

Chronology of Professor Richard Steiner academic freedom case – University of Alaska

10/09

1989 – As university marine advisor for Prince William Sound (based in Cordova, Alaska), Steiner assumes public profile during Exxon Valdez Oil Spill response and issues following.

1990 – 1991 Steiner proposes settlement in spill damage case between Exxon and governments, and advocates using much of the restoration funds for protection of coastal habitat and forests in oil spill region. Others in university research community advocate use of most spill restoration funds instead for research.

1991 – 1994 University administrators begin pressuring Steiner re: his public statements, objecting to his “advocacy” regarding oil spill prevention, restoration, response, and oil and environmental issues in general. Despite support from his peers, the university administration denies his promotion citing his “advocacy” as the reason (denial overturned the next year, and Steiner is promoted to full professor).

1994 – University Regent (owner of an Alaska timber company) asks on-the-record at Regents meeting that Steiner be terminated from university.

1994 – University of Alaska Fairbanks (UAF) Chancellor sends Steiner a letter criticizing him for inviting U.S. President Clinton to address the Exxon Valdez 5th anniversary conference in Anchorage, for which he was on the steering committee.

1994 – Regent sends the Chancellor’s (Steiner) reprimand letter to the Anchorage Times, who publish it in full in Alaska’s largest newspaper attempting to publicly defame him.

2004 – Steiner proposes to university administrators that he be transferred into an environmental sustainability faculty position, to allow him to expand his environmental programming without continued pressures to constrain his academic freedom.

2004 – Selendang Ayu oil spill occurs in Aleutian Islands, a ship casualty Steiner had warned about and tried to prevent years before. Front-page story in main Alaska newspaper on this warning to government: *Disaster avoidable, professor says*.

2004 – In response to Steiner media comments, new dean of School of Fisheries and Ocean Sciences (SFOS) sends all faculty members in the school an email requiring them to clear all press contact and inquiries through the PR staff of SFOS. The dean orders Steiner news coverage removed from SFOS website.

2005 – The SFOS dean calls Steiner and tells him “to not criticize state government as that is where we get our money;”...that Steiner “should not advocate”...and that Steiner

should not be listed as an information resource on a NGO website – the Alaska Oceans Program.

2005 – Anchorage Daily News runs front-page story - *Professor seeks transfer after spill remarks draw fire* - that discusses the infringement of academic freedom. SFOS dean sends Steiner a threatening letter, warning him not to criticize him or the university in public.

2005 – Email sent from and to National Sea Grant officials stating the following: “Steiner is one of a handful of agents who has a reputation for crossing the advocacy line to become an environmental advocate.”

2005 – SFOS dean secretly plans to terminate Steiner’s office lease. An email to Steiner from a colleague divulges that they had overheard the dean saying that he intended “to punish” Steiner by terminating his separate office space in retaliation for him speaking publicly about the academic freedom issue and for criticizing the university. Grievance filed by faculty union – United Academics (UNAC). UNAC grievance asserts that main Marine Advisory Program (MAP) office is a hostile working environment for Steiner. Subsequent investigation by SFOS associate dean confirms that, while there is no clear discrimination due to race, gender, etc. in the main office, the report found extensive hostility and unhealthy work conditions, particularly for Steiner, at that office. As a result, Steiner is left in his separate office as UNAC grievance requests (temporarily).

2005 – SFOS dean prohibits Steiner (but apparently no others in the school) from conducting any international travel without having outside salary for such (although he had always secured outside travel support).

2006 – Steiner takes 2-month medical leave due to continued harassment from university administrators.

2005 – 2008 – Many internal emails sent among university administrators regarding their concerns and criticism for Steiner and his environmental perspectives and public profile.

1/07 – MAP director calls staff for the *Alaska Climate Impact Assessment Commission* (a commission Steiner first conceived and proposed to the Alaska Legislature in 2005, and received unanimous consent in 2006 legislative session), prior to Steiner’s invited keynote testimony, without notifying Steiner, registering concerns over Steiner’s upcoming testimony. His testimony time subsequently cut from 1 hour to 20 minutes by the commission and unusual questions are asked of Steiner (re; who he represented, etc.) by the commission chair at beginning of his testimony, broadcast statewide on Alaska public television.

10/07 – MAP director meets with Steiner, sends follow up email agreeing to his request to continue to be located in an office separate from the main office “beyond 2008.”

12/07 – 6/08 Governor Palin publicly states that the State of Alaska (ADFG) marine mammal biologists disagree with the federal proposed rule to list polar bears under the Endangered Species Act, and invokes this claim to back the state's opposition to listing. Through the Alaska Public Records Act, Steiner tries for several months to obtain the written review by the state biologists. After several denials by ADFG of the document request (including a claim that it would cost Steiner \$468,784 to obtain the documents), the state refuses to release the document invoking an Attorney General's decision that the document was "pre-decisional," and thus confidential. Steiner finally obtains the state review through a Freedom of Information Act (FOIA) request from the *federal* government. The state science review shows unequivocally that, contrary to the Governor's public assertion, state marine mammal scientists *agree* that polar bears are at considerable risk due to climate change, and *agree* with the federal science behind the listing. Considerable media attention given to the lack of transparency and dishonesty of the Palin administration from this episode.

3/08 – Steiner joins colleagues in Alaska marine conservation NGO community to publicly raise concerns about a University of Alaska and Sea Grant conference on offshore oil development in Bristol Bay Alaska, whose main sponsor was Shell oil.

3/08 – Deputy Director of National Sea Grant Program sends email to Chair of Alaska Sea Grant Advisory Committee telling him: "I have strong feelings about extension agents getting into advocacy and I would be happy to take Steiner to task if warranted."

3/08 – Steiner learns of proposed meeting between Shell oil and UA officials, and asks university officials to be able to participate. University officials deny Steiner's request, and conceal time/date/location of the meeting from him.

3/08 – UNAC files grievance on behalf of Steiner, re: his exclusion from Shell/UA meeting as violation of his academic freedom, the state Open Meetings Act, and university policy on open meetings. During grievance process, administrators deny that Steiner was singled out for exclusion, determine that university can close such meetings, and ultimately deny the grievance. Documents obtained later (through public records requests) prove that administrators indeed singled Steiner out for exclusion from the Shell meetings. Weeks before the meeting, the UAF Chancellor had sent an email to SFOS dean regarding Steiner's request to join the meeting, saying: "Rick is not on a need to know basis with these discussions." Other emails discovered later reveal that administrators had expected him to be "a spoiler."

7/08 – SFOS dean sends email to another university administrator (yet does not disclose to Steiner) citing a meeting he held with National Sea Grant Office (NSGO) in Washington DC the preceding May, in which they discussed Steiner. Among other things, the email states the following:

"Jim Murray (the Deputy Director of the National Sea Grant Program) advised me that they have an 'issue with Rick Steiner.' They felt he was acting as an advocate and asked if he was being paid with Sea Grant funds. I told them that he

received one month of salary from our Sea Grant grant. Jim expressed concern about this and stated that ‘one agent can cause problems nationally.’ The suggestion was made that he not be paid with Sea Grant funds...they worry that his actions in Alaska could have negative implications nationally...Professor Steiner is receiving one month salary from our Sea Grant grant. It will be my recommendation that Professor Steiner’s salary not be included in the grant, and that he continue to receive his nine month salary from our Fund 1 budget as required by the CBA.”

9/08 – Steiner raises public concerns re: Governor Palin’s environmental policy during presidential campaign, in particular her position on polar bear listing and lack of transparency with the science.

12/08 – SFOS dean reviews Steiner’s 3-year post-tenure file, criticizing Steiner that he has:

“chosen to be a maverick and to work independently,” and;

“Mr. Steiner regularly takes strong positions on matters of public debate. The NSGO (National Sea Grant Office) has asked that we not support such with federal dollars....”

12/08 – Steiner requests internal documents from the dean to elucidate background behind the dean’s adverse review, pursuant to Alaska Public Records Act. University withholds 13 documents, and provides others after assessing a fee (the first ever paid by Steiner in his decades of using public records acts).

2/09 – *Public Employees for Environmental Responsibility* (PEER) – a national NGO - publicizes the Steiner case nationally, and considerable media attention follows in Alaska and elsewhere. After being approached by the Associated Press regarding the Steiner issue, university administrators decide to replace (for one year) the federal salary they planned to remove from Steiner, using state funds.

2/09 – MAP director and SFOS dean host teleconference with university faculty and staff, as well as Alaska Sea Grant external advisory committee members (Alaska dignitaries outside the university) to discuss the media reports on the Steiner matter. MAP director uses the public teleconference to criticize Steiner’s activities and work performance, scientific credentials, and to deny media reports that Steiner’s federal funding is in jeopardy. One Alaska industry leader on teleconference says that Steiner should be reprimanded and should consider finding work elsewhere.

3/09 – Anchorage Daily News runs story: *UA professor in danger of losing federal grant funding*. Many letters to editor and opinion pieces printed in news and on websites in support of Steiner and free speech.

3/09 – Steiner invited to give a public presentation on free speech and ocean conservation in Anchorage. In question and answer period at end, MAP director stands up and denies

that Steiner's federal funding is at any risk, and says the media had reported the issue incorrectly.

3/09 – UNAC files grievance with UAF Provost for infringement of academic freedom due to threats that Steiner's federal Sea Grant funding is to be terminated due to his public statements.

4/09 - UAF Provost officially informs Steiner and UNAC that indeed Steiner's federal (Sea Grant) funding is to be terminated, but denies the grievance. This is the first time in Alaska and, as far as can be determined, the nation, where federal grant funding for a university faculty member was terminated due to the faculty member's public comments. As such, this is a nationally historic event.

4/09 – UNAC appeals grievance to Chancellor of UAF.

4/09 – After a letter from PEER to new NOAA administrator on Steiner issue, Deputy Director of National Sea Grant Program is reassigned, removing him from any oversight responsibility for Alaska program.

4/09 – MAP director asks to meet with Steiner and UNAC “about workload,” informs them that Steiner's office lease is to be terminated (despite the earlier agreement and university regulations that prohibit retaliation), and that he was required to relocate into the main MAP Anchorage office, which an earlier internal investigation found to present substantial hostility to him and his work.

5/09 – UNAC files additional grievance on office lease termination, and this grievance is combined with 4/09 academic freedom grievance.

6/09 – UAF Chancellor denies both grievances. Steiner is required to move out of his office space, while off-contract for summer.

7/09 – UNAC files final appeal for combined grievances to President of University of Alaska.

7/09 – At request of Chancellor, adverse review of post-tenure file by SFOS dean from 12/08 is removed from Steiner personnel file.

8/09 – University President appoints university General Counsel to hear final Steiner/UNAC grievance appeal. PEER notifies University President that his legacy in support of academic freedom will be determined by his ruling on the Steiner matter.

9/25/09 – UNAC attorneys file final rebuttal to university objections.

10/15/09 – On behalf of University of Alaska President Hamilton, General Counsel Brunner denies final grievances.

2/1/10 Steiner resigns from University of Alaska in protest of gag order.