

University of Colorado Denver
Sexual Misconduct & Discrimination Reporting Form

Submitted on February 18, 2020 at 2:29:26 pm MST

Nature: **Retaliation**
Urgency: **N/A**
Incident Date and Time: **2020-02-18 12:00 PM**
Incident Location: **Downtown Auraria Campus**

Reported by

Name: **Gregory Cronin**
Title:
Email: **gregory.cronin@ucdenver.edu**
Phone: **7205173683**
Address:
[UNAUTHENTICATED]

Involved Parties

Greg Cronin (114779) 1966-12-02 gregory.cronin@ucdenver.edu 7205173683
Reporting Party (person who experienced behavior)

John Swallow () john.swallow@ucdenver.edu
Responding Party (person who enacted behavior)

Kathleen Bollard () kathleen.bollard@ucdenver.edu
Responding Party (person who enacted behavior)

Rod Nairn () Roderick.Nairn@ucdenver.edu
Responding Party (person who enacted behavior)

Questions

Please provide a detailed description of the incident using specific, concise, objective language (who, what, where, when, why, and how).

I just received an email from Karey Krohnfeldt that contains excuses for refusing to complete an investigation into the years of retaliation I have suffered. Ms. Krohnfeldt never interviewed Dr. Cronin before writing her conclusion. A formal investigation would reveal the following evidence, and more.

Ms. Krohnfeldt wrote "As outlined above, retaliation means any adverse action threatened or taken against a person because an individual has filed, supported or provided information in connection with a complaint of discrimination, including but not limited to direct and indirect intimidation, threats and harassment. An adverse action is any conduct that would dissuade a reasonable person from reporting an allegation of discrimination or participating in an investigation of discrimination." Here I submit evidence that fulfills these requirement, plus show that the protected activity caused the adverse actions.

EEOC states: 'For example, depending on the facts, it could be retaliation if an employer acts because of the employee's EEO activity to:
reprimand the employee or give a performance evaluation that is lower than it should be;
transfer the employee to a less desirable position;
engage in verbal or physical abuse;
threaten to make, or actually make reports to authorities (such as reporting immigration status or contacting the police);
increase scrutiny;
spread false rumors, treat a family member negatively (for example, cancel a contract with the person's spouse); or
make the person's work more difficult (for example, punishing an employee for an EEO complaint by purposefully changing his work schedule to conflict with family responsibilities)."

Dr. Cronin has experienced increased scrutiny, verbal abuse, performance evaluations lower than they should be, false rumors (attached), and had his work made more difficult. Nelia Viveiros admitted that Dr. Cronin has suffered multiple professional abuses. Today Dr. Cronin received another threat from Chair Swallow and an evaluation lower than it should be (email attached).

The following evidence shows that my protected activity of revealing racism at CU Denver is what caused the retaliation. As Ms. Krohnfeldt admits, an investigation into the multiple grievances was never completed. If the Office of Equity really wanted to promote equity, they would complete investigations into clearly valid grievances about inequities that the Office of Equity admits occurred.

An investigation would reveal that there is nothing wrong with the performance of Dr. Cronin, and in fact he deserves to be promoted to full professor. Dr. Cronin's 2017 promotion dossier sits in the Provost's Office without being evaluated, in obvious violation of Regental policy. This adverse treatment would dissuade a reasonable person from participating in protected activities.

An investigation would reveal many relevant facts that would corroborate claims of retaliation and discrimination. The following are just a few examples of evidence that the Office of Equity ignores by refusing to investigate grievances by Dr. Cronin. Intentionally stating the obvious for the Office of Equity, this evidence shows the Dr. Cronin participated in protected activities (also confirmed by CCRD), that Dr. Cronin was subjected to adverse treatments that would dissuade a reasonable person from engaging in protected activity, and there is a causal connection between the protected activity and the adverse treatment.

Dr. Cronin's involvement in protected activity caused Provost Nairn to ask Dr. Cronin not to use the "rhetoric" of "racism and racist". This adverse treatment was caused by the protected action in order to dissuade Dr. Cronin from discussing racism.

Dr. Cronin's involvement in protected activity caused Dean Bollard to threaten disciplinary actions against Dr. Cronin for sharing his peer-reviewed presentation to students. This adverse treatment was caused by protected activity in order to dissuade Dr. Cronin from discussing racism. (email attached)

Publishing about work in Haiti and saving Black lives is a protected activity. Chair Swallow and Assoc. Chair Tomback caused Cronin 2015 to be retracted by writing a letter to the Editor in Jan. 2017, the same month Dr. Cronin sent a letter to Chair Swallow revealing the Chair's racism and more than a year after Cronin 2015 was published. The retraction of peer-reviewed publications is an adverse treatment meant to dissuade Dr. Cronin from participating in protected activities. An administrator admitted that Cronin 2015 was retracted "Because you [Dr. Cronin] accused them [Drs. Swallow and Tomback] and the Dean [Jansma] of racism in a published article in a public forum."

"Dr. Cronin began to disparage me [in] January 2015 [when] I was in Crested Butte skiing with my family. I had an email from Greg and I think he sent it to Pam [Jansma] too. His black colleagues in Haiti believe that IB leadership was racist. He did a Facebook friends analysis. I became really angry and I exploded. I sent an email to Pam and Chris Puckett. I explained that I was getting called a racist by this person for decisions I was making as the chair and I was really frustrated. I asked if I had protections as chair. I have had half a dozen conversations with him since that time. Every time something happens – he says that I am making a racist decision because the decision harms black people." In summary, Chair Swallow became emotionally unfettered because his racism was revealed. Chair Swallow has the power to set teaching schedules and give service assignments. He used these powers to retaliate against Dr. Cronin, including refusing to give enough service assignments for Dr. Cronin to meet merit requirements.

"Cronin: I did all of the departmental service that was available to me, that I was asked to do. So I would think that it would be the Chair's job, that if you really wanted me to meet departmental expectations, to make enough service opportunities available to me, so I can meet service expectations.

Swallow: We can talk about that next year when service assignments get discussed again, when we talk about service assignments.

Cronin: So for now I am just SOL?

Swallow: Right now you have met the merit, that the merit you have earned is below expectations.

Cronin: And all of the additional service I did does not make up for it?

Swallow: That's the adjustment up by half.

Cronin: Just half?!? For garden committee, President of Yon Sel Lanmou, Chair of a conference, trustee of

research center, committee for Woodbine Ecology Center. That only ups it half? (note: In conversation Dr. Cronin failed to mention editorial board of two international journals, counsel for Interdisciplinary Environmental Association, and CU Denver mentoring program)

Swallow: Because you weren't meeting expectations.

Cronin: I wasn't meeting expectations because you didn't provide me with enough opportunities to serve the department. I did everything the department asked me to do, and requested more, and the request was denied.

Swallow: There was somebody on that committee at the time.

Cronin: I know, and that person didn't want to be on it. They agreed to have me do it.

Swallow: Well that person needed to have service. I asked them I told them that for them to make progress toward tenure that they needed to continue to serve on that committee.

Cronin: OK, so there's no other service available for me to do?

Swallow: So, I think it is true that the department chair's job is to get the department to function, and I assigned you to the committees that I felt that you would be able to help the department to function.

Cronin: So, even though I did everything I was assigned to, that didn't meet (cut off by Swallow).

Swallow: We can discuss that next year.

Cronin: I want to discuss it this year because this affects my merit score this year.

Swallow: Um huh.

Cronin: So, is it true that I served on every committee you asked me to?

Swallow: Yes.

Cronin: Is it true that I asked to do additional departmental service.

Swallow: You asked to do CLAS Council which was not available.

Cronin: But it was available because the person doing it didn't want to do it.

Swallow: But it wasn't available because that person needed service.

skip some repetition... (Dr. Cronin will play the entire conversation if you want)

Cronin: I think your job as department chair is also to create an environment where your faculty can thrive.

Swallow: And I actually try very hard to do that.

Cronin: You failed in my case, given that you didn't offer me enough service opportunities to meet departmental requirements.

Swallow: I find it very difficult to work with you.

Cronin: Um, why is that?

Swallow: Your attitude.

Cronin: What is my attitude?

Swallow: The recording. The notes.

Cronin: You have a problem with me recording this conversation?

Swallow: I do have issues with the way you take things out of context.

Cronin: What have I taken out of context?

Swallow: I wasn't happy with uh your. I did not appreciate the fact that you used email from me in a paper that you acknowledge me in, but did not ever quote me beforehand. I found that to be somewhat unpleasant.

Cronin: So is that your beef with me? Is that why you are not giving me the scores that I deserve? Is that why you are not giving me the service that I need to meet expectations?

Swallow: Greg, um, I evaluated you based on the merit document, and that is where things sit with the merit document. You have other avenues if you would like to use them. You have used them before.

Cronin: But I don't have another avenue to get the service, the departmental service that I need to meet expectations. Those service assignments come from you.

Swallow: Yes.

Cronin: So you are remiss in not giving me the service components that I need to meet expectations.

skip a long conversation where Dr. Cronin repeatedly asked Chair Swallow if he offered enough service to meet departmental expectations, and that Chair Swallow repeatedly refused to answer. Dr. Cronin believes the obvious answer is "no", but Chair Swallow cowered from answering it directly.

Cronin: You won't answer my question, so I will make a statement. Correct me if I am wrong. Chair Swallow did not offer Greg Cronin enough service opportunities for him to have the opportunity to meet service expectations during merit review during academic year, not academic year but calendar year, 2015. I think

that is a true statement. Correct? If it is not a true statement, which part is incorrect?

Swallow: Greg, let's move on.

Once again, Dr. Cronin encourages the Office of Equity to investigate discrimination and retaliation directed at him.

Regards,

Greg Cronin, Ph.D.

What is the best method to follow up with you if we have questions or need additional information? Please select a method below and be sure to fill in your contact information above if you would like to be contacted.

Email

Attachments

swallowdemandsdiscriminatoryreviewprocess.pdf

swallowlacksevidence.pdf

swallowslanderscroninagain.pdf

multipleinjustices.pdf

multiplefalsenumors.pdf

bollardthreat.pdf

Pending IR #00005100

Submitted from 132.194.13.99 and routed to Will Dewese (Director of Title IX & Title IX Coordinator). Processed by routing rule #12.

Copies to:

william.dewese@ucdenver.edu,karey.krohnfeldt@ucdenver.edu,lauren.fontana@ucdenver.edu,shanna.petersen@ucdenver.edu,karissa.stolen@ucdenver.edu,kellie.evans@ucdenver.edu,ellie.hypolite@ucdenver.edu