320 - R01, "Intermediate Writing I". 8 enrolled. 2 credit hours.  
ESL 0470 - L01, "Advanced Listen/Speak II". 1 enrolled. 1 credit hour.  
ESL 0470 - R01, "Advanced Listen/Speak II". 1 enrolled. 2 credit hours.  
HU 3605 - R01, "Grammar and Usage in Society". 9 enrolled. 3 credit hours.

**Fall 2014**

ESL 0360 - L01, "Intermediate Writing II", 8 enrolled. 1 credit hour.  
ESL 0360 - R01, "Intermediate Writing II". 8 enrolled. 2 credit hours.  
ESL 0380 - L01, "Intermediate Grammar II". 6 enrolled. 1 credit hour.

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ESL 0430 - L01. "Advanced Listen/Speak I". 4 enrolled. 1 credit hour.  
ESL 0430 - R01. "Advanced Listen/Speak I". 4 enrolled. 2 credit hours.

I have informally observed your teaching in HU 3605, and I was impressed by your high level of organization and the clarity with which you presented the material.

**Service:**

This year you took over the role of Assistant Director of ESL, assisting the director during a very exacting process of self-study and accreditation review. You also are directing the ESL program during the summer of 2015.

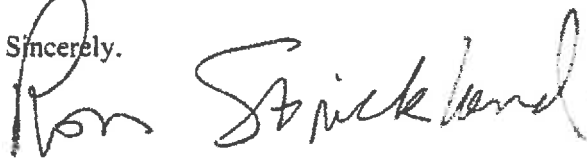
I have rated your achievements during the past year according to the department's established formula:

Professional Development:	3 out of 4 points
Teaching Productivity:	3 out 4 points
Service Productivity:	2 out of 2 points
Total merit rating:	8 points

Note that this scale does not allow for fine distinctions, so there may be substantial swings in the rankings from year to year. If you have questions or comments about this process or its results, I'll be glad to talk with you at your earliest convenience.

Thank you for your valuable contributions in scholarship, teaching and service.

Sincerely,



Ron Strickland  
Chair, Humanities Dept



Humanities Department — Peer Teaching Evaluation

INSTRUCTOR Sara Aman EVALUATOR Mike Butler  
COURSE # and TITLE ESL 0360 Intermediate Writing II, ESL 0380 Intermediate Grammar II  
DATE 12/4/14 SIGNATURE [Signature]

Your evaluation should include a discussion of the following:

1. Clarity of course objectives and success in achieving them.
2. Attention to students' needs for a clear syllabus stating objectives, requirements, procedures, grading policy, etc.
3. Quality of texts, materials, and assignments.
4. Appropriate level of expectations for student performance.
5. Course content that reveals sound professional judgment.

If a class visit is involved, please consider the following:

1. Appropriateness of pedagogical strategies (e.g., lecture, discussion, group work, etc.).
2. Quality of class involvement and response.
3. Quality of presentation (organization, relevant focus, illustration or examples, voice, use of instructional resources, handouts, etc., where appropriate).
4. Ability to initiate and direct discussion or group work.
5. Achievement of effective classroom atmosphere (presence, rapport).

Instructor: I have seen and reviewed this evaluation for errors of fact.

Signed: Sara Aman

**Peer Teaching Evaluation for Sara Amani**

12/3/14

This letter is a peer teaching evaluation for Sara Amani. I reviewed the course materials for her Fall 2014 classes ESL0360 Intermediate Writing II and ESL0380 Intermediate Grammar II. I also visited a session of ESL0360.

The syllabus for the course is one of the more clear, thorough and well organized that I have seen. The course objectives, course requirements, grading policy, absence policy, etc. is clearly laid out. The objectives of the course include, among others: having students compose various context-appropriate texts; practice developing academic papers; developing ideas critically with textual evidence; researching sources, integrating sources; documenting sources; and correcting syntactical and mechanical errors in context. The course content and assignments are well suited to allow students to achieve these objectives. Assignments for the course include a number of essays and exams. The course schedule was extremely detailed and gave students a wonderful roadmap for the semester. Overall, the course is a well planned and expertly structured.

From the session that I visited I would say that Sara is very good teacher. As with the course itself, the class session was well organized. The class session that I attended introduced students to persuasion and persuasive writing. The lesson plan clearly stated the objectives for the class session and what would be done during the course. Sara utilized a power point presentation that was very nice. Sara solicited participation from students in a number of different ways, including raising questions for discussion and group work and discussion. There was a particular emphasis on group, task-based work. This worked very well. Every one of the students in the course participated. In fact, the students participated enthusiastically. This is a testament to the fact that Sara has an excellent rapport with her students. One of the exercises was to develop persuasive reasons for and against smoking bans. The topic was timely and relevant given that at the time the university was considering banning electronic

cigarettes. It was very interesting to see how international students viewed the issue. In my opinion, the class went very well.

Overall, I consider Sara an excellent teacher.

Sincerely,

Michael Bowler  
Associate Professor of Philosophy  
Humanities Department  
Michigan Technological University

#### **Review**

**Sara Amani**

**Lecturer and Assistant Director, Intensive English as a Second Language  
July 2014-December 2014**

#### **Teaching**

In her first semester as lecturer in IESL, Sara Amani taught three courses in the program. The courses she taught were one section of ESL 0360 Intermediate Writing II, one section of ESL 0430 Advanced Listening and Speaking I, and one section of ESL 0380 Intermediate Grammar II.

Based on all available information on her teaching, Dr. Amani is a strong teacher who has created challenging yet stimulating materials, tasks and approaches that foster the writing, listening, and speaking development of students. Dr. Michael Bowler, who visited Dr. Amani's Intermediate II Writing class, reports that she emphasized group work using carefully designed tasks and that the students "participated enthusiastically." Further, Dr. Bowler notes that Dr. Amani "has excellent rapport with her students."

Based on all materials, the observation itself and pre-and post-observation discussions, Dr. Bowler concluded that Dr. Amani "is a very good teacher."

The ESL program mean on Question 12 of the Michigan Tech University Student Rating of Instruction is 4.61.

In Fall 2014, Dr. Amani's scores on Question 12 of the MTU Student Rating of Instruction for her classes were: ESL 0430: 4.40 (n=4), ESL 0360: 5.00 (n=6), and ESL 0380:5:00 (n=6).

#### **Professional Development**

Dr. Amani presented "Language pedagogy: Theory, research and practice" to the Modern Languages group in the Department of Humanities in November 2014. Her co-authored book chapter "Planning and production in CMC writing" in H. Byrnes, & R.M. Manchón was published by John Benjamins. She also has a book review in press.

#### **Administration**

Dr. Amani serves as assistant director of IESL. In that capacity she observed all provided written evaluations of all faculty members, assisted with scheduling of faculty teaching assignments, and attended bi-weekly admission meetings with IPS. She provides leadership on curriculum, pedagogy and in-house professional development for faculty.

#### **Service**

Dr. Amani has provided service to IESL as a member of the program's curriculum committee. She is the program's liaison to the Multiliteracies Center and the Writing Program.

#### **Summary**

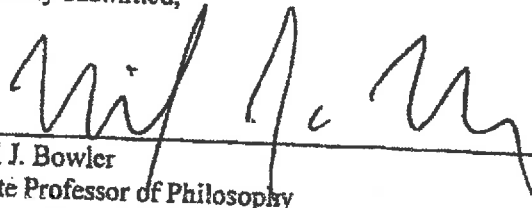
The committee is pleased with Dr. Amani's teaching, professional development and service accomplishments thus far. The committee acknowledges her professional development activities

to date, particularly her published chapter, her acceptances and works-in-progress. The committee looks forward to hearing about the conference proposals and presentations she has for 2015.

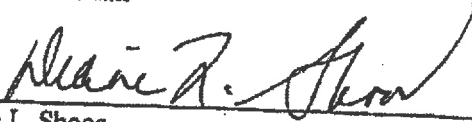
**Recommendation**

The committee recommends a teaching rating of Superior. The also committee recommends reappointment.

Respectfully submitted,



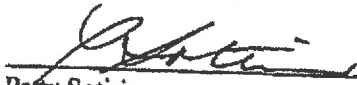
Michael J. Bowler  
Associate Professor of Philosophy  
Committee Chair



Diane L. Shoos  
Associate Professor of Visual Studies and French Language



Beatrice B. Quarshie Smith  
Professor, Literacy Studies



Patty Sotirin  
Professor of Communication



Kette Thomas  
Associate Professor of Diverse Literature



Michigan Technological University

Department of Humanities

319 Walker Arts and Humanities Center  
1400 Townsend Drive  
Houghton, MI 49931-1295  
906-487-2540 • Fax 906-487-3559

January 27th, 2016

**Re: Sara Amani, Lecturer and Assistant Director, Intensive English as a Second Language (IESL)  
Annual review**

### **Teaching**

Dr. Amani taught six courses in calendar year 2015. In the spring of 2015 she taught HU3605 Grammar and Usage in Society, ESL0320 Intermediate Writing I, and ESL0470 Advanced Listening and Speaking II. She taught ESL0492 Transitional Listening and Speaking and ESL0430 Advanced Listening and Speaking I in the summer of 2015. Finally, she taught HU3961 Theoretical Foundations of TESOL and ESL0360 Intermediate Writing II in the fall of 2015. Her student evaluations were quite strong. On question 12, "Taking everything into account, I consider this instructor to be an excellent teacher," she received scores of 3.83 (HU3605), 4.88 (ESL0320), and 5.00 (ESL0470) in the spring of 2015, and 5.00 (ESL0320) and 5.00 (HU3961) in the fall of 2015.

Dr. Beatrice Smith's peer teaching evaluation in the fall of 2015 was very positive. She reviewed and visited Dr. Amani's HU3961 Theoretical Foundations of TESOL. She notes that "Dr. Amani's materials and assignments are demanding but appropriate and her expectations for student performance, though high, is particularly appropriate because she provides a lot of support for students and is conscious of the fact that students do not have much background in TESOL and its ancillary disciplines." Dr. Smith concludes that "Dr. Amani's approach to the course is rigorous, and she successfully brought her students along by holding their attention and focusing them on tasks and classroom exchanges. We are extremely fortunate to have Dr. Amani as a colleague in the department."

On Michigan Tech's Form E, we recommend a rating of superior.

### **Professional Development and Scholarship**

Dr. Amani's research "focuses on classroom-based second language acquisition, task-based language teaching and learning, teaching second language writing, and metacognitive strategy instruction." In 2015 she published a review of *The Strategy Factor in Successful Language Learning*, by C. Griffiths and gave two conference presentations, "An In-depth Investigation of Metacognitive Strategies in L2 Writing" at the 14th Symposium on Second Language Writing and "A Quantitative Analysis of Metacognitively Trained L2 Learner's Writing Performance" at the Texas Foreign Languages Education Conference 16th Annual TexFLEC, as well as as a seminar presentation to the Humanities Department's Modern Languages Program titled "Corrective Feedback: Theory, Research, and Practice."

She is currently working on four journal articles in her areas of research.

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### **Administration and Service**

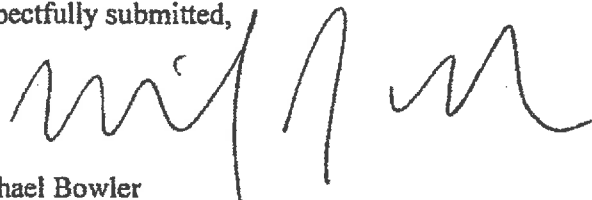
Dr. Amani is the Assistant Director of Michigan Tech's Intensive English as a Second Language (IESL) program. She helped to secure a five-year CEA accreditation for the program in 2015. She assists the Director of IESL in managing the program, including scheduling, and providing academic guidance, training, and mentoring to both students and instructors in the program. She also monitors the progress of the program, develops and maintains operational and statistical reports for regulatory agencies, assists with strategic planning, development, and implementation of the TESOL program, and attends recruitment meetings at International Programs and Services.

In addition to this, she serves on the IESL Curriculum Committee and is the IESL liaison to the Multiliteracies Center and the Writing Program, for which she also provides training sessions to coaches and teaching assistants. Finally, she provides expertise and support to the modern languages program through seminars, evaluation of second language acquisition established practices, and facilitating networking between IESL and modern language faculty.

### **Summary and Recommendation**

The committee applauds Dr. Amani on her excellent teaching and her valuable and important service to the department and the university. She is building a research profile and the committee encourages her to bring to publication the journal articles she is currently working on. The committee unanimously approves her reappointment and encourages her to apply for promotion to senior lecturer.

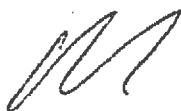
Respectfully submitted,



Michael Bowler  
Associate Professor of Philosophy  
Committee Chair



Karla Kitalong  
Professor of Humanities



M. Bartley Seigel



Associate Professor of Creative Writing and Diverse Literatures

A handwritten signature in black ink, appearing to read 'M. Seigel', written in a cursive style.

Marika Seigel  
Associate Professor of Rhetoric and Technical Communication

A handwritten signature in black ink, appearing to read 'Diane Shoos', written in a cursive style.

Diane Shoos  
Associate Professor of Visual Studies and French



# EXHIBIT 3



Michigan Technological University

Department of Humanities

319 Walker Arts and Humanities Center  
1400 Townsend Drive  
Houghton, Michigan 49931-1295  
906-487-2540 • Fax 906-487-3559  
www.mtu.edu/humanities

April 27, 2016

Dr. Sara Amani  
Humanities Department  
Michigan Technological University

Dear Dr. Amani:

I am pleased to inform you that continuance of your appointment as Lecturer, with an end date of May 4, 2018, has been approved. Your duties for the academic year 2016-2017 will commence on August 15, 2016 and will terminate on May 05, 2017 at the salary rate of \$ 47,288.00 (subject to adjustment).

In this position, you will be responsible for teaching:

Fall Semester: IESL core courses – equivalent to 18 contact hours, unless reduced by assignments to HU courses related to the TESOL certificate.  
Spring Semester: IESL core courses – equivalent to 18 contact hours, unless reduced by assignments to HU courses related to the TESOL certificate.

Duties include: Assign, grade and return student work; hold at least one office hour per day, keep records of and report student achievement on mid-semester and end-of-semester forms; assist with testing and enrollment at the beginning and end of the semester; participate in assessment development and curriculum development; other duties as assigned.

We will regard ourselves as mutually committed upon your returning a signed copy of this letter. This offer must be accepted within fourteen (14) days of the date of this letter, unless the time for acceptance is extended in writing.

Sincerely,

Michael Bowler, Acting Chair  
For Ron Strickland, Chair  
Department of Humanities

I accept this offer.

Sara Amani

4/27/16  
Date

Cc: Academic HR

# EXHIBIT 4

**From:** Sara Amani samani@mtu.edu  
**Subject:** Tomorrow  
**Date:** September 11, 2016 at 11:12 PM  
**To:** Heather Deering hdeerin@mtu.edu  
**Cc:** Bruce Seely bseely@mtu.edu, Ronald Strickland rstrick@mtu.edu, Jacqueline Huntoon jeh@mtu.edu, Anne Stander acstande@mtu.edu, Emily Kastamo ekseppal@mtu.edu, Clare Zuraw cjzuraw@mtu.edu

Dear Heather,

Below are responses to your comments. I've cc'd the ESL team, as well as Bruce and Ron because they would know the details of my and my ESL colleagues' contracts. I also took the liberty of cc'ing Jackie Huntoon so that our correspondence might be transparent and alleviate further misunderstanding.

" Like me, Renee and her supervisor were surprised by the reaction of the IESL team, for it is commonplace and part of the contract for faculty members to serve their programs/departments/even the larger university via extra administrative duties, testing/assessment duties, and so on. In fact, they have never had anyone react this way before."

As my colleagues and I were not present at the meeting with Renee, I do not know what, exactly, was said that caused such shock or disbelief. Since joining MTU in Fall 2014, I have a strong record of established professionalism, cooperation and a willingness to exceed the basic requirements of a lecturer and Assistant Director for the good of the students, the program, and the Humanities department. You need only read what the accreditation board said about the ESL lecturers and instructors to know that we have gone above and beyond to produce a successful program and successful students. That said, the tone of your note here appears to suggest that my colleagues and I have expressed some resistance to taking on "administrative duties, testing/assessment, and so on." This hardly reflects the facts since my colleagues and I have been with MTU-ESL. That said, perhaps it would help if we knew exactly what was said that caused such strong responses from you and Renee.

"If anyone would like to meet individually with Renee to decode the language further, she has offered to do so."

As stipulated above, it appears there is some misunderstanding. I do not believe "other duties" needs "decoding." Perhaps this is about the sort of duties we are being asked to do which seem inconsistent with our employment status. For example, your request below...

"I would like to see two people volunteer to help organize SSR and two help with Conversation Partners. I cannot get over to Walker tomorrow, so **I would like you to find out which two people would like to work on SSR and which two would like to be involved with CP and then let me know**, so I can arrange individual meetings with each duo."

This letter being directed to specifically to me and not the rest of ESL team, I feel it is my duty to clarify that I am no longer the Assistant Director of this program. My colleagues are not required to answer to me, nor report to me. I am also at a loss as to why you do not send out a call for volunteers and have them report to you directly. Surely you see the problem implied by this request, particularly since it inserts me in a role I do not occupy, between the Director's authority and the instructors.

"In addition, re our previous discussion in your office, if you do decide you would like to look elsewhere for a different position, please let me know. "

I never approached you with comments about my future professional plans. This is the second time you have brought up the possibility that my colleagues or I might be seeking employment elsewhere. I am uncomfortable with this projected assumption and I would appreciate it if you did not ask again. I am aware of my contractual obligations regarding these matters.

"Last week, I was contacted by a couple of people who were wondering if there would be any IESL openings here in the near future. "

This is also the second time you have made allusions to our replaceable status. I would appreciate it if these kinds of comments were not expressed in our professional dealings anymore.

Best,  
Sara

On Sep 11, 2016, at 8:48 PM, Heather Deering <hldeerin@mtu.edu> wrote:

Hi, Sara,

I met with Renee Ozanich the other day to discuss the language of everyone's contracts, especially the expression "other duties as assigned." Some of the other expressions on the contracts were also useful. Like me, Renee and her supervisor were surprised by the reaction of the IESL team, for it is commonplace and part of the contract for faculty members to serve their programs/departments/even the larger university via extra administrative duties, testing/assessment duties, and so on. In fact, they have never had anyone react this way before. I had wanted to share all of this information with everyone at this week's meeting, but Wednesday is devoted instead to discussing how to reach out to our students about the wellness opportunities that can be found at MTU. If anyone would like to meet individually with Renee to decode the language further, she has offered to do so.

I do not care to wait another week to start organizing our SSR and Conversation Partner programs. The former won't be able to begin for a couple of weeks due to the move, but the latter can begin anytime in the near future. I would like to see two people volunteer to help organize SSR and two help with Conversation Partners. I cannot get over to Walker tomorrow, so I would like you to find out which two people would like to work on SSR and which two would like to be involved with CP and then let me know, so I can arrange individual meetings with each duo.

In addition, re our previous discussion in your office, if you do decide you would like to look elsewhere for a different position, please let me know. Last week, I was contacted by a couple of people who were wondering if there would be any IESL openings here in the near future. Thanks so much.

I appreciate your help.

Best,  
Heather

--

Sara Amani, PhD  
Assistant Director & Lecturer, Intensive English as a Second Language  
Department of Humanities  
Michigan Technological University  
1400 Townsend Drive  
Houghton, MI 49931-1295  
Phone: 906-487-1729

# EXHIBIT 5



**Michigan  
Technological  
University**

*Human Resources*

October 7, 2016

Dr. Sara Amani  
917 7<sup>th</sup> Ave  
Apt 6  
Houghton, MI 49931

Dear Dr. Amani,

This letter is written notice that your employment at Michigan Tech is terminated effective immediately today, October 7, 2016. After investigating the allegations that a colleague and you tampered with a University owned camera, which was viewing a public entrance in a university residence hall, we have found the allegations to be true. Your tampering with the camera so as to disable University property and disrupt normal University safety surveillance is a significant and willful violation of University rules and conduct. We view this as a substantial failure on your part to protect the safety of our students. The University shall have no further obligation to you and you will not be entitled to any further compensation or employee benefits with the exception of wages actually earned prior to the date of termination and as provided below. As of this date, you can no longer represent yourself as an employee of Michigan Technological University.

You should expect to receive your final paycheck on October 14, 2016. Your health benefits will be covered through the end of the month. Please schedule an exit meeting with Ginger Sleeman, Manager of Benefit Services, at 906-487-2517 to review your benefits.

If you have any questions regarding the investigation, please contact Michigan Tech's Chief of Police Brian Cadwell at 906-487-2216.

Sincerely,

Renee Hiller  
Director of Human Resources

Cc: Brian Cadwell, Chief of Police, Public Safety and Police Services  
Heather Deering, Director, Intensive English as a Second Language Program  
Ginger Sleeman, Manager, Benefit Services, Human Resources  
Dr. Jacqueline Huntoon, Provost and Vice President for Academic Affairs

COPY

# EXHIBIT 6





Calumet  
56901 S. 6<sup>th</sup> Street  
Suites 1 & 2  
Calumet, MI 49913  
(906) 483-1177

9/30/2016

Gwinn  
135 East M-35  
Gwinn, MI 49841  
(906) 345-9275

Patient: SARA AMANI,

Hancock  
500 Campus Drive  
Hancock, MI 49930  
- Family Practice  
(906) 483-1060  
- Pediatrics  
(906) 483-1700  
- Obstetrics &  
Gynecology  
(906) 483-1050

To Whom It May Concern:

The above named patient is currently under my care. Please excuse her from her work duties beginning on **Sept. 30, 2016** to/through **October 10, 2016** due to medical reasons.

Houghton  
600 MacInnes Drive  
Houghton, MI 49931  
(906) 483-1860

If there are any questions please call our office.

Thank You,

Theresa Holladay, DO

Lake Linden  
945 Ninth Street  
Lake Linden, MI 49945  
(906) 483-1030

Menominee  
1110 10<sup>th</sup> Avenue  
Menominee, MI 49858  
(906) 290-5300

Ontonagon  
751 S. Seventh Street  
Ontonagon, MI 49953  
(906) 884-4120

Iron River  
1500 W. Ice Lake Road  
Iron River, MI 49935  
(906) 265-5378

Sawyer  
301 Explorer Street  
Gwinn, MI 49841  
(906) 346-4924

*Providing exceptional health care services for all people in the  
Upper Great Lakes region regardless of ability to pay.*

# EXHIBIT 7

**Michigan Tech**

## University Policy Office

# 5.01—Use of Surveillance and Monitoring Technology

**Effective:** 02/01/2007

**Senate Proposal:** No

**Responsible University Officer:** Vice President for Administration

**Responsible Office:** Public Safety

## Policy Statement

The University's use of surveillance cameras for surveillance monitoring or recording must be:

- approved in advance and prior to purchase and/or installation of any surveillance and monitoring device, and
- used in a professional, ethical, and legal manner consistent with all existing Universities policies, including Board of Trustees policy 3.23.1. Policy on Discrimination and Harassment.

**NOTE:** This policy prohibits surveillance based on the characteristics and classifications contained in the Board Policy 3.23.1 (e.g., race, gender, religion, sexual orientation, national origin, disability, etc.).

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## Policy Requirements

All surveillance cameras, including those in temporary locations or for active monitoring, will only be installed with the advance approval of the appropriate University vice president and the Surveillance Review Panel ("Panel") as defined by this policy. Only authorized personnel, as determined by the appropriate University vice president and the Panel, will be involved in, or have access to, surveillance monitoring.

All new installation of surveillance cameras must connect to the University's main system. Surveillance cameras will be installed and configured to prevent tampering with or duplicating recorded information.

All existing systems that are not connected to the University's main system must submit a Security Camera Location Document to Public Safety. When the existing cameras and/or recorders need replacing, they must at that time, be converted to the University's main system.

## Reason for Policy

The purpose of surveillance monitoring or recording of University facilities is to deter crime and to assist the Michigan Technological University Public Safety Department and the University in protecting the safety and property of the University community. The purpose of the policy is to regulate the use of

surveillance cameras and surveillance monitoring or recording to protect the legal and privacy interests of the University and the University community.

## Related Policy Information

### Surveillance Recordings

Surveillance Recordings will be stored in a secure location with access by authorized personnel only.

### Privacy

The conduct of surveillance monitoring or recording, and the use of surveillance cameras at the University are limited to uses that do not violate a person's "reasonable expectation of privacy", as that term is defined by law.

The Surveillance Review Panel will limit camera positions and views of residential housing. Any view of housing will be no greater than what is available with unaided vision. Furthermore the view of a residential housing facility must not violate the standard of "reasonable expectation of privacy."

Surveillance cameras will not view private rooms or areas through windows.

### Retention and Release of information

Images obtained through surveillance monitoring or recording must be retained by the department sponsoring the authorized surveillance cameras for a length of time deemed appropriate for the purpose of monitoring, but not to exceed 90 days, unless such images have historical value, or are being used for a criminal investigation in accordance with this policy.

Information and results obtained through surveillance monitoring or recording will only be released when authorized by the Panel. The Panel will review all requests from various University entities to release recordings obtained through surveillance monitoring or recording. Such requests must be submitted to the Panel through Public Safety.

All requests from sources external to the University for the release of information and results obtained through surveillance monitoring or recording must be submitted to the Freedom of Information Officer for approval prior to release.

Information inappropriately obtained in violation of this policy shall not be used in any disciplinary proceeding against any University employee or student.

## Exclusions

This policy does not apply to the use of surveillance cameras, or the conduct of surveillance monitoring or recording, or any type of monitoring, covert or otherwise, by Public Safety during criminal investigations, or in legitimate academic uses of a surveillance camera that have been approved by the University's Institutional Review Board for the Protection of Human Subjects.

## Contacts

Office/Unit Name	Telephone Number
Director, Public Safety	7-2216

Director, Human Resources/Affirmative Action 7-2280  
Director, Information Technology Services 7-3577

## Definitions

*Surveillance Camera* — Any item, system, camera, technology device, communications device, or process, used alone or in conjunction with a network, for the purpose of gathering, monitoring, recording or storing an image or images of University facilities and/or people in University facilities. Images captured by surveillance cameras may be real-time or preserved for review at a later date. Such devices may include, but are not limited to the following: close circuit television, web cameras, real-time surveillance systems, computerized visual monitoring, and cell phones with cameras.

*Surveillance Monitoring or Recording* — The process of using a surveillance camera to observe, review, or store visual images for purposes of deterring crime and protecting safety and security.

*University Facilities* — All University space on University owned, leased or controlled property, both internal and external, and includes all buildings, offices, common spaces, labs grounds, and all other spaces.

*Surveillance Review Panel (Panel)* — A group comprised of delegates appointed by the directors of the following departments: Dean of Students Office, Human Resources, Information Technology Services, Risk Management, and Public Safety.

## Responsibilities

*Surveillance Review Panel (Panel)* — Reviews:

- All requests for installation and/or placement of surveillance cameras.
- Complaints regarding surveillance camera locations and determines whether the policy is being appropriately followed. Considers all relevant factors including without limitation, whether the potential benefit in community security outweighs any possible infringement of individual privacy, and the benefits and implications of monitoring guests as well as University students, faculty and staff.
- Existing or new surveillance camera locations to ensure that the placement of fixed location surveillance cameras conforms to this policy.

*Public Safety* — Reviews the requests for installation and/or placement of surveillance cameras, makes a recommendation on the requests, and forwards the requests to the Panel. Provides a copy of this policy to camera operators and supervisors involved in surveillance monitoring and recording.

*Supervisors of Operators Involved in Surveillance Monitoring and Recording* — Provides a copy of this policy to camera operators and ensures camera operators are trained in the technical, legal, and ethical parameters of appropriate camera use.

*Information Technology Services* — Provides training to camera operators in the technical, legal, and ethical parameters of appropriate camera use.

*All Operators Involved in Surveillance Monitoring and Recording* — Receives a copy of this policy and provides written acknowledgment that they have read and understood its contents and will perform their duties in accordance with this policy. Monitors based on suspicious behavior, not individual characteristics.

## Adoption Date

10/25/2006 Approved by the VP of Administration

## Revisions

- 04/10/2017 Transfer of policy page from HTML to CMS. Business and Finance numbers renamed from "2.5000" to "5. Campus and Facilities". Specifically from "2.5001—Use of Surveillance and Monitoring Technology" to "5.01—Use of Surveillance and Monitoring Technology".
- 06/04/2015 To reflect current titles and practice, "Board of Control" is now "Board of Trustees" and the email address for questions is now policy.
- 05/08/2012 To reflect current University titles and practice, MTU is now Michigan Tech and the email address for questions is now hbwebmaster.

## Campus and Facilities Index

- [5.01 Use of Surveillance and Monitoring Technology: \(/policy/policies/facilities/5-01/\)](#)
- [5.02 Weapons on University Property \(Rescinded 05/30/2017\)](#)
- [5.03 Parking Citation Enforcement Policy: \(/policy/policies/facilities/5-03/\)](#)
- [5.04 Distributing of Promotional Materials \(replaced by Policy 5.06: \(/policy/policies/facilities/5-06/\)\)](#)
- [5.05 University Remembrance Garden: \(/policy/policies/facilities/5-05/\)](#)
- [5.06 Reserved Use of Designated University Outside Grounds: \(/policy/policies/facilities/5-06/\)](#)
- [5.07 Chalking: \(/policy/policies/facilities/5-07/\)](#)
- [5.08 Public Safety Oversight Committee: \(/policy/policies/facilities/5-08/\)](#)

### University Policy Office

3rd Floor, Lakeshore Center  
1400 Townsend Drive  
Houghton, Michigan 49931-1295

Ph: 906-487-2980

Email: [policy@mtu.edu](mailto:policy@mtu.edu)

# EXHIBIT 8

## The University Senate of Michigan Technological University

### **NON TENURE-TRACK FACULTY APPOINTMENTS**

(Proposal 4-95)

(Proposal 4-07)

(Proposal 35-15)

(Proposal 36-15)

### **Senate Policy 701.2**

#### **Adjunct (Professor, Associate Professor, Assistant Professor):**

An appointment at this rank is offered to persons not regularly or primarily employed within the academic unit at the University. Such individuals--because of training, experience, credentials, and interest--are invited to participate in the teaching, research, and/or instructional programs of academic departments. Remuneration may be provided for teaching and/or research activities. Appointments shall be for no more than three years with the possibility of subsequent reappointments.

#### **Affiliated Faculty Appointment (Professor, Associate Professor, Assistant Professor):**

Affiliated faculty appointments are used to acknowledge and support the scholarly contributions that faculty may make in more than one discipline.

All faculty members holding affiliated appointments must have a primary appointment within an academic department or school. The primary department or school will be responsible for annual reviews for the faculty member's reappointment, tenure, promotion, and salary consideration. The primary department/school will seek and consider written input from the chair of the department(s) and/or dean of the school(s) hosting the faculty member's affiliated appointments.

Affiliated faculty appointments are at the same rank (i.e., professor, associate professor, or assistant professor) as a faculty member's primary appointment.

Affiliated faculty will not be evaluated in any way for tenure and/or promotion by a unit in which they hold an affiliated appointment.

Affiliated faculty appointments are possible with non-departmental and interdisciplinary programs as well as with departments or departmental programs.

All requests for affiliated appointments must be approved by the provost and President. Requests for affiliated appointments also need approval from the:

- faculty member's primary academic department chair or school dean,
- dean of their primary college (if in a college),
- approval from the affiliated-appointment discipline's department or school (for disciplinary appointments) or the appropriate executive group or director and graduate dean (for interdisciplinary appointments)



- dean of the faculty member's affiliated-appointment college (if the affiliated-appointment discipline is housed in a college).

**Emeritus (Professor, Associate Professor, or Assistant Professor):**

An honorary rank awarded to retirees who have tenure in the professorial ranks and have served the University with distinction. Recommendations for emeritus status shall be made by the members of the retiree's academic department through administrative channels to the President for presentation to the Board of Control (Board of Control Policy 16.8). Emeritus faculty shall be invited to participate in commencement processions and similar ceremonies and be entitled to certain other privileges within the University such as parking and library access.

**Instructor:**

There are many instances where a Department/School may need to hire someone on a temporary basis to fill unmet teaching needs when a regular faculty member is on sabbatical or family leave. These temporary needs will continue into the future and will sometimes occur on a semester-by-semester basis. The title of "Instructor" will be reserved for cases such as these. Instructors will have no expectations placed on them other than teaching (and associated duties such as office hours) and their appointment could be for full-time or part-time work with contracts of no more than one year. Minimum qualifications for an Instructor are a master's degree, or a bachelor's degree and professional qualifications.

**Lecturer:**

There are many cases where NTTF serve in a continuing basis and/or where NTTF lines may be an established part of the general fund budget. For NTTF in these positions, a career path should be established so that their contributions are recognized and appropriately rewarded. The three proposed titles for NTTF in this category are 1) Lecturer, 2) Senior Lecturer, and 3) Principal Lecturer. Lecturers of all ranks must be appointed for a minimum of 75% effort and will receive regular university benefits—appointments of less than this will be made at the Instructor rank. Minimum qualifications include a master's degree or equivalent professional qualifications. Lecturers of all ranks may be expected to advise students, serve on committees, participate actively in professional societies, and conduct research. In each case, yearly teaching loads for Lecturers will be negotiated with the Department Chair/School Dean taking into account the non-teaching or scholarly activities.

Lecturers will be appointed for 2-year rolling terms, i.e., they will automatically receive a 2-year contract at the end of each year unless they are informed that their appointment is terminated. Effectively this means they will have a one-year notification period for non-reappointment.

Lecturers will be eligible for promotion to the rank of Senior Lecturer based on criteria established within the academic units and the recommendations of relevant committees and administrators at the university. Likewise, Senior Lecturers will be eligible for promotion to Principal Lecturer. Both Senior and Principal Lecturers will serve in continuing appointments with a one-year notification of termination. A salary increment for promotion through the ranks will be awarded to the affected faculty.

**Professor of Practice:**

In certain cases, especially where an individual has *significant* industrial or professional experience, a new NTTF category will be established—Professor of Practice. Professors of Practice will be NTTF and will be appointed on a continuing basis, similar to Senior and Principal Lecturer appointments. Faculty in the Lecturer ranks will generally not be eligible for promotion to this category, with the exception being current (AY2006-07) Lecturers whose qualifications are in keeping with appointment to this rank and for special cases where a person has achieved *significant* professional experience while serving as a

Lecturer. Minimum qualifications for Professors of Practice will be a BS degree with significant professional experience.

**ROTC Faculty Appointments:**

An appointment conferred upon ROTC officers assigned to duty with the Army or Air Force Reserve Officers Training Corps units at the University. The senior commissioned officer of the Army or Air Force units shall be appointed Professor of Military Science or Professor of Aerospace Studies, respectively. Commissioned officers or other warrant officers shall be appointed Assistant Professor of Military Science/Assistant Professor of Aerospace Studies or Instructor of Military Science/Instructor of Aerospace Studies. Non-commissioned officers shall be appointed Instructor of Military Science/Instructor of Aerospace Studies. These appointments involve no compensation from the University and terminate when the duty assignment ends.

**Visiting (Professor, Associate Professor, or Assistant Professor):**

A guest appointment normally offered to a faculty member from another institution and appointed at the rank of that institution. Responsibilities will normally be similar to those of tenure-track faculty in the department to which the appointment is made. Visiting appointments shall normally be for one year or less.

**Employment Issues:**

Individuals appointed to the Lecturer and Professor of Practice ranks are eligible for merit increases according to established university procedures. Regional searches (at a minimum) will be conducted for NTTF in the Lecturer and Professor of Practice ranks; no search is required for Instructors, since the expectation is that they will be serving on a limited, temporary basis. All policies in place for faculty searches, including Affirmative Action practices, will apply to Lecturer and Professor of Practice searches. In some cases, a search for a Lecturer could yield a candidate who is better qualified to serve as a Professor of Practice or vice versa. Adjustments to rank title are permitted in these cases without a new search.

**Promotion Process for Lecturers:**

Each academic unit will establish provisions for the promotion process through the Lecturer ranks, including promotion criteria and unit-level review procedures. Provisions will include the establishment of a unit-level committee, with committee membership parameters determined by the unit. NTTF faculty in the rank of Lecturer or Senior Lecturer who wish to be considered for promotion will submit documentation similar to that contained on the F-Form for TTF in February of a given year. The promotion process will be:

- 1) The Department/School committee makes a written recommendation and forwards with the documentation to the Chair/Dean.
- 2) The Department Chair/School Dean makes a written recommendation and forwards with the documentation to the College Dean or Provost as appropriate.
- 3) The College Dean (as applicable) makes a written recommendation and forwards all documentation to the Provost.
- 4) The Provost reviews the documentation and makes a recommendation to the President.
- 5) The President makes the final promotion decision.

The Provost will oversee the implementation, including timing, of this proposal. Issues in implementation will include: 1) unit level development of promotion provisions for NTTF, 2) adjustment of rank definitions so that they are in compliance with this proposal, 3) establishment of the appropriate salary increments for promotions within the NTTF ranks, and 4) review of cases of current faculty in the Lecturer rank to make changes to appointments as necessary.

**Termination:**

Termination policies currently in place for Michigan Tech contractual employees (e.g., coaches) will be in effect for NTTF in all categories described previously. The termination policy currently in effect is found in the following paragraphs.

*Termination Policy for Contractual Employees*

The Employee is employed at the will of the University and this Agreement can be terminated at any time with or without cause by the University.

- a. If the University terminates the employment **other than** for substantial failure as set forth below, or cause, it shall pay the Employee a post termination stipend in an amount equal to the Employee's salary for the remainder of the term of the agreement. The Employee shall not be entitled to any fringe or other employment benefits after notice of termination. As determined by the Dean of the School/Chair of the Department, the employee may or may not be required to continue to serve, with a continuation of benefits, in the same capacity as originally hired during the notice period.
- b. In the event that the University terminates this Agreement due to cause or the substantial failure on the part of the Employee to comply with the obligations which determination shall be made solely by the University in its good faith discretion, the University shall have no further obligation to the Employee hereunder. In such event the Employee will be immediately terminated and will not be entitled to any further compensation, wages, stipends, post termination payments, fringe benefits or damages of any nature with the exception of wages actually earned prior to the date of termination.

**Proposal 4-95:**

**Adopted by Senate: January 25, 1995**

**Approved by President (with modifications): March 15, 1995**

**Modifications Adopted by Senate: March 22, 1995**

**Approved by Board of Control: November 17, 1995**

**Proposal 4-07:**

**Introduced in Senate: 11 October 2006**

**Slightly revised and Adopted by Senate: 25 October 2006**

**Approved by Administration: 11 December 2006** with NOTE: The Provost will be working with Academic Human Resources on implementation.

**Replaced MTU with Michigan Tech per university policies: 28 January 2014**

**Proposal 35-15:**

**Introduced to Senate: 01 April 2015**

**Approved by Senate: 15 April 2015**

**Approved by Administration: 22 April 2015**

**Proposal 36-15:**

**Introduced to Senate: 01 April 2015**

**Approved by Senate: 15 April 2015**

**Approved by Administration with Editorial Amendment: 22 April 2015**

**Senate introduced the editorial amendment: 09 September 2015**

**Senate approved the editorial amendment: 23 September 2015**

