



February 9, 2005

TO: Professor Hans-Herman Hoppe
Department of Economics, College of Business

FROM: Raymond W. Alden, III
Executive Vice President and Provost

A handwritten signature in black ink, appearing to read "Ray W. Alden, III", is written over the printed name of the sender.

RE: **FINDINGS AND NON-DISCIPLINARY LETTER OF INSTRUCTION**

On March 5, 2004 a formal complaint was received from a student alleging that your statements regarding homosexuals in your Economics 303 class on March 4 and 11, 2004 created a hostile or intimidating educational environment in violation of the University's policies regarding discrimination as to sexual orientation.

In addition to various attempts to mediate these issues, an administrative review and subsequent report and recommendation was submitted to your Dean by the University's Affirmative Action/Equal Employment Opportunity (AA/EEO) Officer. This report affirmed the grievance and recommended that you receive a letter of reprimand and be suspended without pay for one week.

The matter was referred to a hearing by a grievance committee made up of a student and your faculty peers, to be convened under Title 4, Chapter 8, Section 9(4) of the University and Community College System of Nevada (UCCSN) Board of Regents Handbook (Handbook). Such hearing was held on November 18, 2004. The committee heard from you and your counsel, as well as others. You asked questions and provided information. Your counsel made a statement on your behalf. This committee also upheld the grievance, but recommended that you receive a letter of reprimand and loss of any merit pay attributable to this academic year.

Pursuant to Title 4, Chapter 8, Section 9(5) of the UCCSN Handbook, I find that the grievance is hereby affirmed. This finding is based on the unanimous report of the grievance panel. They specifically determined that purportedly empirical statements in your lectures regarding homosexuals and time preferences were not supported by peer reviewed academic literature. These statements of alleged fact had the effect of being discriminatory and creating a hostile learning environment because they were not qualified as opinions, theories without experimental/statistical support, topics open to debate, or otherwise limited. The committee further noted your refusal to substantiate any in-class statements of fact at the hearing. Such conduct violates the appropriate standards of scholarship and instruction responsibility, as well as the accuracy obligation, of Academic Freedom and Responsibility as set forth in Title 2, Chapter 2, Section 2.1 of the UCCSN Code.

This nondisciplinary letter of instruction is being issued at the Provost level because of the discriminatory effect of this conduct and because you were previously instructed in writing regarding similar incidents by your Dean. Based on the above-referenced grievance, you are hereby instructed to cease mischaracterizing opinion as objective fact in the educational environment.

cc: Personnel File