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IN THE SUPERIOR COURT OF WASHINGTON IN AND  
FOR PIERCE COUNTY

GILLIAN MARSHALL,

Plaintiff,

vs.

THE STATE OF WASHINGTON,  
UNIVERSITY OF WASHINGTON, a State  
Agency, DIANE YOUNG, individually, and  
TOM DIEHM, individually,

Defendant.

Case No.: 19-2-11120-3

**DECLARATION OF MELISSA  
LAVITT**

I, MELISSA LAVITT, make the following statement based on personal  
knowledge. If called on to testify I could and would do so.

1. I was employed at University of Washington at the Tacoma campus.
2. I was hired as the executive vice chancellor. I was responsible for all things related to academics for the entire campus. I started in January 2016 and left the EVC position in 2017.
3. I transitioned into another role with Center for Women’s Leadership in 2017.

1           4.       I was awarded tenured years ago and that was reaffirmed at UW-  
2 Tacoma. I left the Tacoma campus in June of 2019

3           5.       I now serve as the Assistant Vice Chancellor for academic programs  
4 and planning and the State University Dean at California State University's  
5 Chancellor's office in Long Beach, California. This is an administrative, rather than  
6 academic, appointment and title.  
7

8           6.       I have over 20 years of administrative experience in public higher  
9 education.

10          7.       I have reviewed over 1,000 academic files for various academic  
11 personnel actions, including appointment, reappointment, promotion and tenure.  
12

13          8.       I know Dr. Marshall in two capacities. First as a campus administrator,  
14 I attempted to secure appropriate support for her grant funding. I also dealt with issues  
15 regarding productivity in the department with Diane Young, who was my direct  
16 report.

17          9.       Dr. Young is the Chair of the Social Work and Criminal Justice  
18 Department (SW/CJ).

19          10.       Second, when I returned to faculty, Ms. Marshall was a departmental  
20 colleague.  
21

22          11.       I started in January 2016 and by March 2016, my meeting notes  
23 indicate that Dr. Young was complaining about Professor Marshall not teaching  
24 enough and only offering to teach one class. Professor Young felt like Marshall was  
25 very picky, and painted a picture of Marshall as being difficult.

1           12.     In my follow-up review, I found that Marshall in fact had offered to  
2 teach multiple classes.

3           13.     In her 5-year administrative review as the Social Work chair, I stated  
4 that Young was strongly advised to better engage faculty. Dr. Young did a lot to  
5 follow the rules, but she did not do enough to address the hostile climate in her  
6 department.  
7

8           14.     Only a few months on the job, I didn't realize the depth of discord in  
9 the Social Work and Criminal Justice department

10          15.     In June 2016 a Latino faculty member, Jerry Flores, met with me and  
11 called out specifically how badly Dr. Marshall was being treated.

12          16.     Dr. Flores provided this information to me as part of his exit interview.

13          17.     Dr. Flores stated he was very unhappy in the SW/CJ department, in part  
14 due to Dr. Young's leadership.  
15

16          18.     Starting Fall quarter 2017, Dr. Young went on sabbatical.

17          19.     In July 2017, Dr. Young complained that Dr. Harris and Dr. Marshall  
18 did not attend a voluntary meeting in summer. She wanted to make sure that I was  
19 aware of Dr. Marshall's lack of support for SW/CJ.  
20

21          20.     Tom Diehm was the interim director in Fall 2017 while Dr. Young was  
22 on sabbatical.

23          21.     In Jan. 2017, the first reappointment committee was being assembled  
24 and Dr. Marshall picked a Seattle faculty member for the committee. This is permitted  
25 by the rules but atypical.

1           22.     This indicated to me that Dr. Marshall did not feel that she had the  
2 support in her department.

3           23.     Usually the first level of review is a slam dunk; it is typically not  
4 difficult to get positive reviews from colleagues in your department. But, she had to go  
5 to Seattle to get supportive committee members. She did not feel supported by her  
6 colleagues.

7           24.     Having sat in on SW/CJ faculty meetings in Dr. Marshall's home  
8 department, I found it to be a chilly climate and that there was little support for Dr.  
9 Marshall. Even the senior faculty member, Charles Emlet her assigned mentor, did not  
10 appear to like her.

11           25.     Dr. Emlet was on the second review committee that I chaired, and he  
12 was Dr. Marshall's mentor at that time.

13           26.     Dr. Emlet voted against Dr. Marshall and this is atypical.

14           27.     Tenure is the biggest hurdle for faculty to clear. The reappointment  
15 process occurs approximately mid-way through the six-year pre-tenure process. Most  
16 people, get reappointed without a hitch. She was not yet up for tenure and yet she  
17 experienced significant pushback despite her outstanding research.

18           28.     Faculty research is highly valued as it tends to elevate the campus  
19 profile; furthermore, Dr. Marshall's research brought in federal grant money.

20           29.     Faculty of color receiving NIH money signals that the campus is doing  
21 important work, and able to attract and retain talented faculty. Dr. Marshall was on  
22

1 track to bring national recognition for the research she was doing about with elders  
2 and socio-economic status.

3 30. Dr. Marshall was bringing in significant resources to the University of  
4 Washington. The Tacoma campus however failed to develop the processes and hire  
5 staff that could competently manage her grants.  
6

7 31. Grants management is an important is-a responsibility that goes along  
8 with administering federal grants that Dr. Marshall received. At UW-Tacoma someone  
9 in accounting was tasked to help manage grant awards; however this plan was never  
10 fully implemented.

11 32. The school of Social Work chair, Diane Young could have worked with  
12 the Dean of Social Work at the UW-Seattle campus and there could have been a  
13 sharing of the indirect recovery costs associated with Dr. Marshall's grant.  
14

15 33. The indirect funds are received, in part, to support general overhead. In  
16 general, these funds have fewer restrictions imposed by the granting agency.

17 34. The Seattle campus was open to negotiating a collaborative agreement  
18 to share the indirect recovery costs and Diane Young as Chair of the Social Work and  
19 Criminal Justice Department failed to exhaust those options.  
20

21 35. The second reappointment review recommended that another faculty of  
22 color with a record of successful teaching be assigned and compensated to work with  
23 Dr. Marshall. It was to Dr. Marshall's disadvantage that Dr. Jill Purdy, the newly  
24 appointed executive vice chancellor, failed to fully implement this plan. Someone was  
25

1 assigned and paid; however, the arrangement devolved to an occasional conversation  
2 rather than teaching support.

3 36. Dr. Marshall never benefited from additional teaching support from  
4 someone that was successful in the academic climate at UW-Tacoma. Instead that  
5 person ultimately recommended that Dr. Marshall seek employment elsewhere.  
6

7 37. More alarming was Dr. Purdy's advice at the Fall 2018 SW/CJ faculty  
8 retreat. Dr. Marshall was asked to leave the meeting so that we could discuss  
9 reappointment policies and practices.

10 38. It was Dr. Purdy's advice that the faculty create policies with criteria to  
11 assess "collegiality." She talked about the necessity of ensuring a "good fit" for the  
12 department.  
13

14 39. Based on my 20 years of academic administrative experience, "fit" is  
15 often code for policies that perpetuate bias and reduce the likelihood of hiring diverse  
16 faculty.

17 40. I also learned that there was a systematic undoing of efforts to  
18 eliminate bias on campus. For example, efforts to train and hire "diversity advocates"  
19 to support the work of search committees was stopped.  
20

21 41. I left UW Tacoma due to numerous instances of bias, retaliation and  
22 unethical leadership .

23 42. The leadership's actions were contrary to any best practice around  
24 addressing implicit bias.  
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I declare under penalty of perjury under the laws of the State of Washington  
that the foregoing is true and correct to the best of my knowledge

DATED this 11 day of <sup>October</sup> ~~JANUARY~~ 2020 in Long Beach, California  
WASHINGTON

By: Melissa R. Lavitt

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**CERTIFICATE OF SERVICE**

I, Tony Dondero, certify that on October 11, 2021, I served the document to which this Certificate is attached to the party listed below in the manner shown.

Mary Crego Peterson, WSBA #31593  
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Dated this 11th day of October, 2021.

s/Tony Dondero  
Tony Dondero, Legal Assistant