

<p>ADMINISTRATIVE APPELLEE: UNIVERSITY OF ARIZONA, A <i>STATE ACTOR</i> OFFICE OF PRESIDENT c/UNIVERSITY COUNSEL MS. VICKI GOTKIN, ESQ.</p> <p>ADMINISTRATIVE APPELLANT: DR.SUZANNE SISLEY, M.D. FACULTY OF COLLEGE OF MEDICINE UNIVERSITY OF ARIZONA</p>	<p>Date Submitted: 7/15/14 (To University Counsel: Ms. Gotkin) <i>Via email and certified letter</i> Receipt acknowledgment requested Certificate of service <u>s/Jason Flores-Williams</u> <u>s/Marc Victor</u></p>
<p>Attorneys for ADMINISTRATIVE APPELLANT Jason Flores-Williams, Esq. Marc J. Victor, Esq. Contact: 624 Galisteo #10 Santa Fe, NM 87505 T: 505/467/8288 E:Jfw@jfwlaw.net</p>	<p><u>Matter of Dr. Suzanne Sisley Administrative Appeal To The University of Arizona</u></p>

ADMINISTRATIVE APPEAL TO STATE ACTOR UNIVERSITY OF ARIZONA ON BEHALF OF DR. SUZANNE SISLEY

COMES NOW DR. SUZANNE SISLEY, by and through counsel, Jason Flores-Williams and Marc Victor, and respectfully requests that the public institution, University of Arizona, grant her timely administrative appeal based on University of Arizona Code, *Policies: 3.13.06, 4.16*, and the 1st and 14th amendments of The United States Constitution.

PROCEDURAL DEFICIENCIES

Despite this being a matter of grave public concern impacting our military veterans, the University of Arizona has provided a process devoid of meaning or concern. Despite formal requests, the University has refused to provide Dr. Sisley reasons for the effective termination of her position. Despite formal requests, the University has refused to provide Dr. Sisley with documentary evidence or a hearing so that those grounds, had they been given, could be independently verified pursuant to our most basic procedural consideration. *See Matthews v. Eldridge*, 424 U.S. 319 (1976.)

DR. SISLEY'S RESEARCH

Dr. Sisley has engaged in the Herculean task of filing grant proposals, meeting licensure requirements and satisfying state and federal regulations so that she could conduct scientific research on marijuana and its salutary effects on veterans suffering from Post-Traumatic Stress Disorder. For three years she invested her time and expertise into this critical research, while continuously earning outstanding reviews in the performance her University duties in three separate positions.¹

1. Assistant Professor, Department of Psychiatry, School of Medicine.
2. Assistant Director of Interprofessional Education, Arizona Telemedicine Program.
3. Coordinator Special Projects, Research.

The law affords consideration of coincidence, but more so encourages us to make inferences. At the moment Dr. Sisley won the right to conduct this research, the University determined that it would not renew her position. The decision to effectively terminate seemed to take place in an environment of outside political pressure, but these assumptions cannot be verified due to the University's aforementioned refusal to provide grounds, evidence, or a hearing with regard to the instant matter. This procedure has been rendered an empty formality.

THE APPEAL

There is an existential difficulty in formulating an appeal on grounds that have not been given, evidence that has not been seen, and a hearing that has not been afforded. Dr. Sisley finds herself in the Kafkaesque position of trying to address non-existent accusations that have nonetheless deprived her of her career and research. She is left simply having to assert that her performance has been consistently reviewed and found outstanding, that she has faithfully participated in University business, and that her attempt to do meaningful research has brought resources and—despite one or two shrill political voices—national recognition to her employer.

Dr. Sisley has been an ideal academician, an excellent scientist and objective researcher. If the air around this effective firing is now thick with political agenda, that is because the University of Arizona has made it so by impeding her research. This is not a minor grant to examine the aesthetics of Frank Lloyd' Wright's Arizona period, but a *million dollar study* concerning the effects of a medicine that could aid our *veterans who are committing suicide every day*.²

¹ The University has made clear that the only position she is able to appeal, is the Assistant Professor Position.

² According to the Veterans Administration, an average of 22 of veterans commit suicide every day due untreated or undertreated PTSD.

To wit: if there is a one percent chance that Dr. Sisley's research could heal the nightmarish, epidemic suffering of our veterans, then why would the University impede it in any way? Further, what has Dr. Sisley done other than invest her credentials, licenses and expertise into furtherance of the University's stated goals of serving the public interest?

The University of Arizona is a public institution committed to learning and education. The hallmark of an educated person is one that finds a certain joy in being wrong. The admission to being wrong connotes intellectual curiosity, an ability to analyze one's own positions, and the courage to embrace new conclusions: all tenets ostensibly integral to an American university's mission. The University of Arizona has a wonderful opportunity—a teachable moment—to admit that it's erred in this matter and reinstate Dr. Sisley. She is essential to the immediate implementation of research that could give much-needed help to those who have served our country. Reinstating Dr. Sisley would be the best way that the University could serve our cherished, yet wounded, veterans.

The University of Arizona is not a privately-held corporation, but a public institution subject to the United States Constitution. If the University has chosen to effectively terminate Dr. Sisley for alleged expressions or associations, then she rightfully needs to know these causes pursuant to the 1st Amendment of the United States Constitution. If the University has other legal grounds for her effective termination, then she rightfully needs to know these causes pursuant to the procedural due process clause of the 14th Amendment. If the University's reasons for her effective termination are simply benign, then it owes the public full disclosure. In all matters of community concern, transparency is the heart of good faith.

The University officials reviewing this appeal may respectfully do well to recall that they are doing so at the pleasure of the taxpayers and therefore take into consideration the will of the community. Let us be clear: the community of veterans wants Dr. Sisley to conduct this research. During the last three years, she has earned their loyalty, trust, and built relationships that will facilitate the successful execution of this study. Dr. Sisley has unique credentials, licensure and the expertise to perform this research—to constructively take it away from her at this late date could only be seen as a strategic attempt to impede the research itself. And if that be the case, then the University has spent two years inducing Dr. Sisley to attempt to conduct research that it never intended to see implemented.³

The University of Arizona has a simple opportunity here to fulfill its academic mission, serve the community interest and heal our wounded heroes by reinstating Dr. Suzanne Sisley. For the foregoing causes, we respectfully ask that it do so.

Respectfully Submitted,

³ The University of Arizona Institutional Review Board (IRB) approved this research in October 2012. The University has since impeded the research by not providing safe and habitable facilities for it. Using VA statistics, more than 15,000 veterans have killed themselves since initial IRB approval in 2012.

s/Jason Flores-Williams

s/Marc J. Victor

Attorneys for Dr. Suzanne Sisley

This day of July 15, 2014.