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DAILY REPORT

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UGA settles federal suit with professor

SCHOOL WILL PAY FORMER DEAN \$75,000 and expunge his record of harassment allegations

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The University of Georgia has acknowledged that one of its professors did not engage in sexual harassment and has agreed to pay him \$75,000 to settle a federal suit he filed over his forced resignation as dean of the journalism school following allegations that he harassed a subordinate.

Last month's settlement ends a five-year legal fight for journalism professor John Soloski, who sued UGA and President Michael Adams, alleging a string of contractual and constitutional violations as well as invasion of privacy. Soloski remains a tenured professor at the university.

The settlement effec-



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Brandon Hornsby, right, said it was "landmark" for the magistrate and district court judges to rule that UGA should publicly clear the name of his client, John Soloski, left.

tively rescinds a 2005 finding by UGA's Office of Legal Affairs that grew from claims by the journalism school's then-alumni director, Janet Jones Kendall, that Solo-

ski sexually harassed her.

Kendall's allegations stemmed from two comments, separated by seven months, that Soloski made to her. In the

first, he noted at an off-campus university dinner that she had brown eyes and asked, "What color are my eyes?" according to a statement of facts contained in a magis-

trate judge's report on the case.

The second comment was made at a UGA fundraiser in Atlanta where Soloski noted, "That is a nice dress. It really shows off your assets," according to that report.

As part of the settlement, UGA has issued a news release acknowledging that it accepted a federal judge's finding that Soloski had not violated federal civil rights laws or engaged in sexual harassment. Last year, U.S. District Senior Judge Marvin H. Shoob ordered that UGA's 2005 finding that Soloski had engaged in sexual harassment be expunged from university records.

Restoring Soloski as dean of the journalism school "was not an issue" in the settlement, said Thomas Jackson, UGA's vice president of public affairs.

Jackson called the agreement "self-explanatory," adding that, "You settle at the point that the litigation is going to cost more than the settlement."

Soloski's lawyer, D. Brandon Hornsby, said that Soloski "is very glad"

that the litigation is over. "It did exactly what he always knew was the truth, which is that he never engaged in sexual harassment, and he was exonerated," Hornsby said.

Hornsby also called rulings by Shoob and U.S. Magistrate C. Christopher Hagy that Soloski's record should be expunged and that UGA should publicly clear his name "landmark."

"I'm not aware of anywhere in the United States where a federal judge has ordered a university to clear an individual's name, and that is what Dr. Soloski obtained," Hornsby said.

Kendall, the alumni director who accused Soloski of sexual harassment, filed her complaint after she was reprimanded in May 2005 by a female supervisor for inappropriate conduct, a poor attitude and not doing her job, according to a 131-page report laying out Hagy's findings and recommendations in the case. Kendall delivered her complaint to Soloski during a meeting with him to discuss the reprimand, the order stated.

Soloski himself for-

warded Kendall's complaint to UGA's Office of Legal Affairs, which opened an investigation. An office investigator, based solely on an interview with Kendall, later found that Soloski had violated UGA's anti-discrimination, anti-harassment policy.

In his report, Hagy also found fault with the way UGA handled the Soloski investigation. Hagy was particularly critical of UGA Provost Arnett Mace's public confirmation of what was supposed to be a confidential probe, according to university policy.

According to Hagy, Mace also injected himself into the investigation before any formal finding had been made, telling Soloski that UGA President Adams "doubted his effectiveness as a dean" and "that he had to consider the option of resigning."

Mace then told Soloski that if he resigned his deanship and his tenured faculty post, the case against him would not go forward and no finding of sexual harassment would be made, according to Hagy's report. The provost also threatened

to fire Soloski and ruin his reputation and academic career, according to the order.

Soloski eventually resigned as dean, only to have UGA go back on its word, release an official finding that he had sexually harassed Kendall, place a formal reprimand in his permanent file and order him to attend sexual harassment training, according to Hagy's report.

Hagy concluded that UGA's findings against Soloski were based on "a deficient legal opinion" and recommended that UGA formally recant the finding and expunge it from Soloski's record.

Last year, in an order that concurred with many of Hagy's findings, Shoob found that UGA's Office of Legal Affairs "had abused its discretion by finding that [Soloski] had engaged in sexual harassment" and that "an objectively reasonable person would not conclude that [Soloski's] conduct created a hostile working environment for Kendall."

The parties entered into settlement negotiations last June and finalized the deal last month. 