

Exhibit “PR3”  
Title VI Similarly Situated Student  
Comparison Table and Analysis  
With Addendum

<b>Title VI Student Treatment Comparison Table<sup>1</sup></b> <b>Six Identified Major Areas<sup>2</sup></b>		
	Treatment of Mr. Yu	Treatment of Other Similarly Situated Student(s) Enrolled In Idaho State University's (ISU) Doctorate in Clinical Psychology Program 2008-2015 <sup>3</sup>
1.	Mr. Yu was never provided any warning that he was or would be at risk of dismissal, yet he was dismissed by ISU	Students 3, 6, 16, 20, 29, 37 and 55 were provided with warning(s) that they were at risk of dismissal, but were eventually not dismissed
2.	Mr. Yu was in good academic standing and not on probation, yet was dismissed from the program	Students 3, 6, 13, 22, 29, 37 and 55 were on probation, but were eventually not dismissed from the program
3.	Mr. Yu was never provided with a single remediation plan that directly addressed the alleged concerns ISU raised about him	Student 37 was provided with a remediation plan that directly addressed the academic deficiencies and/or concerns
4.	ISU did not follow its "U" grade policy for Mr. Yu	ISU followed its "U" grade policy for Student 37 and Student 55
5.	ISU failed to timely monitor any of Mr. Yu's off-site placements	From the records provided, Student 20's off-site placement was timely monitored by ISU
6.	ISU failed in its duty to assist Mr. Yu in securing an internship that included due process procedures in a defined grievance process.	From records provided, ISU assisted Student 40 in strengthening due process procedures in a defined grievance process for an internship.

<sup>1</sup> Attached to the Table is a detailed analysis of the six (6) identified areas in the context of facts in this case with supporting excerpts from Mr. Yu's experts as well as relevant documents.

<sup>2</sup> Psychology experts for the Plaintiff have concluded that ISU's treatment towards Mr. Yu was a substantial departure from accepted academic norms, violating ethical and accreditation standards in psychology. These experts identified more examples than just these six (6) identified areas listed in this table. See Exhibits A, B, C, F & G to view the full expert reports from these psychology experts.

<sup>3</sup> On July 20<sup>th</sup> and 21<sup>st</sup> 2017, Plaintiff received sixty-seven (67) student records authorized by Dkt. 40 under the Dkt. 46, the Protective Order. The student records were identified by a number. Therefore, all analysis was conducted and is reported by the student number given to the records by ISU.

**DETAILED ANALYSIS OF THE SIX IDENTIFIED MAJOR AREAS WHERE MR. JUN YU WAS TREATED DIFFERENTLY THAN SIMILARLY SITUATED STUDENTS ENROLLED IN THE IDAHO STATE UNIVERSITY DOCTORATE IN CLINICAL PSYCHOLOGY PROGRAM 2008-2015**

Idaho State University (ISU) provided Plaintiff Jun Yu with the records of all students enrolled in the ISU Doctorate in Clinical Psychology Program between 2008 and 2015. The analysis of the student records provided reveal that when compared to other similarly situated students, Mr. Yu was unfavorably treated in six (6) identified areas. The following detailed analysis substantiates Mr. Yu's claim that ISU unlawfully discriminated against Mr. Yu, the only Chinese National enrolled in ISU's Doctorate in Clinical Psychology Program in violation of Title VI of the 1964 Civil Rights Act, 42 U.S.C. §§ 2000d et. seq. and 34 C.F.R. §§ 100.1 and 100.3.

- Fact #1: ISU failed to warn Mr. Yu that he was at risk of dismissal from the clinical psychology PhD program; in contrast, ISU had provided warnings of potential dismissal to 7 students who were enrolled in the program between 2008 and 2015, with some students receiving warnings multiple times.
- Fact #2: Mr. Yu was in good standing and not on any probation at the time of dismissal; in contrast, ISU placed 7 students who were enrolled between 2008 and 2015 on probation.
- Fact #3: Mr. Yu was never provided with a single remediation plan that directly addressed the alleged concerns ISU raised about Mr. Yu; in contrast, the ISU program provided another student enrolled between 2008 and 2015 with a clear remediation plan directly addressing ISU's concerns about the student.
- Fact #4: Mr. Yu's two "U" grades appear to have been assigned inappropriately and in violation of due process; in contrast, ISU followed its "U" grade policy for 2 other students enrolled in the program between 2008 and 2015 who either received "U" grades or were at risk of receiving "U" grades.
- Fact #5: ISU failed to provide timely monitoring of Mr. Yu's off-site placements; in contrast, ISU provided timely monitoring of the off-site placement of 1 student who was enrolled in the program between 2008 and 2015.
- Fact #6: ISU failed to help Mr. Yu when his internship proposal was missing due process and grievance procedures; in contrast, another student enrolled in the program between 2008 and 2015 who proposed an internship was given due process and grievance procedures in their proposal and ISU additionally helped the student to strengthen those protections.

Each of these facts is supported by specific examples from the student records, along with relevant testimony from experts and ISU themselves.

**Fact #1: ISU failed to warn Mr. Yu that he was at risk of dismissal from the clinical psychology PhD program; in contrast, ISU had provided warnings of potential dismissal to 7 students who were enrolled in the program between 2008 and 2015, with some students receiving warnings multiple times.**

Expert testimony regarding ISU's failure to warn Mr. Yu he was at risk of dismissal:

"No evidence is provided to show that Mr. Yu was on notice regarding a risk of dismissal from the program for any reason." - Expert report of Dr. Gerald Koocher<sup>4</sup>, page 7 of 9 and Exhibit "A" to the addendum to this analysis.

"Prior to the May 3, 2013 dismissal letter from ISU, Mr. Yu had never been on probation and had never been informed that he was in danger of being dismissed from the doctoral program." - Expert report of Dr. Shannon Chavez-Korell, page 6 of 9 and Exhibit "B" to the addendum to this analysis.

"In addition, the psychology department never placed Mr. Yu on probation or told him he was at risk of dismissal from the program." - Expert report of Dr. M. Leslie Wade Zorwick, page 27 of 32 and Exhibit "C" to the addendum to this analysis.

ISU testimony regarding ISU's failure to warn Mr. Yu he was at risk of dismissal:

"Q. Now, Dr. Roberts, did you inform Mr. Yu that if Mr. Yu were dismissed from the only requirement that he had to complete his doctorate, that he would be dismissed from the Doctor of Clinical Psychology program? A. *No*." [emphasis added] (Deposition of Dr. Mark Roberts, page 76 line 11 and Exhibit "D" to the addendum to this analysis.)

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<sup>4</sup> Dr. Gerald Koocher's expert report on ISU's violations of ethical and accreditation standards in psychology was not addressed by ISU. Nevertheless, the Plaintiff disclosed to Defendant ISU that Dr. Linda F. Campbell, Ph.D., who has served as Chair of the Ethics Committee of the American Psychological Association, will be appearing at trial as a rebuttal expert witness should ISU deny violations of any professional standards in psychology. See Exhibit "J" for the full text of the disclosure.

"Q. I've looked at this record of Mr. Yu very carefully, and I can't find a single document that says, You're in professional trouble. Should you not do X, Y, or Z, you're facing dismissal. Is there any document like that? A. ***There is no document like that that includes the threat of dismissal.***" (Deposition of Dr. Mark Roberts, page 79 line 5 and Exhibit "D" to the addendum to this analysis.)

In response to the question, "***Was there any warning*** given by the administration, or I could say the psychology department, that should [Mr. Yu] fail this internship, he would be subject to dismissal? Was there ever anything given that way?" Dr. Mark Roberts, Director of Clinical Training for the ISU program while Mr. Yu was in the program, responded, "***The answer to that is, correct, I did not tell him that.***" [emphasis added] (Deposition of Dr. Mark Roberts, page 82 line 8 and Exhibit "D" to the addendum to this analysis.)

"Q. Did you inform Mr. Yu that if Mr. Yu were dismissed from the CCA internship, that he would be dismissed from his doctorate in the clinical psychology program? A. Did I personally? Q. Yes ma'am. A. ***No.*** Q. Did you instruct a faculty member or administrator to inform Mr. Yu that, if he were dismissed from in the CCA program, that he would be dismissed from the Doctor of Clinical Psychology program? A. ***No.***" [emphasis added] (Deposition of Dr. Shannon Lynch, ISU Psychology Department Chair, page 56 and 57, and Exhibit "E" to the addendum to this analysis.)

Dr. Shannon Lynch testified, "***Did we explicitly say to him, if you fail at this internship, you will be dismissed? No.***" [emphasis added] (Deposition of Dr. Shannon Lynch, ISU Psychology Department Chair, page 98, and Exhibit "E" to the addendum to this analysis.)

"Q. So to be sure that I understand it right, from your testimony, that you -- no one, to your knowledge, ever told him that, if he failed this internship, he would be dismissed from the university, from the program. Is that correct? A. ***Correct.***" [emphasis added] (Deposition of Dr. Shannon Lynch, ISU Psychology Department Chair, page 98, and Exhibit "E" to the addendum to this analysis.)

Examples of 7 students in the ISU program who were warned of potential dismissal:

Student3:

"...we are sending this letter to inform you that your academic performance needs to improve dramatically in the fall semester ***to avoid a possible dismissal or other***

*consequences as stipulated by the Graduate School.*" [emphasis added] July 13, 2012 letter from Dean of Graduate School to Student3 (ISU Documents 1095)

Student6:

"We must note, however, that if she chooses to take the Qualifying Exam in August and fails, *she will be dismissed from the program.*" [emphasis added] Clinical Training Program Psychology Department Semi-Annual Student Evaluation Spring 2009, signed by Dr. Mark Roberts, the Director of Clinical Training (ISU Documents 1225)

Student16:

"The committee will determine its recommendation to the Psychology Department Faculty in May 2007, *regarding continued retention in the doctoral training program or dismissal from the program.*" [emphasis added] Clinical Training Program Psychology Department Semi-Annual Student Evaluation Fall 2007, signed by Dr. Mark Roberts, Director of Clinical Training (ISU Documents 1517)

Student20:

"Were progress toward degree completion continue to be deemed unsatisfactory throughout summer and fall semesters of 2013, *the graduate faculty of the Psychology Department would be asked to vote to consider program dismissal* as per the regulations and procedures of the ISU Graduate School (see pp. 16-17 of the ISU Graduate Catalog)." [emphasis added] Clinical Training Program Psychology Department Semi-Annual Student Evaluation for Fall 2012, signed by Dr. Mark Roberts, Director of Clinical Training (ISU Documents 1602)

Additionally the words "*Academic Warning*" appear on Student20's transcript for Fall 2012 (ISU Documents 1594).

Student29:

"She must pass both the written and oral [qualifying] exam to continue in the program. *A marginal or failure of either exam component is considered grounds for program dismissal* (see page 15 of the Clinical Student Handbook)." [emphasis added] Clinical Training Program Psychology Department Semi-Annual Student Evaluation Spring 2007, signed by Dr. Mark Roberts, Director of Clinical Training (ISU Documents 1889)

Student37:

Warning 1. "If you make no progress during fall semester, 2014, I will award you an Unsatisfactory grade for PSYC 6650. The Graduate School will react to a U-grade with a request for *a remediation plan that will include dismissal for failure to*

***adequately respond to the remediation plan.***” October 3, 2014 letter from Dr. Mark Roberts to Student37 (ISU Documents 2076)

Warning 2. “Were his thesis not successfully proposed by the end of fall semester, 2015, ***the committee will consider convening the faculty to vote on program dismissal for lack of satisfactory progress toward degree completion*** (see the Graduate Catalog - Appeals and Dismissals).” [emphasis added] Clinical Training Committee (CTC) Psychology Department Annual Student Evaluation 2014-2015, signed by Dr. Mark Roberts, Director of Clinical Training (ISU Documents 2084)

Warning 3. “His C in PSYC 6623 is the second C he has received while in the program and ***could be considered grounds for termination from the program***, according to ISU Graduate School policy (<http://coursecat.isu.edu/graduate/generalinfoandpolicies/appealsanddismissals/>). However, the CTC is confident that [Student37] can do the work required for the program and support his continued efforts. However, if he were to receive a grade of C+ or worse in his remaining coursework, ***the CTC would be forced to consider dismissing [Student37] from the program.***” ISU Psychology Department Clinical Training Committee (CTC) Annual Student Evaluation 2015-2016, signed by Dr. Steven Lawyer, Director of Clinical Training (ISU Documents 2087)

Student55:

Warning 1. “Were [Student55] to fail to successfully defend his thesis by the end of fall semester, 2013, departmental policy indicates that the next step would be for the Clinical Training Committee ***to recommend to the Graduate Faculty of the Psychology Department that he be dismissed from the doctoral degree program in clinical psychology for failure to make satisfactory progress in the program.***” Clinical Training Program Psychology Department Semi-Annual Student Evaluation, Spring 2013 (ISU Documents 2696)

Warning 2. “Were [Student55] to fail to meet designated tasks in the allotted time frame, ***the committee will pursue dismissal from the doctoral program with the Graduate Faculty of the Psychology Department.***” Clinical Training Program Psychology Department Semi-Annual Student Evaluation Fall 2013, signed by Dr. Mark Roberts, Director of Clinical Training (ISU Documents 2697-2698)

**Fact #2: Mr. Yu was in good standing and not on any probation at the time of dismissal; in contrast, ISU placed 7 students who were enrolled between 2008 and 2015 on probation.**

Expert testimony regarding the fact that Mr. Yu was in good standing and not on any probation at the time of dismissal:

"Prior to the May 3, 2013 dismissal letter from ISU, ***Mr. Yu had never been on probation*** and had never been informed that he was in danger of being dismissed from the doctoral program." [emphasis added] - Expert report of Dr. Shannon Chavez-Korell, page 6 of 9 and Exhibit "B" to the addendum to this analysis.

"In addition, the psychology department ***never placed Mr. Yu on probation*** or told him he was at risk of dismissal from the program." [emphasis added] - Expert report of Dr. M. Leslie Wade Zorwick, page 27 of 32 and Exhibit "C" to the addendum to this analysis.

***"Mr. Yu was also never placed on probation."*** - Expert report of Dr. Erin Cooley, page 16 of 27 and Exhibit "F" to the addendum to this analysis.

ISU testimony regarding the fact that Mr. Yu was in good standing and not on any probation at the time of dismissal:

***"It is true that you were in good standing. You were not on academic probation*** at the point of dismissal from the Cleveland Clinic." [emphasis added] Letter dated May 17, 2013 signed by Dr. Shannon Lynch, Chair of Department of Psychology, rejecting Mr. Yu's appeal to the Department of Psychology (ISU Documents 0813)

Examples of 7 students who were placed on probation:

Student3:

"Clinical program rules also require the committee to ***place [Student3] on academic probation*** until the grade is remediated via the re-take process (see the Clinical Student Handbook, p. 12)." [emphasis added] Clinical Training Program Psychology Department Semi-Annual Student Evaluation Spring 2012, signed by Dr. Mark Roberts, Director of Clinical Training (ISU Documents 1109)

Student6:

"In the interim, ***she is automatically placed on academic probation.***" [emphasis added] Clinical Training Program Psychology Department Semi-Annual Student Evaluation Fall 2008, signed by Dr. Mark Roberts, Director of Clinical Training (ISU Documents 1222)

Student13:

"Her C grade in PSYC 623 ***places her on academic probation*** and requires that she retake the course during fall semester 2006." [emphasis added] Clinical Training



Program Psychology Department Semi-Annual Student Evaluation Fall 2005, signed by Dr. Mark Roberts, Director of Clinical Training (ISU Documents 1417)

Student22:

“As a result *[Student22] has been placed on academic probation*. Probation will be lifted upon passage of the Qualifying Exam.” [emphasis added] Clinical Training Program Psychology Department Semi-Annual Student Evaluation Spring 2005, signed by Dr. Mark Roberts, Director of Clinical Training (ISU Documents 1659)

Student29:

“The C grade in PSYC 623 *places her on academic probation* until the class can be retaken (fall semester 2007) and passed at the B or higher level.” [emphasis added] Clinical Training Program Psychology Department Semi-Annual Student Evaluation Spring 2007, signed by Dr. Mark Roberts, Director of Clinical Training (ISU Documents 1886)

Student37:

“As noted in your formal spring semester evaluation (June 2014), to remove *your departmental probationary status*, you will need to retake PSYC 6632 during spring semester 2015, and earn an A or B grade.” [emphasis added] October 3, 2014 letter from Dr. Roberts to Student 37 (ISU Documents 2075)

Student55:

Warning 1. “In addition, [Student55] earned a C in PSYC 6637 during spring semester of 2013, *placing him on academic probation*.” [emphasis added] Clinical Training Program Psychology Department Semi-Annual Student Evaluation Fall 2013, signed by Dr. Mark Roberts, Director of Clinical Training (ISU Documents 2697)

Warning 2. “[Student55] has not made clear progress on his thesis. He was awarded a “U” in his research credit for spring semester 2013, consistent with the formal letter provided to [Student55] by Dr. Lawyer on December 10, 2012. In accordance with the Clinical Student Handbook procedures (Handbook, pp. 12-13), *the U-grade carries with it an automatic academic probation*, which can be lifted by an S-grade the following semester.” Clinical Training Program Psychology Department Semi-Annual Student Evaluation Spring 2013 (ISU Documents 2695)

**Fact #3: Mr. Yu was never provided with a single remediation plan that directly addressed the alleged concerns ISU raised about Mr. Yu; in contrast, the ISU program provided**

**another student enrolled between 2008 and 2015 with a clear remediation plan directly addressing ISU's concerns about the student.**

Expert testimony regarding how Mr. Yu was never provided with a single remediation plan that directly addressed the alleged concerns ISU raised about Mr. Yu:

"In addition, the CTC was very familiar with Jun Yu's English language skills and continuously rated these as meeting expectations with limited exceptions. If the CTC truly regarded this as a significant issue that impeded his ability to perform at an advanced level, his grades should have reflected those problems and/or ***remedial actions should have been prescribed as a pre-condition for advancing.***" [emphasis added] - Expert report of Dr. Gerald Koocher, page 5 of 9 and Exhibit "A" to the addendum to this analysis.

"As previously noted, ***there were no written documentation of substantive guidance, remedial feedback, or corrective action.***" – Expert report of Dr. Gerald Koocher, page 7 of 9 and Exhibit "A" to the addendum to this analysis.

"It is clear that Mr. Yu suffered serious harm because of several significant ethically questionable behaviors at the hands of ISU faculty. These include failure of timely written notice of any inadequacies (if they existed), and ***failure to prescribe or plan remediation (if needed).***" [emphasis added] – Expert report of Dr. Gerald Koocher, page 8 of 9 and Exhibit "A" to the addendum to this analysis.

"It is my opinion that the dismissal of Mr. Yu from ISU's Clinical Psychology Ph.D. Program was excessive (especially when considering that ***no appropriate clinically relevant remediation plans were developed***), unjustified, and objectively unreasonable." [emphasis added] - Expert report of Dr. Nadya Fouad, page 14 and Exhibit "G" to the addendum to this analysis..

"***There is no documentation of a single remediation plan*** that directly addressed the specific concerns raised about Mr. Yu." – Expert report of Dr. Shannon Chavez-Korell, page 9 of 9 and Exhibit "B" to the addendum to this analysis.

"...Dr. Speer ***did not work with Mr. Yu to discuss a plan for remediation*** before dismissing him..." – Expert report of Dr. M. Leslie Wade Zorwick, pages 15-16 of 32 and Exhibit "C" to the addendum to this analysis.

Example of 1 student who received a remediation plan directly addressing specific concerns:

Student37:

***“[Student37] currently operates under a plan of remediation put in place in January 2016 after several academic struggles in the program.*** Specifically, [Student37] received a C in PSYC 6623 (Psychometrics), a series of IP grades (considered indicator of noticeable problems), and struggled significantly with the comprehensive exam (failing the first cycle of essays). Several positive steps were taken to remediate his problematic academic progress: (1) he dropped Dr. Lawyer’s practicum in spring 2016 to free up time to focus on his thesis data collection; (2) he received a ‘Satisfactory’ grade for his efforts associated with Dissertation (PSYC 8850); (3) he passed the qualifying exam. The remaining objective (re-taking PSYC 6623 and receiving a B or better) can be achieved in fall 2016, when the course is offered next.” [emphasis added] ISU Department Psychology Clinical Training Committee (CTC) Annual Student Evaluation 2015-16, signed by Dr. Steven Lawyer, Director of Clinical Training (ISU Documents 2086)

[Note: *ISU has yet to provide the Plaintiff this Student37's Plan of Remediation. Nevertheless, ISU's Clinical Student Handbook 2015 (Exhibit "I" to the addendum to this analysis) stated: "A written Plan of Remediation will include the following six elements: 1. Problem identification; 2. Course of action to remediate the problem; 3. Measurable objectives; 4. Method and specific time to determine if objectives have been met; 5. Consequences if objectives are not met; 6. Process of appeal".]*

**Fact #4: Mr. Yu’s two “U” grades appear to have been assigned inappropriately and in violation of due process; in contrast, ISU followed its "U" grade policy for 2 other students enrolled in the program between 2008 and 2015 who either received "U" grades or were at risk of receiving "U" grades.**

Expert testimony regarding ISU's failure to follow its "U" grade policy for Mr. Yu:

"A review of Mr. Yu’s transcript confirms generally excellent grades, apart for an unsatisfactory clinical externship grade in PSYC 7748 for 1 credit in the fall of 2011 and a similar grade for his incomplete clinical internship (PSYC 7749) in the spring term of 2013. [Opinion: ***These two “U” grades appear to have been assigned inappropriately and in violation of due process.*** For example, it appears that Dr. Landers wrote his evaluation ten days following Mr. Yu’s dismissal. No appropriate notification or attempts to offer remediation appear in the record. The clinical psychology Student Handbook states: “If a student is at risk of earning a U-grade, the Clinical Training Committee will be informed by the advisor prior to the end of the semester, and a formal letter will be

issued that describes the nature of the unsatisfactory progress, the steps needed to remedy the deficiency, and a deadline for re-evaluation. Failure to meet the specified remediation plan will result in a U-grade and subsequent academic probation. Probation will be lifted upon semester-long performance yielding an S-grade.” ***These procedures were not followed.*** Similarly, the abrupt dismissal from internship followed a similarly irregular sequence for assigning a “U” grade.” [emphasis added] - Expert report of Dr. Gerald Koocher, page 4 of 9 and Exhibit “A” to the addendum to this analysis.

"ISU assigned Mr. Yu a U for a non-required externship from which he was abruptly dismissed by Dr. Landers. Dr. Landers' evaluation of Mr. Yu was dated November 14, 2011, 10 days after the dismissal letter, and Dr. Landers alleged “this site could not afford to engage in remediation.”...***Dr. Landers failed in his responsibility as a supervisor to provide timely and specific feedback and remediation before dismissal.***” [emphasis added]- Expert report of Dr. Nadya Fouad, page 9 and Exhibit “G” to the addendum to this analysis.

***There is no evidence of the critically important obligation of supervisors to keep supervisees apprised of their progress.*** This is first evident in Dr. Landers' abrupt dismissal of Mr. Yu from the externship without apparent consultation with Mr. Yu, and it is even more evident in the treatment Mr. Yu received from the Cleveland Clinic internship. Dr. Speer did not address her concerns with Mr. Yu directly at any point in the internship: in January when she reached out to Dr. Roberts, nor in March or April when she finally dismissed him. In fact, she refused to provide him with a copy of his letter of dismissal in April.” [emphasis added] - Expert report of Dr. Nadya Fouad, page 13 and Exhibit “G” to the addendum to this analysis.

"Dr. Landers' lack of direct communication with Mr. Yu about his concerns is consistent with aversive racism. The lack of direct communication also denied Mr. Yu the opportunity to address those concerns. Additionally, ***Dr. Landers wrote his evaluation of Mr. Yu after dismissing him. This is consistent with the creation of post-hoc rationalizations to justify biased behavior.***” - Expert report of Dr. Erin Cooley, page 11 of 27 and Exhibit “F” to the addendum to this analysis.

"Additionally, Dr. Speer did not directly communicate with Mr. Yu about her concerns with his progress. This lack of communication is consistent with aversive racism. The combination of not providing clear feedback to Mr. Yu and then saying he was unaware of his own limitations set Mr. Yu up to fail. ***Additionally, the act of dismissing Mr. Yu and writing an evaluation of Mr. Yu after the dismissal is consistent with creating post-***

***hoc rationalizations of biased behavior.***" - Expert report of Dr. Erin Cooley, page 14 of 27 and Exhibit "F" to the addendum to this analysis.

"There are many ways in which Dr. Leslie Speer violated the minimal due process that was available to Mr. Yu (Plaintiff Document 000053-000059) – ***ranging from not offering a second assessment until after his dismissal to not working with him to develop a remediation plan in the face of performance concerns*** to not assembling the group of supervisors in Ohio to discuss his performance before dismissal – and the ISU faculty used the decision of Dr. Speer to justify dismissing Mr. Yu from the program." Expert report of Dr. M. Leslie Wade Zorwick, page 27 of 32 and Exhibit "C" to the addendum to this analysis.

Examples of 2 students who either received "U" grades or were at risk of receiving "U" grades, where ISU followed its "U" grade policy:

Student37:

"In both fall semester and spring semester 2014 ***I was compelled to assign an "In Progress" grade*** to your PSYC 6650 credits.... ***If you make no progress during fall semester 2014, I will award you an Unsatisfactory grade*** for PSYC 6650. The Graduate School will react to a U-grade with a request for a remediation plan that will include dismissal for failure to adequately respond to the remediation plan." [emphasis added] October 3, 2014 letter from Dr. Roberts to [Student37] (ISU Documents 2075-2076)

Student55:

Example 1. "[Student55] has not made progress on his thesis. ***He was awarded an "IP"*** by Lawyer. In accordance with Clinical Student Handbook procedures (Handbook, pp. 12-13), Lawyer constructed ***a formal letter describing the reasons for awarding the IP grade and the expected remediation plan***. Specifically, [Student55] must successfully defend his thesis this spring.... ***Failure to defend the thesis spring would result in a U grade and probationary status.***" [emphasis added] Clinical Training Program Psychology Department Semi-Annual Student Evaluation Fall 2012, signed by Dr. Mark Roberts, Director of Clinical Training (ISU Documents 2694)

Example 2. "[Student55] has not made clear progress on his thesis. ***He was awarded a "U" in his research credit for spring semester 2013, consistent with the formal letter provided to [Student55]*** by Dr. Lawyer on December 10, 2012." [emphasis added] Clinical Training Program Psychology Department Semi-Annual Student Evaluation Spring 2013 (ISU Documents 2695)

**Fact #5: ISU failed to provide timely monitoring of Mr. Yu's off-site placements; in contrast, ISU provided timely monitoring of the off-site placement of 1 student who was enrolled in the program between 2008 and 2015.**

Expert testimony regarding ISU's failure to provide timely monitoring of Mr. Yu's off-site placements:

"If the allegations made by the ISU faculty are to be believed, *they clearly failed to* perform appropriate timely assessments; provide timely feedback; propose and assist with necessary remediation; or *provide timely monitoring of off-site placements.*" [emphasis added] - Expert report of Dr. Gerald Koocher, page 7 of 9 and Exhibit "A" to the addendum to this analysis.

"In addition, the Accreditation G & P seem to have been violated with respect to Domains D and E. In particular, the program did not appear to adequately address the diversity challenges faced by your client, did not adequately respect his rights, and did not provide timely assessments or adequate notice regarding potential dismissal from the program. As previously noted, there were no written documentation of substantive guidance, remedial feedback, or corrective action. All of those elements, *along with assisting students in identifying appropriate placements and monitoring students in those placements* are part of the G & P specifications." [emphasis added] - Expert report of Dr. Gerald Koocher, page 7 of 9 and Exhibit "A" to the addendum to this analysis.

"*Dr. Roberts did not tell Mr. Yu that his supervisor had voiced concerns, violating his obligations as a faculty mentor, nor did he help to develop a remediation plan.* In not giving Mr. Yu a remediation plan as per the proposal and ethical practice in supervision, ISU and the internship supervisors denied Mr. Yu due process. Dr. Roberts did not appear to discuss that Mr. Yu was in a cross-cultural setting in the Cleveland Clinic. *He did not raise concerns about a supervisor quitting at the beginning of an internship placement.*" [emphasis added] - Expert report of Dr. Nadya Fouad, page 11 and Exhibit "G" to the addendum to this analysis.

ISU testimony regarding ISU's failure to provide timely monitoring of Mr. Yu's off-site placements:

"And for all we knew things were going along swimmingly... *So we were surprised* when I got a phone call, and then a subsequent documentation [the dismissal letter] from Dr. Landers that Dr. Landers was going to dismiss him, and that that was not a choice." [emphasis added] - Dr. Mark Roberts, the Director of Clinical Training at ISU (October 2,



2013 Psychology Department Response at ISU Graduate Counsel Hearing, page 7 line 13 and Exhibit “H” to the addendum to this analysis.)

Example of 1 student whose off-site placement was timely monitored by ISU:

Student20:

*“Roberts was contacted by the Season’s Supervisor, Heath Sommer, on 9/13/12. [Student20] was struggling with test administration procedures that were assumed to be in his repertoire, given his Clinical MA from [university] and associated coursework at [university]. The decision was made to temporarily reduce his service demands to IQ testing with developmentally delayed clients. Subsequently, Roberts meet with [Student20] 5 times during the fall semester to discuss his progress and to challenge him to address current service tasks with his Season’s supervisors. Roberts met with Dr. Traughber on December 10 to review [Student20]’s progress and outlook for spring semester. Traughber reported that [Student20] had begun to function in a more “genuine” fashion with testing and with limited therapy clients. Traughber reported that the agency was willing to continue [Student20]’s assistantship during spring semester. His assistantship evaluation was completed by Sommer and Traughber on January 3. Rating data were as follows: 17 “Below Expectations”, 18 “Meets Expectations”, 1 “Exceeds Expectations” and 3 “Not Applicable”. Written comments indicated a clear lack of readiness to perform at the level expected for a student with an MA degree in clinical psychology, hence the unusually high number of “Below” expectation ratings. The evaluations indicated a broad range of concerns. Supervisory concerns included difficulty making case presentations, forming working alliances, sensitivity to patient signals, managing conflicts, flexibility, problem solving, basic interviewing, knowledge of test standardization, emergence of critical thinking, case conceptualization, the role of continuous assessment, and crisis management. The agency supervisors reported that with the reduction in demand for independent professional functions, [Student20] “...noticeably improved.” Plans for next semester include improving his independent testing skills and beginning intervention skills. Traughber concluded with, “We have enjoyed working with [Student20] and are pleased with his motivation to learn and to improve his skills.” [emphasis added] Clinical Training Program Psychology Department Semi-Annual Student Evaluation Fall 2012, signed by Dr. Mark Roberts, Director of Clinical Training (ISU Documents 1600)*

*Student20 was awarded an “S” (Satisfactory) for PSYC 7748 on his transcript for Fall 2012 (ISU Documents 1594), despite receiving 17 “Below Expectations”.*

**Fact #6: ISU failed to help Mr. Yu when his internship proposal was missing due process and grievance procedures; in contrast, another student enrolled in the program between 2008 and 2015 who proposed an internship was given due process and grievance procedures in their proposal and ISU additionally helped the student to strengthen those protections.**

Expert testimony regarding ISU's failure to help Mr. Yu when his internship proposal was missing due process and grievance procedures:

"From early on in the work developing Mr. Yu's nonstandard internship at the Cleveland Clinic, *concerns were raised about his inability to access the due process of a standard APPIC internship grievance procedure.*" - Expert report of Dr. M. Leslie Wade Zorwick, page 27 of 32 and Exhibit "C" to the addendum to this analysis.

"ISU faculty not only did not help Mr. Yu find an APPIC-equivalent internship in the United States, but also *failed to help him when his contract was missing due process and grievance procedures.*" - Expert report of Dr. Erin Cooley, page 14 of 27 and Exhibit "F" to the addendum to this analysis.

Example of another student whose internship proposal had due process and grievance procedures (which ISU helped to strengthen):

Student 40:

Under "Due Process and Grievance Procedure" in Student40's "Proposal for Non-APPIC Internship Placement", it states, "The general procedures for concerns about intern performance and interns' concerns about training include: (1) first attempting to address the concern with the offending party; (2) bringing the concern to the attention of a supervisor; (3) bringing the concern to the attention of the program manager; and (4) bringing the concern to the attention of the Human resources representative assigned to Region VI H & W. These procedures will be formally addressed on [Student20]'s first day of internship, as she will be required to matriculate into the H & W system through the Human Resources Department. *A thorough description of the due process for intern's concerns can be found in Appendix D.* This document is authored by the state of Idaho, and as the internship is supported by the Idaho Department of Health & Welfare, the same guidelines apply." [emphasis added] (ISU Documents 2164)

In a May 18, 2009 letter to the proposed internship director and Student40, the Director of Clinical Training for ISU (Dr. Mark Roberts), wrote the following regarding the due process and grievance procedures in the proposed internship: "*The external reviewer specifically notes that DHW's Grievance and Due Process Procedures will*



***need to be supplemented.*** First, two sets of procedures will need to be identified separately: 1) addressing potential DhW concerns with the intern's conduct; 2) addressing potential intern grievances with DHW. Clearly, these two supplementary documents need to be consistent with the umbrella DHW due process procedures available in Appendix D. The two supplementary documents must be specific to the internship. The two new documents should not restate the processes in Appendix D, but should references [sic] those procedures and supplement as needed to tailor the two separate due process procedures to the internship." [emphasis added] (ISU Documents 2199)

# ADDENDUM

Exhibit “A”  
Gerald P. Koocher, Ph.D.  
Expert Report January 21, 2016

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**Gerald P. Koocher, Ph.D., ABPP\***  
**Clinical and Forensic Psychology**

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January 21, 2016

R. A. Coulter  
776 E. Riverside Drive, Suite 240  
Eagle, Idaho 83616

Re: Jun Yu v. Idaho State University  
Case No. 4:15-CV00430-REB  
United States District Court  
For the District of Idaho

Dear Attorney Coulter:

At your request, I have prepared this report regarding my professional opinions in the matter of Case No. 4:15-CV00430-REB, Jun Yu v. Idaho State University (ISU), as captioned above.

By way of background, please note that I hold active licenses as a psychologist in Massachusetts (#113), New Hampshire (#319), Illinois (#071-008636), and an inactive license in the District of Columbia (#922). I have earned five specialty diplomas from the American Boards of Professional Psychology. I hold a Certificate of Professional Qualification and Inter-Jurisdictional Practice Certificate from the Association of State and Provincial Psychology Boards (#4044). I previously served on the Ethics Committees of the American Psychological Association (APA) and the Massachusetts Board of Registration of Psychologists. I have previously served as an expert before state psychology, social work, medical, and nursing licensing boards, as well as 15 state and federal court jurisdictions. I currently serve as Professor of Psychology and Dean of the College of Science and Health at DePaul University, Chicago, IL. In that role, I have administrative responsibility for the Department of Psychology and its four Ph.D. programs. I have trained and served as an accreditation site visitor for the APA's Commission on Accreditation (CoA) and served as President of the APA in 2006. I have a close familiarity with accreditation standards in psychology, as well as those applied by regional accreditors and the accrediting bodies of other professions. I note that the opinions cited in this letter are my own and do not represent official positions of organizations that employ or have affiliations with me.

I have reviewed the documents provided by you including the materials itemized below:

- Complaint filing with the U. S. District Court for Idaho in the matter of Jun Yu v. Idaho State University (ISU) et al, filed by plaintiff September 16, 2015.

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- Amended Answer and Demand filing with the U. S. District Court for Idaho in the matter of Jun Yu v. Idaho State University (ISU) et al, filed by defendants October 16, 2015.
  - Complaint Management Order by U. S. Magistrate Ronald E. Bush of the U. S. District Court for Idaho in the matter of Jun Yu v. Idaho State University (ISU) et al, filed November 6, 2015.
  - Accreditation complaint form filed with the Commission on Accreditation (CoA), 731 pages with exhibits included, dated December 16, 2013.
  - Letter from Susan F. Zlotlow of APA' Commission on Accreditation (CoA) dated May 6, 2014 confirming that his complaint triggered a request for additional information from ISU.
  - Letter from Lindsay Childress-Beatty of the APA Ethics Office dated August 14, 2015 confirming that ethics complaints against Drs. Shannon Lynch and Mark Roberts were under review.
  - Article titled: "International student sues his university for discrimination after dismissal," published in *Insider Higher Ed* online by Elizabeth Redden on October 28, 2015.
  - Manuscript titled: "The Assault on Jun Yu: Multicultural Incompetence in a Clinical Psychology Doctoral Program, Resulting in the Professional Destruction of an International Student," by Jocelyn Eikenburg and Michael D. Dwyer, 44 pages undated.
  - Ohio State Board of Psychology disposition letters on complaints about Drs. Thomas Frazier II and Leslie Speer.
  - Practica Course Sequence Evaluator Ratings, Comments, and Clinical Training Committee Educational Action Plan (Semi-Annual Student Evaluation).
  - All documents contained in the six hundred fifty-nine (659) page defendant's initial disclosures.

I evaluated these materials in the context of the APA's *Ethical Principles of Psychologists and Code of Conduct* (2010), hereafter cited as the *Code*, and the *Implementation Guidelines* of the APA CoA's *Guidelines and Principles for Accreditation and Implementing Regulations*, hereafter cited as the *G & P*.

**Significant Issues Found in Reviewing Records**  
**[My professional opinions are bracketed.]**

- The semi-annual evaluations of Mr. Yu in the Fall of 2008 rated him as averaging 3.9 on a 4 point scale (3 = “Fully Adequate” and 4 = “Exceptionally Good”) as a graduate teaching assistant. His MS thesis from Shanghai Normal University was judged “equivalent” to a master’s thesis at ISU by the psychology department. **[Opinion: His overall academic and professional progress was deemed satisfactory.]**
- Mr. Yu was referred to a no-cost program at the university designated “SPEAK,” where he would obtain one hour per week assistance with oral English during the Fall Semester of 2008. **[Opinion: This remedial referral was accepted by Mr. Yu.]**
- In the spring of 2009 Mr. Yu participated in a practicum with Dr. Mark Roberts and was rated as meeting expectations. He was graded 4.0 as a graduate teaching assistant. **[Opinion: His academic and professional progress was deemed satisfactory and his teaching performance was praised.]**
- In the fall of 2009 Mr. Yu participated in another practicum with Dr. Roberts who, “was pleased with his progress” and suggested working on his skills in a particular technique (PCIT or Parent Child Interaction Therapy). None of his teaching assistantship supervisors submitted evaluations. **[Opinion: His academic and professional progress was again deemed satisfactory and his teaching performance was praised.]**
- A community agency turned down a proposed fall 2010-spring 2011 placement for Mr. Yu based on his perceived lack of fluency in spoken English. Mr. Yu was offered a course instructorship for the fall of 2010 and a graduate teaching assistant for the spring of 2011. **[Opinion: The CTC did not propose corrective steps and no alternative placements were sought.]**
- In the spring of 2010 Mr. Yu worked in the department clinic with Dr. Atkins and was given feedback that his conversational skills in English were “subpar.” However he was rated as below expectations in only one performance category. He met expectations in 15 categories, and exceeded expectations in 18 categories. He was given a grade of B in the course. He also earned clearly passing grades in his teaching assistant work. **[Opinion: His academic and professional progress was deemed satisfactory and his teaching performance was praised. He was encouraged to immerse himself in English-speaking contexts, whenever possible.]**

- In the summer of 2010 Dr. Atkins expressed residual concerns about Mr. Yu's English fluency, but nonetheless rated him as "meeting expectations" on 23 dimensions and "exceeding expectations" on 15 with no ratings of "below expectations." **[Opinion: This suggests acceptable academic and professional progress.]**
- In the fall of 2010 Dr. Cellucci reported being pleased with Mr. Yu's progress noting that he, "simply needs more experience." **[Opinion: His academic and professional progress was again deemed satisfactory and his teaching performance was praised.]**
- In the spring of 2011 Dr. Seikel rated Mr. Yu with 2/39 elements below expectations addressing issues with forming therapeutic alliances and adjusting treatment. He scored satisfactory or above on all other dimensions. His academic and professional progress was again deemed satisfactory and his teaching performance was praised. He was praised for his scholarly accomplishments, but the CTC expressed residual concerns about his spoken English fluency, and expressed that view that he would not be a competitive applicant for APPIC internship sites in the national matching program unless he chose sites serving Chinese immigrant populations. **[Opinion: There is no indication of any plans or efforts to assist Mr. Yu in identifying such sites.]**
- A review of Mr. Yu's transcript confirms generally excellent grades, apart for an unsatisfactory clinical externship grade in PSYC 7748 for 1 credit in the fall of 2011 and a similar grade for his incomplete clinical internship (PSYC 7749) in the spring term of 2013. **[Opinion: These two "U" grades appear to have been assigned inappropriately and in violation of due process. For example, it appears that Dr. Landers wrote his evaluation ten days following Mr. Yu's dismissal. No appropriate notification or attempts to offer remediation appear in the record. The clinical psychology Student Handbook states: "If a student is at risk of earning a U-grade, the Clinical Training Committee will be informed by the advisor prior to the end of the semester, and a formal letter will be issued that describes the nature of the unsatisfactory progress, the steps needed to remedy the deficiency, and a deadline for re-evaluation. Failure to meet the specified remediation plan will result in a U-grade and subsequent academic probation. Probation will be lifted upon semester-long performance yielding an S-grade." These procedures were not followed. Similarly, the abrupt dismissal from internship followed a similarly irregular sequence for assigning a "U" grade.]** Even with those 2 "U" grades, his cumulative GPA equaled a 3.69 (or an A- equivalent).
- The CTC responded to Mr. Yu's complaints about not providing an alternative externship site in part by citing a lack of current openings and in part by citing his perceived spoken English deficiencies. **[Opinion: This reasoning seems at best disingenuous. Accredited practitioner training programs are**

- expected to maintain adequate numbers of practicum sites, and failing to do so represents a breach of their obligations to admitted students. In addition, the CTC was very familiar with Jun Yu's English language skills and continuously rated these as meeting expectations with limited exceptions. If the CTC truly regarded this as a significant issue that impeded his ability to perform at an advanced level, his grades should have reflected those problems and/or remedial actions should have been prescribed as a pre-condition for advancing.]
- The department faculty expressed surprise by Dr. Landers' dismissal of Mr. Yu for the externship. In his letter of November 21, 2011 to Mr. Yu, Dr. Roberts made no suggestion of any need to improve spoken English proficiency. All of the five steps suggested to Mr. Yu involved clinically focused activity, and were not clearly couched as remedial requirements. **[Opinion: The faculty clearly had not monitored Mr. Yu's progress, and Dr. Landers had not consulted with them prior to the dismissal.]**
  - Dr. Mark Roberts confirmed in his October 23, 2012 letter to Dean Turley-Ames: *"The Clinical Training Committee formally recognized the student's right to propose the non-standard clinical internship in his/her June 4, 2012 evaluation."* However, while agreeing to the proposed Non-APPIC internship placement, Mr. Yu never saw or had a chance to review the terms of the affiliation agreement negotiated between ISU and the CCCA internship site. **[Opinion: This failure deprived Mr. Yu of his rights to fully understand and possibly to object to the terms of the agreement.]**
  - The CTC letter of June 4, 2012 provided Mr. Yu with three options including an accommodated internship in China. Mr. Yu expressed a preference for an internship in the United States, as he believed he would obtain a better quality of experience. **[Opinion: There is no indication that Mr. Yu was ever informed that the option to seek an internship in China was a one-time offer or would later be withdrawn.]**
  - The letter of May 2, 2013 informing Mr. Yu of summary dismissal from the doctoral program with a master's degree cited "not making satisfactory progress," and a "requirement that he limit" APPIC applications to sites serving Chinese populations. In the fall 2011 and spring 2012 CTC evaluations cited unsatisfactory professional progress in some respects, but Mr. Yu was nonetheless assigned grades of A and B, inconsistent with alleged failing levels of professional performance. **[Opinion: The assigned grades are inconsistent with unsatisfactory progress, and due process was not followed.]**
  - No timely reasons were given as to why the previously offered option of finding a comparable internship training site in China was no longer available as an alternative choice to Mr. Yu. However, in the Departmental Level Rejection of his Appeal dated May 17, 2013 the Department Chair Dr. Lynch wrote, "The Graduate Faculty is convinced that a fourth "chance" (i.e., an Internship in China) is



unwarranted and might put Chinese patients at risk of harm.” **[Opinion: No evidence supports such a strained post-hoc conclusion. Nothing in the record shows that Mr. Yu ever harmed a patient in the United States or in China. In fact, his doctoral research demonstrated that his clinical efforts benefitted the clients he served in China.]**

- Reasons given for terminating Mr. Yu from the program included these statements:
  - *“Despite four years (August 2008 to May 2012) in the standard curriculum on campus and three months in an approved clinical internship, he remains unable to provide professional services in a manner consistent with expectations for a fourth year student or an intern.*
  - *“It is the opinion of the Clinical Training Committee, based on Mr. Yu's objective record and the qualitative reports of multiple supervisors in multiple sites, that his poor performance is not simply a matter of poor linguistic communication with English-speaking patients and supervisors, it appears that Mr. Yu lacks sufficient perspective-taking skills and conceptual abilities to become a clinical psychologist. Specifically, he seems unaware of the impact of his behavior on patients and supervisors alike, failing to appreciate the perspectives of those critical audiences. Second, he appears unable to conceptualize a patient's current bio-psycho-social functions through the normal professional processes of integrating information obtained from interviewing, psychometric testing, direct observation, intervention trials, and individual and cultural differences. Third, he appears unable to adjust a professional course of action in response to patient needs, e.g., unable to notice and respond to patient distress in the moment. Finally, he seems to lack insight into his own shortcomings, resulting in ineffectual problem solving and unsuccessful conflict negotiation.”*
- **[Opinion: These statements which stand in direct conflict with the grades he earned and supervisory ratings he accumulated between 2008 and 2012]**

### Summary of Opinions

A number of ethical and accreditation standards have been violated in Mr. Yu's case. These include ethical violations by faculty members related to following through with program descriptions (*Code: 7.02*), flaws in assessing and responding to student performance (*Code: 7.06*), and avoiding harm (*Code: 3.04*).

- The alleged educational and professional skill defects cited as bases for dismissal are inconsistent with Mr. Yu's prior accumulated record of grades and supervisor ratings over his first three years at ISU.

- If the allegations made by the ISU faculty are to be believed, they clearly failed to perform appropriate timely assessments; provide timely feedback; propose and assist with necessary remediation; or provide timely monitoring of off-site placements.
- No evidence is provided to show that Mr. Yu was on notice regarding a risk of dismissal from the program for any reason.
- The stated reason for failing to re-offer Mr. Yu the opportunity to complete an internship in China (i.e., that he might pose some risk of harm to Chinese clients) seems contrived to support dismissal after that conclusion had been reached, since nothing in the records suggests that Mr. Yu ever caused harm to a client in the United States or China (as described above).

In addition, the Accreditation *G & P* seem to have been violated with respect to Domains D and E. In particular, the program did not appear to adequately address the diversity challenges faced by your client, did not adequately respect his rights, and did not provide timely assessments or adequate notice regarding potential dismissal from the program. As previously noted, there were no written documentation of substantive guidance, remedial feedback, or corrective action. All of those elements, along with assisting students in identifying appropriate placements and monitoring students in those placements are part of the *G & P* specifications.

Because the number of students seeking psychology internships in the United States greatly exceeds the number of internship slots available, it is not at all unusual for students to have difficulty finding placements. This gap between the number of candidates and the number of vacancies was particularly high in the year that Mr. Yu was applying. I do not know of any university-based programs that would dismiss a student, who had otherwise met all other academic requirements, for failing to make adequate progress by virtue of internship-finding problems. In such circumstances most programs would become increasingly focused on helping such students to find a new appropriate placement.

In awarding Mr. Yu a second master's degree citing the equivalence of his doctoral dissertation to a master's thesis at ISU the faculty again demonstrates a kind of post-hoc mental gymnastic that runs contrary to the *G & P* specifications. Doctoral dissertations are by definition intended to differ in breadth, depth, quality, and demonstrated independence of the student from master's theses. By allowing Mr. Yu to propose, complete, and defend a doctoral dissertation the faculty recognized and acknowledged attainment of doctoral-level scholarship. By later claiming equivalence to a master's degree in the course of dismissing him, the faculty has attempted to somehow reverse and diminish the quality of his work in a totally inappropriate and reprehensible manner. They also imply that the doctoral standards applied to him were not at a level that the APA Commission on Accreditation expects of doctoral dissertations.

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## In Conclusion

It is clear that Mr. Yu suffered serious harm because of several significant ethically questionable behaviors at the hands of ISU faculty. These include failure of timely written notice of any inadequacies (if they existed), and failure to prescribe or plan remediation (if needed). The ISU faculty also appears to have failed to provide due process in the course of dismissing him, failed to properly assist him on internship selection, failed to warn him that he was or would be at risk of termination from the program, and failed to re-offer previously acceptable alternative internship placements (e.g., arranging a comparable training experience in China). By further failure to offer an alternative Ph.D. degree option, based on the clear doctoral quality of his work, the university attempted to trivialize the previously recognized quality of his scholarly accomplishments. Taken as a whole, the actions of the faculty at ISU in dismissing Mr. Yu as they did constitute, in my opinion, substantial arbitrary and capricious and departures from accepted academic norms in clinical psychology doctoral programs.

Sincerely,

A handwritten signature in black ink, appearing to read "Gerald P. Koocher", with a long horizontal flourish extending to the right.

Gerald P. Koocher, Ph.D., ABPP

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\*  
Massachusetts Psychology License No. 113  
New Hampshire Psychology License No. 319  
Illinois Clinical Psychology License No. 071-008636  
Association of State and Provincial Psychology Boards,

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Certificate of Professional Qualification in Psychology #4044  
American Boards of Professional Psychology diploma awarded by examination in Clinical, Child and  
Adolescent, Family, Forensic, and Health Psychology

Curriculum Vitae of  
Gerald P. Koocher

## CURRICULUM VITAE

**Name:** Gerald Paul Koocher

**Addresses:** 285 Beverly Road, Chestnut Hill, MA 02467-3158  
1212 North LaSalle Drive, Unit 2301, Chicago, IL 60610  
[koocher@gmail.com](mailto:koocher@gmail.com)

**Web site:** [www.ethicsresearch.com](http://www.ethicsresearch.com)

**Date Prepared:** December 15, 2015

**Place of Birth:** Cambridge, Massachusetts

### Education:

1968	B.A.	Boston University, Boston (Psychology)
1970	M.A.	University of Missouri, Columbia (Psychology)
1972	Ph.D.	University of Missouri, Columbia (Clinical and Developmental Psychology)
2011		Harvard University Graduate School of Education, Cambridge Institute for Management and Leadership in Education

### Pre-doctoral Training:

#### Internships:

1968-1970	Psychology Intern, Maximum Security Unit, State Hospital No. 1, Fulton, MO
1970-1971	Clinical Psychology Intern, University Testing and Counseling Service, University of Missouri, Columbia, MO
1971-1972	Pre-doctoral Intern in Clinical Psychology, the Children's Hospital, Boston

### Postdoctoral Training:

1972-1973	Postdoctoral Fellow in Clinical Psychology, the Children's Hospital and Judge Baker Children's Center, Boston
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### Licenses and Certification:

1973	Massachusetts Board of Registration in Psychology, Certification No. 113 Health Service Provider designation [1991]
1976	American Board of Professional Psychology, Diploma in Clinical Psychology, Diploma No. 2931
1978	Board of Examiners in Psychology, District of Columbia, Psychologist License No. 922 (inactive)
1981	American Board of Forensic Psychology, Diploma No. 56
1984	New Hampshire Board of Examiners of Psychologists, Certification No. 319
1986	American Board of Professional Psychology, Diploma in Forensic Psychology, Diploma No. 3856
1989	Qualified Forensic Psychologist, Massachusetts Department of Mental Health
1992	Massachusetts Marriage and Family Therapist, License No. 486 (inactive)
1993	American Board of Professional Psychology, Diploma in Health Psychology, Diploma No. 4415
2000	American Board of Professional Psychology, Diploma in Family Psychology, Diploma No. 5379
2003	American Board of Professional Psychology, Diploma in Clinical Child and Adolescent Psychology, Diploma No. 5715
2006	Association of State and Provincial Psychology Boards, Certificate of Professional Qualification in Psychology No. 4044 (includes Inter-jurisdictional Practice Certificate).
2013	Illinois, Division of Professional Regulation, Clinical Psychologist, License No. 071.008636

Curriculum Vitae of  
Gerald P. Koocher

### Academic Appointments:

1970-1971	Head Teaching Assistant and Coordinator for General Psychology, University of Missouri, Columbia, MO
1972-1977	Lecturer on Psychology, Northeastern University, Boston
1973-1975	Instructor in Psychology, Department of Psychiatry, Harvard Medical School
1975- 2000	Lecturer on Psychology, Boston University, Boston
1975-1986	Lecturer on Physical Therapy, Simmons College, Boston
1979-1983	Assistant Professor of Psychology, Department of Psychiatry, Harvard Medical School, Boston
1984-1986	Lecturer on Psychology, Harvard Graduate School of Education, Cambridge
1984-2004	Associate Professor of Psychology, Department of Psychiatry, Harvard Medical School, Boston
1988-2007	Lecturer on Psychology, Counseling Psychology Program, Boston College
1994-1999	Executive Director, Linda Pollin Institute at Harvard Medical School, Boston
2001- 2010	Dean, School of Health Sciences, Simmons College, Boston, with tenure as Professor of Psychology
2010-2013	Associate Provost, Simmons College, Boston, with tenure as Professor of Psychology
2004-	<b>Lecturer on Psychology</b> , Department of Psychiatry, Harvard Medical School
2013-	<b>Dean Emeritus</b> , Simmons College, Boston
2013-	<b>Dean</b> , College of Science and Health, DePaul University, Chicago; with tenure as Professor of Psychology

### Hospital Appointments:

1973-1975	Staff Psychologist, Developmental Evaluation Clinic, Children's Hospital, Boston
1975-1980	Associate in Psychology and Senior Psychologist, Division of Pediatric Oncology, Dana-Farber Cancer Institute, Boston
1980-1988	Director of Training in Psychology, Senior Associate in Psychology, and Acting Chief Psychologist (through January, 1982), Children's Hospital
1983-1988	Director of Training in Psychology, Judge Baker Children's Center
1988-2001	Chief Psychologist, Children's Hospital and Judge Baker Children's Center
1992- 2000	Research Associate, Brigham & Women's Hospital, Boston
1981-	<b>Senior Associate in Psychology, Children's Hospital, Boston</b>

### Other Professional Positions:

1973-1981	Consulting Psychologist, Gender Identity Service, Boston
1972-1986	Consulting Psychologist, Human Resource Institute, Brookline, MA
1984	Distinguished Visiting Professor, Department of Pediatrics, University of Maryland School of Medicine (January, 1984)
1985	Distinguished Visiting Professor, Wilford Hall United States Air Force Medical Center (April, 1985)
1987-	Consulting Medical Expert, Social Security Administration (disability determination)
2000	Presidential Visiting Scholar, Jacksonville University, Jacksonville, FL
2005-2013	Distinguished Visiting Professor, Madigan and Tripler Army Medical Centers

Curriculum Vitae of  
Gerald P. Koocher

### Awards and Honors:

1969-1970	United States Public Health Service Fellow, University of Missouri
1971	Psi Chi (Honorary in Psychology)
1977	Elected a Fellow of the American Psychological Association (12 Divisions)
1981	Jack D. Krasner Memorial Award, Division of Psychotherapy, American Psychological Association
1983	Distinguished Professional Contribution Award, Section on Clinical Child Psychology, American Psychological Association
1986	Distinguished Career Contribution Award, Massachusetts Psychological Association
1986	Michael Dinoff Memorial Lecturer, University of Alabama, Tuscaloosa, AL
1987	Elected to the Collegium of Distinguished Alumni, College of Liberal Arts, Boston University
1987	Distinguished Professional Contribution Award, Society of Pediatric Psychology
1987	Matthew Ryan Young Memorial Lecturer, University of Massachusetts Medical School, Worcester, MA
1988	Nicholas Hobbs Award for Distinguished Contributions to Children's Services, American Psychological Association, Division of Child, Youth and Family Services
1989	Elected a Fellow of the American association for the Advancement of Science
1988-1989	Linda Pollin Memorial Lecturer, Linda Pollin Foundation, Bethesda, MA
1992	American Psychological Association Award for Distinguished Professional Contributions to Public Service
1993	Elected to the National Academies of Practice; Distinguished Practitioner in Psychology
1993	Karl F. Heiser Presidential Award, American Psychological Association
1996	Distinguished Alumnus Award, University of Missouri, College of Arts and Sciences
1996	Robert Chin Memorial Award of the Society for the Psychological Study of Social Issues
2003	Florence Halpern Award for Distinguished Professional Contributions, Society of Clinical Psychology, American Psychological Association
2005	Distinguished Psychologist Award, Division of Psychotherapy, American Psychological Association
2005	Distinguished Career Contribution Award, Connecticut Psychological Association.
2010-	National Institutes of Health, College of CSR Reviewers
2010	2010 Annual Innovation Award for Excellence in Human Research Protection, Health Improvement Institute
2011	Walter C. Randall Lecturer on Biomedical Ethics, American Physiological Society
2012	Asuncion Miteria Austria and John Robinson Distinguished Mentoring Award, Society for the Psychological Study of Ethnic Minority Issues (APA Division 45)

### Major Committee Assignments:

1977- 2006	Trustee, Massachusetts School of Professional Psychology (Vice Chair, 1980-2004)
1979-1980	Advisory Committees to the Massachusetts Senate's Special Committee to Investigate Seclusion, Restraint, and Deaths in State Supported Facilities
1980-1981	Blue Ribbon Commission on the Future of Public Inpatient Mental Health Services in the Commonwealth of Massachusetts (Executive Committee)
1980-1985	Professional Advisory Committee on Children's Services, Massachusetts Department of Mental Health
1983-1986	National Institute of Mental Health, Training Grant Review Committee in Child Mental Health
1983-1984	National Academy of Sciences, Institute of Medicine, Committee on the Health Consequences of the Stress of Bereavement



Curriculum Vitae of  
Gerald P. Koocher

1986	National Heart Lung and Blood Institute, Special Review Committee for Education and Demonstration Grant Applications
1986-1990	William T. Grant Foundation, Consortium on Adolescent Bereavement
1986-1991	Massachusetts Board of Registration in Psychology
1988-1999	Advisory Board, Linda Pollin Foundation
1988-1995	American Cancer Society, National Task Force on Childhood Cancer
1990	National Institute of Mental Health, AIDS Training Grant Ad Hoc Review Committee
1994-1995	Chair, SAMHSA, AIDS Program Grant Review Committee
1995-1998	Member, National Advisory Board on Ethics and Reproduction
1997-2002	Advisory Committee, Schubert Center for Child Development, Case Western Reserve University, Cleveland, OH
2003-	Member, National Institutes of Health, National Institute of Mental Health, Data Safety Monitoring Board in Autism Research
2005-2008	Board of Directors and Executive Committee Member, National Foundation for Mental Health
2008-	Scientific Advisory Committee, Organization for Autism Research
2010-	National Institutes of Health College of CSR Reviewers

**Memberships, Offices, and Committee Assignments in Professional Societies:**

1972-	American Psychological Association [ <b>Fellow</b> of 7 Divisions: Clinical Psychology; Psychotherapy; Child Youth and Family Services; Psychology and Law; Independent Practice, Clinical Child Psychology, and Pediatric Psychology]
1972-1982	Society for Clinical and Experimental Hypnosis
1972-	Massachusetts Psychological Association [ <b>Fellow</b> ]
1974-1997	American Orthopsychiatric Association [ <b>Fellow</b> ]
1975-1997	Society for Research in Child Development
1976-	American Association for the Advancement of Science [ <b>Fellow</b> ]
1976-1978	American Psychological Association, Ethics Committee ( <b>Vice Chair</b> )
1977-1978	<b>Secretary</b> , Massachusetts Psychological Association
1978-1979	<b>Chair</b> , Section on Clinical Child Psychology, American Psychological Association
1979-1981	<b>President</b> , Massachusetts Psychological Association
1979-1981	<b>Treasurer</b> , American Psychological Association, Division of Child, Youth, and Family Services
1981-1982	<b>President</b> , New England Psychological Association
1982-1988	<b>Trustee</b> , Association for the Advancement of Psychology ( <b>Chair of Board</b> , 1986-1988)
1983	<b>President</b> , Division of Child, Youth, and Family Services, American Psychological Association
1983-1986	<b>Council Representative</b> from Massachusetts to the Council of Representatives, American Psychological Association
1983	Member, Standing Ethics Hearing Panel, American Psychological Association
1983-1984	Ethics Committee, Massachusetts Psychological Association
1987-1989	<b>Board of Directors</b> , Division of Psychotherapy, American Psychological Association
1987-1990	American Psychological Association, Committee on Children, Youth and Families ( <b>Chair</b> , 1988 and 1989)
1989-1993	<b>Board of Directors</b> , Division of Clinical Psychology, American Psychological Association
1990-1995	<b>Council Representative</b> from Massachusetts to the Council of Representatives, American Psychological Association
1991	<b>President</b> , Society of Pediatric Psychology
1991-1993	<b>Treasurer</b> , Division of Clinical Psychology, American Psychological Association
1991-1993	Member, Finance Committee, American Psychological Association (Co-Chair, 1993)



Curriculum Vitae of  
Gerald P. Koocher

1991-1994	<b>Board of Directors</b> , American Orthopsychiatric Association
1991-1993	<b>Chair</b> , Working Group on Anatomically Detailed Dolls, American Psychological Association
1993	<b>President</b> , Division of Psychotherapy, American Psychological Association
1992-1994	Member, Committee on Standards in Research, American Psychological Association
1995	<b>President</b> , Division of Clinical Psychology, American Psychological Association
1995-2004	<b>Treasurer and Board of Directors</b> , American Psychological Association
1995-2004	<b>Trustee (ex officio)</b> , American Psychological Association Insurance Trust
2005-2007	<b>Treasurer</b> , International Society of Clinical Psychology
2005-2006	<b>President-elect</b> , American Psychological Association
2006	<b>President</b> , American Psychological Association
2007	<b>Past-President</b> , American Psychological Association
2008-2009	<b>Trustee</b> , American Psychological Association Insurance Trust
2008-2015	<b>Trustee</b> , American Psychological Foundation ( <b>Treasurer, 2009-2015</b> )
2011	<b>President</b> , Society of Pediatric Psychology
2010-2012	<b>Council Representative</b> from Massachusetts to the Council of Representatives, American Psychological Association
2011-2013	<b>Member</b> , American Board of Couple and Family Psychology
2012-2016	<b>Treasurer</b> , American Psychological Association Division of Independent Practice
2014-	<b>Chair, Board of Trustees</b> , Trust Insurance

**Editorial Boards:**

1976-1988	Consulting Editor, <i>Professional Psychology: Research and Practice</i>
1994-2000	
1977-	Consulting Editor, <i>Journal of Pediatric Psychology</i>
1977-1994	Consulting Editor, <i>Journal of Clinical Child Psychology</i>
1982-	Consulting Editor, <i>Journal of Psychosocial Oncology</i>
1982-1987	Editor, <i>Journal of Pediatric Psychology</i>
1985-1989	Consulting Editor, <i>American Journal of Orthopsychiatry</i>
2001-	
1985-1999	Consulting Editor, Children and the Law series, University of Nebraska Press
1988-1995	Consulting Editor, <i>Journal of Consulting and Clinical Psychology</i>
1988-1990	Editor, <i>The Clinical Psychologist</i>
1989-1990	Editor, <i>Clinical Psychology Bulletin</i>
1990-2016	Editor, <i>Ethics &amp; Behavior</i>
1992-	Consulting Editor, Oxford University Press Series on Clinical Psychology
1994-	Consulting Editor, <i>Clinical Psychology: Science and Practice</i>
1996-2000	Associate Editor, <i>Encyclopedia of Psychology</i> , APA and Oxford University Press
1998-	Consulting Editor, <i>Journal of Aggression, Maltreatment, and Trauma</i>
2000-	Consulting Editor, <i>Journal of Trauma Practice</i>
2004-2006	Consulting Editor, <i>Canadian Psychologist</i>

Curriculum Vitae of  
Gerald P. Koocher

**Major Research Interests:**

1. Adaptation to chronic medical illness, including non-adherence to prescribed medical treatment; psychosocial correlates of cancer, cardiac illness, cystic fibrosis, diabetes, and juvenile rheumatic arthritis.
2. Development of children's conceptions of death and illness, and family-oriented bereavement interventions.
3. Ethical and public policy issues in delivery of mental health services, including malpractice in the mental health professions, ethical misconduct in research, scientific and academic integrity, quackery in mental health, and functioning of Institutional Review Boards (IRBs).
4. Psychological aspects of children and the law including development of competence to consent, substituted judgment, child custody, and children as victim/witnesses.

Curriculum Vitae of  
Gerald P. Koocher

**Teaching Experience:**

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|------------|--|
| 1970-1971  | Administered a university course in General Psychology for 1200 students including supervision of 15 teaching assistants at the University of Missouri, Columbia, MO |
| 1972-1977  | Taught courses on General Psychology, Theories of Personality, Child Development, Abnormal Psychology, and Small Group Dynamics at Northeastern University, Boston   |
| 1975-2001  | Organized and taught a seminar on Child Development and Public Policy 1988-1991 at Boston University (Psychology 542)  |
| 1975-1986  | Organized and taught course on Psychological Aspects of Physical Illness and Disability, Simmons College, Boston (Physical Therapy 233)                              |
| 1976-1992  | Organized and teach an elective course on Psychological Aspects of Treating the Patient with Terminal Illness at Harvard Medical School (Psychiatry 722M.7)          |
| 1981-1992  | Directed elective course on Psychological Examination Techniques in Pediatrics and Child Psychiatry at Harvard Medical School (Psychiatry 702.7c)                    |
| 1984-1986  | Organized and taught course on Childhood and Family Services and Public Policy, Harvard University Graduate School of Education (C-338)                              |
| 1988- 2005 | Organized and taught seminar on Professional Issues in Counseling Psychology, Boston College, and Graduate School of Education (PY 840)                              |
| 1999       | Organized and taught graduate course in Developmental Psychopathology at Boston University (Psychology 549)  |
| 2001-2007  | Organized and taught a seminar on Child Development and Public Policy, Simmons College (Psychology 339)  |
| 2001-      | Organized and taught module on medical and professional ethics, Simmons College (School for Health Studies 450D)   |
| 2008-2013  | Organized and taught seminar on Psychology and Law, Simmons College (Psychology 339)   |
| 2014-      | Organized and taught seminar on Ethics and Professional Issues in Psychology, DePaul University (Psychology 500).  |

Curriculum Vitae of  
Gerald P. Koocher

### ORIGINAL JOURNAL ARTICLES

1. Koocher, G.P. (1971). Swimming, competence, and personality change. *Journal of Personality and Social Psychology*, 18, 275-278. **Reprinted in:** Reich, J.W. (Ed.) (1982). *Experimenting in society: Issues and examples in applied social psychology*. San Francisco: Scott, Foresman and Company.
2. Koocher, G.P. & Simmonds, D. W. (1972). The animal and opposite drawing technique: Implications for personality assessment. *International Journal of Symbolology*, 2, 9-12.
3. Berger, M.S. & Koocher, G.P. (1972). Locus of control in narcotic addicts: State or trait phenomenon? *Journal of Clinical Psychology*, 28, 468-469.
4. Simmonds, D. W. & Koocher, G.P. (1973). Perceptual rigidity in paranoid schizophrenia: Use of projective animal drawings. *Perceptual and Motor Skills*, 37, 247-250.
5. Koocher, G.P. (1973). Childhood, death and cognitive development. *Developmental Psychology*, 9, 369-374.
6. Koocher, G.P. (1973). American sex-psychopath laws: Injustice in practice. *International Journal of Comparative Criminology*, 17, 247-250. **Reprinted in:** Allen, R. C., Ferster, E. Z., & Rubin, J. G. (Eds.) (1975). *Readings in law and psychiatry*. Baltimore: Johns Hopkins University Press, 772-774.
7. Koocher, G.P. (1974). Talking with children about death. *American Journal of Orthopsychiatry*, 44, 404-411. **Reprinted in:** Rogers, D. (1977). *Child Psychology*, 2nd Edition. Monterey: Brooks-Cole. **Reprinted in:** Bugen, L.A. (1978). *Death and dying: Theory, research, and practice*. Dubuque, Iowa: W.C. Brown. **Reprinted in:** Wilcox, S.G. (1984). *Understanding death and dying*, 3rd Edition. Mayfield Publishing Company.
8. Koocher, G.P. (1974). Emerging selfhood and cognitive development. *Journal of Genetic Psychology*, 125, 79-88.
9. Koocher, G.P. (1975). Conversations with children about death: Ethical considerations in research. *Journal of Clinical Child Psychology*, 3, 18-21.
10. Koocher, G.P. (1976). Civil liberties and aversive conditioning for children. *American Psychologist*, 31, 94-95.
11. Koocher, G.P., O'Malley, J.E., Gogan, J. L., & Foster, D.J. (1976). Death anxiety in normal children and adolescents. *Psychiatra Clinica*, 9, 220-229.
12. Gogan, J. L., Koocher, G.P., Foster, D.J., & O'Malley, J. E. (1977). Siblings of childhood cancer survivors: A retrospective study. *Health and Social Work*, 2, 42-57.
13. Koocher, G.P. (1977). Bathroom behavior and human dignity. *Journal of Personality and Social Psychology*, 35, 120-121. **Reprinted in:** Spiesman, J. C. & White, K. M. (1979). *Systematic approaches to personality*. Monterey: Brooks-Cole. **Reprinted in:** Haimson, B. & Elfenbein, M. (1985). *Experimental methods in psychology*. New York: McGraw-Hill.
14. Koocher, G.P. (1977). Advertising for psychologists: Pride and prejudice or sense and sensibility. *Professional Psychology*, 8, 149-160.
15. Koocher G.P. & Pedulla, B.M. (1977). Current practices in child psychotherapy. *Professional Psychology*, 8, 257-287.

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16. O'Malley, J. E. & Koocher G.P. (1977). Psychological consultations to a pediatric oncology ward: Obstacles to effective intervention. *Journal of Pediatric Psychology*, 2, 54-57. **Reprinted in:** Roberts, M.C., Koocher, G.P., Routh, D.K., & Willis, D.J. (Eds.) (1993). *Readings in Pediatric Psychology*. New York: Plenum, (pp. 41-54).
17. Koocher, G.P. & Broskowski, A. (1977). Issues in the evaluation of psychiatric services for children. *Professional Psychology*, 8, 583-592.
18. Fleming, M.Z., Koocher, G.P., & Nathans, J. (1979). Draw-a-Person Test: Implications for gender identification. *Archives of Sexual Behavior*, 8, 55-61.
19. Gogan, J. L., Koocher, G.P., Fine, W.E., Foster, D.J., & O'Malley, J.E. (1979). Pediatric cancer survival and marriage: Issues affecting adult adjustment. *American Journal of Orthopsychiatry*, 49, 423-430.
20. Koocher, G.P., Sourkes, B.M., & Keane, M. W. (1979). Pediatric oncology consultations: A generalizable model for medical settings. *Professional Psychology*, 10, 467-474.
21. Koocher G.P. (1979). Credentialing in psychology: close encounters with competence. *American Psychologist*, 34, 696-702.
22. Koocher G.P. (1979). Adjustment and coping strategies among the caretakers of cancer patients. *Social Work in Health Care*, 5, 145-150.
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48. Finlayson, L. & Koocher, G.P. (1991). Professional Judgment and Reporting in Child Sexual Abuse Cases. *Professional Psychology: Research and Practice*, 22, 464-472.

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56. Koocher, G.P. & Pollin, I. (1995). Medical Crisis Counseling: A New Service Delivery Model. *Journal of Clinical Psychology in Medical Settings*, 1, 291-299.
57. Koocher, G.P. (1995). Confidentiality in Psychological Practice. *Australian Psychologist*, 30, 158-163.
58. Koocher, G.P., Goodman, G.S., White, S., Friedrich, W. N., Sivan, A.B., & Reynolds, C.R. (1995). Psychological Science and the Use of Anatomically Detailed Dolls in Child Sexual Abuse Assessments. *Psychological Bulletin*, 118, 199-222. **Reprinted in:** Hertzog, M.E. & Farber, E. A. (1996). *Annual Progress in Child Psychiatry and Child Development*. New York: Bruner/Mazel. **Award:** Received the 1996 Robert Chin Memorial Award from the Society for the Psychological Study of Social Issues, Division 9 of the American Psychological Association.
59. Koocher, G.P., (1995). Managed care: Hidden benefits or delusional thinking? *Professional Psychology: Research and Practice*, 26, 630-631.
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61. Shapiro, D. E. & Koocher, G. P. (1996). Goals and Time Considerations in Outpatient Medical Crises Intervention. *Professional Psychology: Research and Practice*, 27, 109-120.
62. Meyer, E.C., DeMaso, D. R., & Koocher, G. P. (1996). Mental Health Consultation in the Pediatric Intensive Care Unit. *Professional Psychology: Research and Practice*, 27, 130-136.
63. Bronfman, E. T., Campis, L. B., & Koocher, G. P. (1998). Helping Children to Cope with Traumatic Injury. *Professional Psychology: Research and Practice*, 29, 574-581.



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Gerald P. Koocher

64. Williams, J. & Koocher, G. P. (1998). Addressing loss of control in chronic illness: Theory and Practice. *Psychotherapy*, 35, 325-335.
65. Williams, J. & Koocher, G. P. (1999). Medical Crisis Counseling on a Pediatric Intensive Care Unit: Case Examples and Clinical Utility. *Journal of Clinical Psychology in Medical Settings*, 6, 249-258.
66. Koocher, G. P. (1999). Afterthoughts on Child Custody Evaluations. *Clinical Psychology: Science and Practice*, 6, 332-334.
67. Koocher, G. P. & Morray, E. (2000). Regulation of Tele-Psychology: A Survey of State Attorneys General. *Professional Psychology: Research and Practice*, 31, 503-508.
68. Koocher, G. P., Curtiss, E. K., Pollin, I. S. & Patton, K. (2001). Medical Crisis Counseling in a Health Maintenance Organization. *Professional Psychology: Research and Practice*, 32, 52-58.
69. Horowitz, L. M., Wang, P. S., Koocher, G. P., Burr, B. H., Smith, M. F., Klavon, S., & Cleary, P. D. (2001). Detecting Suicide Risk in a Pediatric Emergency Department: Development of a Brief Screening Tool. *Pediatrics*, 107, 1133-1137.
70. Koocher, G. P. (2002). Using the CABLES Model to Assess and Minimize Risk in Research: Control Group Hazards. *Ethics & Behavior*, 12, 75-86.
71. Koocher, G. P. (2002). Mentor Revealed: Masculinization of an Early Feminist Construct. *Professional Psychology: Research and Practice*, 33, 509-510.
72. Koocher, G. P. (2003). Ethical and Legal Issues in Professional Practice Transitions. *Professional Psychology: Research and Practice*, 34, 4, 383-387.
73. Koocher, G. P. (2003). Ethical Issues in Psychotherapy with Adolescents. *Journal of Clinical Psychology*, 59, 1247-1256.
74. Koocher, G. P. (2004). First, AIDE for Pediatric Psychology. *Journal of Pediatric Psychology*, 29, 53-54.
75. Koocher, G. P. (2004). Ethics and the Advertising of Professional Services: Blame Canada. *Canadian Psychology*, 45, 137-138.
76. Koocher, G. P. (2005). Caring Moments: Diaries of a Pediatric Psychologist. *New York State Psychologist*, 18, (May/June), 17-20.
77. Koocher, G. P. (2005). Following the Money: Economic Inhibitors of Change Affecting Graduate Education in Clinical Psychology. *Journal of Clinical Psychology*, 61, 1171-1174.
78. Keith-Spiegel, P. & Koocher, G.P. (2005). The IRB Paradox: Could the Protectors Also Encourage Deceit? *Ethics & Behavior*, 15, 339-350.
79. Keith-Spiegel, P., Koocher, G. P., Tabachnick, B. (2006). What Scientists Want from Their Research Ethics Committees. *Journal of Empirical Research on Human Research Ethics*, 1, 67-82.
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Gerald P. Koocher

81. Barnett, J. E., Behnke, S. H., Rosenthal, S. L., & Koocher, A. (2007). In Case of Ethical Dilemma Break Glass: Commentary on Ethical Decision Making in Practice. *Professional Psychology: Research and Practice*, 38, 7-12.
82. Behnke, S. H. & Koocher, G. P. (2007). Commentary on "Psychologists and the Use of Torture in Interrogations." *Analyses of Social Issues and Public Policy*, 7, 1-6.
83. Koocher, G. P. (2007). 21<sup>st</sup> Century Ethical Challenges for Psychology. *American Psychologist*, 62 (5), 375-384.
84. Koocher, G. P. (2008). Ethical Challenges in Mental Health Services to Children and Families. *Journal of Clinical Psychology*, 64, 601-612.
85. Condie, L. O. & Koocher G. P. (2008) Clinical Management of Children's Incomplete Comprehension of Confidentiality Limits. *Journal of Child Custody*, 5 (3-4), 161-191.
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### OTHER PUBLICATIONS

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2. Koocher, G. P. (1980). Book Review. Childhood Cancer: Family Problems. *PsycCritiques*, 25, 698-699. doi: [10.1037/019519](https://doi.org/10.1037/019519).
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Curriculum Vitae of  
Gerald P. Koocher

### BOOKS

1. Koocher, G. P. (Ed.) (1976). *Children's Rights and the Mental Health Professions*. New York: Wiley-Interscience.
2. Koocher, G. P. & O'Malley, J. E. (1981). *The Damocles Syndrome: Psychosocial Consequences of Surviving Childhood Cancer*. New York: McGraw-Hill.
3. Melton, G.B., Koocher, G. P., & Saks, M. J. (Eds.) (1983). *Children's Competence to Consent*. New York: Plenum.
4. Keith-Spiegel, P.C. & Koocher, G. P. (1985). *Ethics in Psychology: Professional Standards and Cases*. New York: Random House. (Currently published by McGraw-Hill)
5. Koocher, G. P. & Keith-Spiegel, P. C. (1990). *Children, Ethics, and the Law: Professional Issues and Cases*. Lincoln, Nebraska: University of Nebraska Press.
6. Roberts, M.C., Koocher, G. P., Routh, D. K., & Willis, D. J. (Eds.) (1993). *Readings in Pediatric Psychology*. New York: Plenum.
7. Koocher, G. P. & Keith-Spiegel, P. C. (1998). *Ethics in Psychology: Professional Standards and Cases (second edition)*. New York: Oxford University Press.
8. Koocher, G. P., Norcross, J. C., & Hill, S. S. (Eds.). (1998). *PsyDR: Psychologists' Desk Reference*, New York: Oxford University Press.
9. Koocher, G. P., Norcross, J. C., & Hill, S. S. (2005). *PsyDR<sup>2</sup>: Psychologists' Desk Reference (second edition)*, New York: Oxford University Press.
10. Sparta, S. N. & Koocher, G. P. (Eds.) (2006). *Forensic Mental Health Assessment of Children and Adolescents*. New York: Oxford University Press.
11. Koocher, G. P. & Keith-Spiegel, P. C. (2008). *Ethics in Psychology and the Mental Health Professions: Standards and Cases (third edition)*. New York: Oxford University Press.
12. Norcross, J. C., Hogan, T., & Koocher, G. P. (2008). *Clinician's guide to evidence-based practices: Mental health and the addictions*. New York: Oxford University Press.
13. Koocher, G. P. & La Greca, A. M. (Eds.) (2011) *Emotional First Aid for Parents: Helping children and adolescents cope with predictable life crises*. New York: Oxford University Press.
14. W. B. Johnson & Koocher, G. P. (Eds.) (2011). *Ethical Conundrums, Quandaries and Predicaments in Mental Health Practice: A Casebook from the Files of Experts*. New York: Oxford University Press.
15. Koocher, G. P., Norcross, J. C., & Greene, B. (Eds.). (2013). *PsyDR<sup>3</sup>: Psychologists' Desk Reference (third edition)*, New York: Oxford University Press.
16. Koocher, G. P. & Keith-Spiegel, P. C. (2016). *Ethics in Psychology and the Mental Health Professions: Standards and Cases (fourth edition)*. New York: Oxford University Press.
17. Koocher, G. P. & Norcross, J. C. (In preparation for publication in 2017). *Modern Psychoquackery: Unproven and Ineffective Mental Health Practice*.

Curriculum Vitae of  
Gerald P. Koocher

### GRANT SUPPORT

Koocher G. P. (Principal Investigator)

Title: Critical Incidents in the Care of Cystic Fibrosis Patients  
Source: Deborah Munroe Noonan Fund, Bank of New England, Trustee  
Amount: \$43,710  
Term: September 1, 1985 - August 31, 1986

Koocher G. P. (Principal Investigator)

Title: Enhancing Medical Compliance with Cystic Fibrosis Patients  
Source: National Heart, Lung, and Blood Institute  
Amount: \$98,926  
Term: September 1, 1986 - August 31, 1989

Koocher, G. P. (Principal Investigator)

Title: A Child Has Died: Preventive Mutual Support for Families  
Source: National Institute of Mental Health  
Amount: \$682,902  
Term: April, 1988 - March, 1992

Koocher, G. P. (Project Director)

Title: Training in Clinical Child and Pediatric Psychology  
Source: National Institute of Mental Health  
Amount: \$50,000 (Year I), \$49,418 (Year II), \$49,418 (Year III)  
Term: August 1, 1986 - June 30, 1989

Koocher, G. P. (Executive Director)

Title: Linda Pollin Institute at Harvard Medical School  
(Post-Graduate Inter-disciplinary Training in Medical Crisis Counseling)  
Source: Linda Pollin Foundation  
Amount: \$1,480,000  
Term: September 1, 1993 - August 31, 1999

Koocher, G. P. (Project Director)

Title: Conference Grant: Medical Crisis Counseling  
Source: The Commonwealth Fund  
Amount: \$25,000  
Term: 1996-1997

Curriculum Vitae of  
Gerald P. Koocher

Koocher, G. P. (Principal Investigator and Keith-Spiegel, P. C., Co-Investigator)

Title:	Perceived Organizational Justice and Scientific Dishonesty
Source:	National Institute of Neurological Disorders and Stroke
Amount:	\$316,000
Term:	2001-2003

Koocher, G. P. (Principal Investigator)

Title:	CarePoints Project
Source:	Hayden and Cameron Lord Foundation
Amount:	\$150,000
Term:	2003-2006

Koocher, G. P. (Principal Investigator)

Title:	CarePoints Project
Source:	Joseph P. Kennedy, Jr. Foundation
Amount:	\$50,000
Term:	2003-2004

Koocher, G. P. (Principal Investigator and Keith-Spiegel, P. C., Co-Investigator)

Title:	Collegial Defense Against Irresponsible Science
Source:	National Institute of Neurological Disorders and Stroke and Office of Research Integrity
Amount:	\$450,000
Term:	2005-2008

Curriculum Vitae of  
Gerald P. Koocher

### **ADDITIONAL COMMUNITY SERVICE AND EDUCATION**

1981-2011	Board of Directors, Brookline Center: Community Mental Health Center, Brookline, Massachusetts (Vice President, 1983-1989, and 2007; President, 1989- 2006)
1982-1993 1994-2013	Town Meeting Member, Brookline, Massachusetts (by municipal election)
1986-1987, and 2010-2013	Advisory Committee, Town of Brookline, Massachusetts (statutory municipal finance committee)

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### **Formal Non-degree Post-Graduate Study (1984 to 1987)**

Microeconomics in Public Health (HPM 205); Harvard School of Public Health [Instructor: David Hemenway]

Decision Analysis (M-111); John F. Kennedy School of Government [Instructor: Howard Bloom]

The Public Manager's Trade (M-677m); John F. Kennedy School of Government [Instructor: Hale Champion]

Financial Management, Budgeting, and Control (M-702); John F. Kennedy School of Government [Instructors: Herman Leonard and Mary O'Keeffe]

Intensive Winter Negotiation Workshop (HLS-3123); Harvard Law School [Instructors: Roger Fisher and Bruce Patton]

Leadership and the Mobilization of Group Resources (M-698); John F. Kennedy School of Government [Instructor: Ronald Heifetz]

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2011	Harvard University Graduate School of Education, Institute for Management and Leadership in Education
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**Gerald P. Koocher, Ph.D., ABPP has served as a disclosed expert witness or court appointed *Guardian ad litem* between 1992 - 2016 as follows:**

**Expert for the plaintiff (\* = testimony at trial)**

Amit Singh and Damanjeet Singh, as parents and natural guardians of their minor daughter, Sunaina Singh, individually vs. Hiatt Children's Center, Inc. a Florida corporation d/b/a Montessori School at PGA National, Palm Beach County, FL  
Anderson v. Argosy, 14<sup>th</sup> Judicial District, Dallas County, TX  
Arthur G. Newmyer individually and on behalf of his minor daughter L. N. v. Sidwell Friends School and James F. Huntington, Civil Action 3727-11, District of Columbia  
Beaulieu v. Tate Providence County, RI, F.C. No. P00-2966  
Doe v. Hartford Roman Catholic Diocese, et al.  
Flanagan (Roxane) v. Kellogg, et al., Martin County, FL 02-751CA  
Hobart v. Behavior Research Institute, Inc., Bristol County, MA  
Honninger v. American Airlines, et al., U.S. District Court, Miami, FL  
Jessica McVey and Linda McVey v. Eduardo M. Bustamante, Ph.D. Superior Court, Hampshire County, MA  
Joan Friedenbergl v. Margaret Winters, Debra Robinson, and Glenn Gilbert, Marion County, IL  
Lisa Graham v. David A. Creamer, Ed.D., LMHC, et al., Seminole County FL  
Petersen v. Warwick Mall, et al., Providence County, RI  
Robert McNamara v. Paula Charles, et al., Hillsborough County Superior Court (NH).  
\*Ruth Barnett v. Pamela Cantor, Ph.D. Norfolk County Superior Court, Massachusetts  
Paul Salera for himself and on behalf of Jake Salera and Taegan Salera v. Miriam Hospital, et.al., Providence County, RI  
Stanley Stein and Caroline Stein, individually and as parents of Corey Stein, an infant v. The 92<sup>nd</sup> Street YM-YWHA, et al. Supreme Court of the State of New York, County of New York, No. 122649/97  
\*State (of Vermont) v. Langmaid, Caledonia County (criminal court)  
\*Susan A. Stepakoff v. University of Maryland, et al, Cir. Prince Georges County, MD Cal. 92-17117  
Susan Lerner v. The District of Columbia, et al., C.A. No. 1:00-CV-01590  
Taylor (Deborah) and Charlee Battistelli v. Smith & Company, et al., Palm Beach County, FL  
Yu (Jun) v. Idaho State University, Case No. 4:15-CV00430-REB, United States District Court for the District of Idaho  
William and Sandra Delancey and Kyle Delancy, a Minor, by his parents, et al. v. Gateway School District, et al. United States District Court W.D., Pa. Civil Action No. 97-02058



**Expert for the defense**

\*Amanda B. v. Larsen et al., Kansas City, MO

\*Callaghan v. Marks, Bristol County, MA

Clark v. Hamel, Orange County Superior Court, Chelsea, VT

Commonwealth v. Caldwell, Berkshire County Superior Court, MA

Sarah J. Gamble, Ph.D., v. State of Connecticut DPH Petition No. 2005-1229-008-012

James J. Connolly, Ph.D., J.D. v. State of Connecticut DPH Petition No. 2005-0304-008-005

Frederick LaFleur v. Michael J. Murphy, Ed.D., et al., Middlesex County, MA

Jesse Montgomery v. Independent School District No. 709 (Duluth, MN), U.S. District Court, Minneapolis

Katheryn O'Neil v. J. Richard Lynch, MA, LCPC, Cumberland County, ME

Kristin McDuff v. Kathleen Tamborlane, Superior Court, New London, CT

\*Maine Board of Registration v. Andrew Bixler, Psy.D., Augusta, ME

Maine Board of Registration v. Charles M. D. Clemetson, M.D., Augusta, ME

Maine Board of Registration v. Mervyn Attfield, Ph.D., Augusta, ME

Maine Board of Registration v. Robert Gallon, Ph.D., Augusta, ME

Marilyn H. Reedy, LMHC v. Division of Professional Licensure, MA

McInroy v. Colorado Board of Psychologist Examiners, CO

\*New Hampshire Board of Examiners v Mary R. Bewig, LICSW, Concord, NH

New Hampshire Board of Examiners v. Steven Warshaw, Ph.D, Concord, NH

Sheila Cohen v. Melvin I. Fishman, Ph.D. Supreme Court of the State of New York, County of New York, No. 94-127860

Stephen L. Rotell v. Kathryn Kuehnle, Hillsborough County, FL

Terry Trahan, et. al. vs. Thomas M. Kozak, Ph.D., et al. Cause No. 95-056134; 281<sup>st</sup> District Court of Harris County, Texas

Estate of David C. Tinney v. Robert Alexander, Ed.D. et al., Barnstable, MA

Thomas Vaughan v. Marlborough Hospital, et al, Middlesex County, MA

Vitthuhn v. Rhoda Fisher, Ph.D., Supreme Court of the State of New York, Albany, NY

Vida Wilson v. Samuel D. Femiano, Th.D., Ed.D. Civil Action No. HSCV2005-00015-A, Hampshire County, MA

Zarate v. Fort Worth Osteopathic Hospital, et al., Ft. Worth, TX

**Guardian ad litem or consulting expert in custody dispute:**

Colby v. Rohan, Middlesex County, MA  
Freedman v. Freedman, Norfolk County, MA  
\*Hendren v. Hendren, Middlesex County, MA  
\*Hendren v. Lee, Middlesex County, MA  
\*Jolliffe v. Yazijian, Middlesex County, MA  
Kebede v. Bekele, Norfolk County, MA  
Lamas v. Lamsa, Middlesex County, MA  
\*Marti v. Camuzzi, Norfolk County, MA  
Martignetti v. Martignetti, Suffolk County, MA  
\*Massarsky v. Massarsky, Middlesex County, MA  
McIsaac v. McIsaac, Middlesex County, MA  
Merfield v. Merfield, Middlesex County, MA  
Michele Deangelis v. Nasser R. Al-Ghanim, Norfolk County, MA.  
\*Naggar v. Naggar, Norfolk County, MA  
Panfile v. Panfile, Middlesex County, MA  
Rauseo v. Rauseo, Suffolk County, MA  
Stafford v. Stafford, Bristol County, MA  
Zaccai v. Segnalla, Middlesex County, MA

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**Gerald P. Koocher, Ph.D., ABPP**  
**Clinical and Forensic Psychology**

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January 21, 2016

R. A. Coulter  
776 E. Riverside Drive, Suite 240  
Eagle, Idaho 83616

Re: Jun Yu v. Idaho State University  
Case No. 4:15-CV00430-REB  
United States District Court  
For the District of Idaho

**Fees Charged**

**Standard hourly rate for expert services:**

Office-based services - [REDACTED] per hour up  
Day rate for testimony out of Chicago – maximum of [REDACTED] (8+ hours)

**Services Performed:**

Review of documents  
12 hours as pro bono service = \$0.00

Telephone consultation with counsel  
1 hour as pro bono service = \$0.00

Report preparation  
6 hours @ \$500 = [REDACTED]

Exhibit “B”  
Shannon Chavez-Korrell, Ph.D.  
Expert Report March 23, 2016

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## Shannon Chavez-Korell, Ph.D.

707 W. Apple Tree Road, Glendale, WI 53217  
Telephone: (210)744-6825 Email: [chavezkorell@gmail.com](mailto:chavezkorell@gmail.com)

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March 23, 2016

R. A. Coulter  
776 E. Riverside Drive, Suite 240  
Eagle, Idaho 83616

Re: Jun Yu v. Idaho State University  
Case No. 4:15-CV00430-REB  
United States District Court  
For the District of Idaho

Dear Attorney Coulter:

At your request, I have prepared this report regarding my professional opinions in the matter of Jun Yu v. Idaho State University (ISU), Case No. 4:15-CV00430-REB.

I received my Ph.D. in Counseling Psychology from The Pennsylvania State University, University Park, Pennsylvania. I am currently an Associate Professor with tenure in the Department of Educational Psychology at the University of Wisconsin-Milwaukee (UWM). As a professor at UWM I teach both doctoral and masters level graduate courses in Professional Ethics, Multicultural Counseling, Advanced Multicultural Psychology, Clinical Supervision and Consultation, and Group Counseling. I am the program coordinator for our Graduate Certificate in Multicultural Knowledge and Mental Health Practices Program and have taught several graduate level courses associated with this certificate program: Multicultural Guidelines Overview and Ethics; Multicultural Practice Awareness and Knowledge of Others; Working with Latinas/os; Working with LGBT+ Populations; and Working with African Americans. I am the Training Director for our Master's Counseling Program, and I oversee the State professional licensing and national certification process for our master's students as the campus coordinator of the National Certified Counselor for Graduate Students Program. I also serve on the Scholastic Appeals Committee for the UWM Graduate School. Multicultural competence in psychology is an area of focus for me in my teaching, professional service, research and publications (e.g., multicultural considerations and competence in clinical supervision, affirmative psychotherapy, access and barriers to mental health services for socially marginalized populations, cultural adaptations to mental health interventions, etc.). My research focuses on racial and ethnic identity development, and extends to cultural adaptations of evidence based mental health interventions. At the Annual Convention of the American Psychological Association in August 2015, I was awarded *The Counseling Psychologist* Outstanding Contribution of the Year Award for my co-authored major contribution on Latina/o Ethnic

Identity for which I served as the lead author. In 2012, I served on the revision team for the American Psychological Association's Guidelines on Multicultural Education, Training, Research, Practice and Organizational Change for Psychologists (APA, 2002). In addition, I have been asked to conduct numerous trainings about multicultural competence in education and mental health, and asked to consult on related issues. In my departmental program area of Counseling Psychology, we have used a competency based model for over eight years to evaluate doctoral psychology and master's counseling students. As a professor, I have evaluated the multicultural competence (i.e., multicultural awareness, knowledge, and skills), and in some cases multicultural incompetence, of hundreds of master's and doctoral students in determining their readiness for practicum work, internship, and entry to practice.

My opinions in this case are based on my education, research, and experience. I note that the opinions cited in this report are my own, and do not reflect the positions of my employer or other organizations with which I am affiliated. I have attached a copy of my curriculum vitae.

## **I. Documents Reviewed**

I have reviewed the documents provided by you including the following case documents:

- Complaint filing with the U.S. District Court for Idaho in the matter of Jun Yu v. Idaho State University (ISU) et al., filed by plaintiff September 16, 2015.
- Complaint Management Order by U.S. Magistrate Ronald E. Bush of the U.S. District Court for Idaho in the matter of Jun Yu v. Idaho State University (ISU) et al., filed November 6, 2015.
- Accreditation complaint form filed with the Commission on Accreditation (CoA), 731 pages with exhibits included, dated December 16, 2013.
- Letter from Susan F. Zlotlow, Ph.D., Director, APA Commission on Accreditation (CoA) dated May 6, 2014.
- Letter from Lindsay Childress-Beatty of the APA Ethics Office dated August 14, 2015 confirming that ethics complaints against Drs. Shannon Lynch and Mark Roberts were under review.
- The Ohio State Board of Psychology complaint against Drs. Thomas Frazier II and Leslie Speer, filed by plaintiff.
- Practica Course Sequence Evaluator Ratings, Comments, and Clinical Training Committee Educational Action Plan (Semi-Annual Student Evaluation).
- Document titled: "The Assault on Jun Yu: Multicultural Incompetence in a Clinical Psychology Doctoral Program, Resulting in the Professional Destruction of an International Student," by Jocelyn Eikenburg and Michael D. Dwyer.

- All documents contained in the 659 page defendant's initial disclosures.
- Defendant's answers and response to the Plaintiff's first set of discovery requests dated February 5, 2016.
- All documents contained in pages 660-845, which was shared in the Defendant's answers and response to the Plaintiff's first set of discovery requests.
- Plaintiff's answers and response to the Defendant's first set of discovery requests dated March 16, 2016.
- All documents contained in the 1408 page plaintiff's initial disclosures.

I evaluated these materials in the context of the American Psychological Association's *Ethical Principles of Psychologists and Code of Conduct* (American Psychological Association, 2010); the American Psychological Association Commission on Accreditation's *Guidelines and Principles for Accreditation and Implementing Regulations of Programs in Professional Psychology* (American Psychological Association, 2012); the American Psychological Association's *Guidelines on Multicultural Education, Training, Research, Practice and Organizational Change for Psychologists* (American Psychological Association, 2002); The Competency Benchmarks: A Model for Understanding and Measuring Competence in Professional Psychology Across Training Levels (Fouad et al., 2009) and the Competency Assessment Toolkit for Professional Psychology (Kaslow et al., 2009).

## **II. Significant Issues Found in Reviewing Documents [My professional opinions are bracketed.]**

- Mr. Yu was a student in the clinical psychology Ph.D. program at Idaho State University (ISU) from Fall 2008 to Spring 2013. The Clinical Training Program conducted semi-annual student evaluations. The Fall 2008 semi-annual evaluation and transcript of Mr. Yu documents passing scores in all of his classes (i.e., A, A-, A); formal ratings of his General Professional Skills averaged 3.9 per item (4 = "Exceptionally Good" and 3 = "Fully Adequate"); and the committee evaluated Mr. Yu's academic and professional progress to be satisfactory. **[Opinion: Mr. Yu's overall academic and professional progress for Fall 2008 was satisfactory.]**
- The Spring 2009 semi-annual evaluation and transcript of Mr. Yu documents passing scores in all of his classes (i.e., A, B, B); formal rating for his graduate teaching assistantship was 4.0 for relevant items (4 = "Exceptionally Good"); and the Clinical Training Committee evaluated Mr. Yu's academic and professional progress to be satisfactory. **[Opinion: Mr. Yu's overall academic and professional progress for Spring 2009 was satisfactory.]**
- The Fall 2009 semi-annual evaluation and transcript of Mr. Yu documents passing scores in all of his classes (i.e., A-, A-, A-, A), and a generic summary of his practicum work is



provided. His faculty supervisor, Dr. Roberts, is noted as being pleased with his progress. Dr. Celluci noted that Mr. Yu “did a good job” with his first ADA evaluations. The Clinical Training Committee evaluated Mr. Yu’s academic and professional progress to be satisfactory. **[Opinion: Mr. Yu’s overall academic and professional progress for Spring 2009 was satisfactory.]**

- The Spring 2010 semi-annual evaluation and transcript of Mr. Yu documents passing scores in all of his classes (i.e., A, A, B, B, S), and a generic summary of his practicum work. It is noted that his faculty supervisor, Dr. Atkins, was concerned with his ability to form an alliance with English speaking clients. “I would be doing Jun a disservice if I did not give him feedback regarding the impact of his language skills on his clinical work...his conversational skills are still subpar for doctoral training experiences in both assessment and treatment.” Dr. Atkins’ formal ratings included the following item counts: 1= Below Expectations, 15= Meets Expectations, 18= Exceeds Expectations, and 5= Not Applicable. The one Below Expectations rating regarded ability to form a working alliance. Mr. Yu received a grade of B from Dr. Atkins. Mr. Yu was given positive feedback for his assistance in basic statistics class, and was recommended to teach the course in the future. The Clinical Training Committee evaluated Mr. Yu’s academic and professional progress to be satisfactory, despite concern with Dr. Atkins’ report that Mr. Yu’s English fluency might be adversely affecting alliance building with clients. The Clinical Training Committee “encourage Mr. Yu to immerse himself in English-speaking contexts whenever possible (i.e., course-work, clinic work, research and opportunities). **[Opinion: Mr. Yu’s overall academic and professional progress for Spring 2010 was satisfactory. The concern raised by Dr. Atkins’ regarding Mr. Yu’s ability to form working alliances with clients was not addressed by the Clinical Training Committee’s encouragement of Mr. Yu to immerse himself in English-speaking contexts. The Clinical Training Committee’s response to Dr. Atkins’ concerns and Mr. Yu’s training needs are insufficient for building client alliance, thus the recommendation by the Clinical Training Committee reflects cultural incompetence. There is no evidence suggesting the Clinical Training Committee monitored and applied knowledge of diversity in assessment, feedback, and remediation of Mr. Yu, nor did they engage in consultation regarding cultural issues (markers of cultural incompetence).]**
- The Fall 2010 semi-annual evaluation and transcript of Mr. Yu documents passing score in his one summer class (i.e., A), and Fall classes (i.e., B+, A, S). Dr. Atkins again served as his Faculty Supervisor during the summer of 2010 (Dr. Atkins’ summer evaluation was included in the Fall 2010 semi-annual evaluation). Dr. Atkins’ formal ratings included the following item counts: 0= Below Expectations, 23= Meets Expectations, 15= Exceeds Expectations, and 1= Not Applicable. Dr. Atkins notes that Jun’s effort was exceptional, and also notes, “fluent English is still a concern, especially when testing younger children.” Faculty Supervisor Dr. Celluci is noted as being pleased with Mr. Yu’s efforts and his progress. The Clinical Training Committee evaluated Mr. Yu’s academic and professional progress to be satisfactory. **[Opinion: Mr. Yu’s overall academic and professional progress for Fall 2010 was satisfactory. Again, the Clinical Training Committee does not respond to Dr. Atkins concerns or Mr. Yu’s**

**training needs with any recommendations or remediation reflecting the cultural incompetence of the Clinical Training Committee. There is no evidence suggesting the Clinical Training Committee monitored and applied knowledge of diversity in assessment, feedback, and remediation of Mr. Yu, nor did they engage in consultation regarding cultural issues (markers of cultural incompetence).]**

- The Spring 2011 semi-annual evaluation and transcript of Mr. Yu documents passing scores in all of his classes (i.e., A, A, A, A, S). His faculty supervisor Dr. Seikel rated Mr. Yu's performance at the Counseling Center as 2= Below Expectations, 22= Meets Expectations, 10= Exceeds Expectations, and 5= Not Applicable. The two Below Expectations ratings regarded "ability to form a working alliance" and "ability to adjust treatment." Dr. Seikel's written comments included several positive statements reflecting professionalism ("diligence", "always on time", "prompt note writing"), receptiveness to supervision ("non-defensive"), and clinical competence ("research to find appropriate intervention options", "conceptualizations were accurate and sophisticated"). Dr. Seikel noted the drop-out rate of Mr. Yu's clients, and suspected this may be partially due to "prejudice on the clients' side." Mr. Yu received positive teaching evaluations in his course. The Clinical Training Committee evaluated Mr. Yu's academic and professional progress to be satisfactory. The Clinical Training Committee note that Mr. Yu's expressive speech in English remains "halting" at times, which is a real problem in alliance formation with American clients. The Clinical Training Committee document having "...confidence in Jun's development as a scientist, a writer, and in clinical case conceptualization, especially for disorders of childhood...", and conclude he should apply to internship sites in which his Chinese language is a strength. **[Opinion: Mr. Yu's overall academic and professional progress for Spring 2011 was satisfactory. Concerns about Mr. Yu's ability to form a working alliance and the possible discrimination he may be experiencing from clients were not directly addressed by the Clinical Training Committee, again reflecting cultural incompetence of the Clinical Training Committee.]**
- The Fall 2011 semi-annual evaluation and transcript of Mr. Yu documents passing scores in all of his required classes (i.e., B, A, A, A, A-, S), and a U grade in one-credit of PSYC 7748 Clinical Externship from which he was dismissed. Despite a negative evaluation from his clinical externship supervisor (Dr. Landers), Mr. Jun received an A- in his Psychology Clinic Practicum and an A in his Community Practicum. Mr. Yu applied to APPIC internships in Fall 2011. The Clinical Training Committee evaluated Mr. Yu's academic progress as satisfactory, but his professional progress during the fall semester as unsatisfactory. In response to the concerns about professional skills at the externship site, the Clinical Training Committee "formulated a plan to address difficulties in testing and to improve independent therapy skills" which were delineated in a letter to Mr. Yu on November 21, 2011 by Dr. Roberts. **[Opinion: The plan formulated by the Clinical Training Committee involved clinically focused activity, and did not address any need to improve English proficiency or cultural communication nuances, reflecting a lack of cultural competence by the Clinical Training Committee. There is no evidence suggesting the Clinical Training Committee monitored and applied knowledge of diversity in assessment, feedback, and remediation of Mr. Yu, nor did**

**they engage in consultation regarding cultural issues (markers of cultural incompetence).].**

- November 4, 2011, Mr. Yu was dismissed from Clinical Externship at Eastern Idaho Regional Medical Center just after 2-months. The clinical externship supervisor, Dr. Landers, alleged that Mr. Yu was “unable to grasp cultural nuances” and that “...this site could not afford to engage in remediation.” **[Opinion: Dr. Landers did not meet his professional ethical obligations as a clinical supervisor to offer direct feedback in a timely manner with remediation to Mr. Yu. He did not communicate concerns to the training program as issues occurred, as would be expected of supervisors partnered with psychology programs in the clinical training of students. Dr. Landers evaluation reflects cultural incompetence in his supervisory approach.]**
- October 31, 2012, a Clinical Education Agreement between the Cleveland Clinic Center for Autism (CCCA) and Idaho State University was signed. Mr. Yu was not informed of the final details of this agreement. **[Opinion: Mr. Yu was incapable of consenting to the agreement, which included a waiver of his due process rights established by ISU, because he was not informed of the details in this final agreement.]**
- January 2, 2013, Mr. Yu started his internships at the CCCA. Drs. Leslie Speer, Thomas Frazier II, and Cheryl Chase served as clinical supervisors during internship (3-hours of clinical supervision weekly). Dr. Frazier ended his role as supervisor of Mr. Yu in the first week of internship. During a phone conversation with Dr. Roberts on January 11, 2013, Dr. Speer expressed concerns about Mr. Yu’s performance at CCCA. Dr. Speer reduced Mr. Yu’s weekly individual supervision time from 1-hour to 30-minutes. On April 3, 2013, Dr. Leslie Speer dismissed Mr. Yu from CCCA; prior to this dismissal, she had never offered him remediation as per the internship proposal. **[Opinion: Dr. Frazier’s discontinuation of supervision in the first week of internship, and Dr. Speer’s reduction in supervision from 1-hour to 30-minutes a week are in violation of the internship agreement between CCCA and Idaho State University as well as the internship proposal, and is also unethical behavior for clinical supervisors involved in clinical training of students. Mr. Yu was not informed of Dr. Speer’s concerns by Dr. Speer nor Dr. Roberts, and thus never received feedback and opportunities for remediation.]**
- On May 3, 2013, Mr. Yu was informed by the Director of Clinical Training, Dr. Mark W. Roberts, that he had been dismissed from the doctoral program in Clinical Psychology based on Mr. Yu’s alleged unsatisfactory progress towards degree completion. At the time of dismissal, Mr. Yu was a student in good standing with only one pre-doctoral internship to complete prior to receiving his Doctorate in Clinical Psychology. Prior to the May 3, 2013 dismissal letter from ISU, Mr. Yu had never been on probation and had never been informed that he was in danger of being dismissed from the doctoral program. **[Opinion: The assigned grades and formal evaluations across semesters are inconsistent with unsatisfactory progress; due process was not followed.]**

- In the May 3, 2013 dismissal letter, it was stated, “We recommend that Idaho State University award you the Master of Science degree in Psychology, to be conferred in August, 2013”, despite the fact that Mr. Yu had successfully defended his dissertation. **[Opinion: The university has the obligation and responsibility to award Mr. Yu a Ph.D. in general psychology at a minimum. Mr. Yu successfully completed all doctoral level program requirements of the Ph.D. in Clinical Psychology, including successful defense of a doctoral dissertation, with the sole exception of successful completion of internship.]**

### III. Summary of Opinions and Conclusions

In Mr. Yu’s case, there are ethical and accreditation standards that have been violated by ISU faculty and clinical supervisors, as well as clear indicators of cultural incompetence among faculty and clinical supervisors. Ethical violations by ISU faculty and clinical supervisors, as guided by the American Psychological Association’s *Ethical Principles of Psychologists and Code of Conduct* (American Psychological Association, 2010), include boundaries of competence in training international students who speak English as a second language (APA Ethics Code Standard: 2.01), avoiding harm (APA Ethics Code Standard: 3.04), and assessing student and supervisee performance (APA Ethics Code Standard: 7.06). In addition, *Guidelines and Principles for Accreditation in Professional Psychology* (APA Commission on Accreditation) were violated: Domain D - Cultural and Individual Differences and Diversity, and Domain E - Student-Faculty Relations.

- The ISU Clinical Psychology faculty and clinical supervisors did not adequately address the diversity challenges faced by Mr. Yu. In addition, there is no evidence that clinical supervisors and the Clinical Training Committee directly addressed culture and issues of culture with Mr. Yu despite concerns about Mr. Yu’s ability to form alliances with clients, his struggle in understanding cultural nuances, and also concerns with his fluency in English as documented across supervisors’ evaluations and in the semi-annual evaluations. The Clinical Training Committee raised concerns about Mr. Yu’s performance and often attributed these concerns to language problems; however, they failed to provide Mr. Yu with supportive and effective action plans, recommendations, appropriate remediation, and/or accommodations thus reflecting the cultural incompetence of the faculty. The ISU faculty and clinical supervisors did not provide Mr. Yu with the special mentoring he needed as an international student who speaks English as a second language.
- ISU faculty and clinical supervisors who lacked multicultural competence and whose behavior violated professional standards, created distorted evaluations and had a tendency to view Mr. Yu as incompetent which harmed Mr. Yu. The ISU faculty did not question the adverse events that Mr. Yu suffered because of this cultural incompetence.
- Based on the documentation reviewed, there are several examples of Mr. Yu not receiving feedback in a direct and timely manner from ISU faculty and clinical supervisors (e.g., During a phone conversation with Dr. Roberts on January 11, 2013, Dr.

Speer informed Dr. Roberts that she had concerns about Mr. Yu. Neither Dr. Roberts nor Dr. Speer shared these concerns with Mr. Yu). In addition, there is no documentation of a single remediation plan that directly addressed concerns raised about Mr. Yu.

- Mr. Yu was dismissed from the doctoral program in Clinical Psychology based on his alleged unsatisfactory progress towards degree completion and professional skills deficits, which is inconsistent with his academic grades, and grades earned for practicum as well as evaluations. At the time of dismissal, Mr. Yu was a student in good standing with a cumulative GPA of 3.69, and he had only one pre-doctoral internship to complete prior to receiving his Doctorate in Clinical Psychology. Prior to the May 3, 2013 dismissal letter from ISU, Mr. Yu had never been on probation and had never been informed that he was in danger of being dismissed from the doctoral program. ISU faculty failed to provide due process in Mr. Yu's dismissal from the Clinical Psychology Ph.D. program.
- Mr. Yu was dismissed from the doctoral program in Clinical Psychology and denied the opportunity to earn a Ph.D. in part due to alleged concerns for potential harm to clients and the in an effort to protect the public; however, there is no evidence in the documents reviewed to support that harm by Mr. Yu ever occurred. In fact, there is evidence to the contrary, including: (1) Mr. Yu earned passing grades in all of his required practicum work (i.e., Fall 2009 Psychology Clinic Practicum = A, Spring 2010 Psychology Clinic Practicum = B, Summer 2010 Psychology Clinic Practicum = A, Fall 2010 Psychology Clinic Practicum = A, Spring 2011 Community Practicum = A, Fall 2011 Psychology Clinic Practicum = A- and Community Practicum = A, Spring 2012 Psychology Clinic Practicum = B); if there was a serious concern about Mr. Yu's clinical skills it should be reflected in the grade evaluation. (2) Mr. Yu's doctoral dissertation involved running clinical trials with Chinese families with preschool-age children in Shanghai, China. Mr. Yu culturally adapted an evidence-based practice. In order to competently adapt a treatment to a specific culture, one must understand the culture and cultural context in which the original evidence-based practice existed (i.e., U.S. mainstream White culture) and have a strong understanding of the culture and cultural context for which the treatment is being adapted to (i.e., Chinese culture). Mr. Yu demonstrated clinical and cultural competence in successfully adapting the treatment he was examining; his dissertation yielded successful treatment results. 19 families completed treatment and rated Mr. Yu an average of at least 5.4 on a 6-point scale reflecting evidence of consumer satisfaction. (3) During Fall of 2011 the ISU faculty deemed Mr. Yu ready for internship and identified no concerns about any competency areas. (4) Mr. Yu received a positive evaluation from Dr. Chase who served as his clinical supervisor during internship, contrasting the negative evaluation by Dr. Speer. Developmentally it does not make sense that a student would move from a competency level of meeting and exceeding most (if not all) clinical standards of evaluation, to then suddenly regress to a clinical competence level that is below expectations on almost all standards of evaluation. The assigned grades and formal evaluations across semesters are inconsistent with unsatisfactory progress and concerns of harm; due process was not followed.



- The assigned grades and formal evaluations across semesters are inconsistent with unsatisfactory progress; due process was not followed. In regards to accreditation standards, in all matters relevant to the evaluation of students' performance, programs must adhere to their institution's regulations regarding due process and fair treatment of students.
- There is no documentation of a single remediation plan that directly addressed the specific concerns raised about Mr. Yu. The Competency Benchmarks: A Model for Understanding and Measuring Competence in Professional Psychology Across Training Levels (Fouad et al., 2009) offers an excellent framework for assessing students competency across various domains and offering students feedback. In addition, the Competency Assessment Toolkit for Professional Psychology (Kaslow et al., 2009) includes a template of a competency remediation plan. The remediation plan includes: identifying the competency domain where the concerns exist; identifying problem behaviors; expectations for acceptable performance, trainee's responsibilities/actions, supervisors'/faculty responsibilities/actions, timeframe for acceptable performance, assessment method, dates of evaluation, and consequences for unsuccessful remediation. This remediation plan template offered by Kaslow et al., 2009 is an exemplar of a quality remediation, which is significantly different from any remediation or recommendations offered by ISU faculty. In addition, this process of remediation is time intensive, ongoing, and requires a commitment to the student and to training, which stands in contrast to the approach taken by the ISU faculty and clinical supervisors.

In conclusion, Mr. Yu has clearly suffered serious harm due to the cultural incompetence of the ISU faculty, the program's violation of accreditation standards, and ethical violations committed by ISU faculty and program affiliated clinical supervisors in working with Mr. Yu. It is my opinion that the dismissal of Mr. Yu from ISU's Clinical Psychology Ph.D. Program was excessive (especially when considering that an appropriate formal remediation had not been attempted), unjustified, and objectively unreasonable. In my opinion, the actions of the faculty at ISU in dismissing Mr. Yu as they did, was a substantial departure from accepted academic norms.

#### **IV. Compensation**

My rate for work on this case is [REDACTED]/hour, plus travel expenses, and up to a maximum of [REDACTED]/day for travel and testimony. My work on this case includes reviewing case documents, report writing, communication with the legal team, and all required testimony.

Sincerely,



Shannon Chavez-Korell, Ph.D.

## **CURRICULUM VITA**

### **SHANNON CHAVEZ-KORELL, PH.D., N.C.C.**

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Enderis Hall, Office 729, P.O. Box 413  
Milwaukee, WI 53201-0413  
E-mail: korell@uwm.edu

#### **EDUCATION**

2007                      Ph.D. in Counseling Psychology (APA Accredited)  
The Pennsylvania State University, University Park, PA

2001                      M.A. in Community Counseling  
St. Mary's University, San Antonio, TX

1998                      B.S. in Psychology/Biology  
Angelo State University, San Angelo, TX

1996                      A.S. in Biology  
Howard College, Big Spring, TX

#### **ACADEMIC POSITIONS**

June 2013 – present    Associate Professor (with Tenure)  
University of Wisconsin – Milwaukee  
Department of Educational Psychology (Counseling Psychology Area)  
Counseling Psychology, Ph.D. Program (APA Accredited)  
Master's Program in Community Counseling and School Counseling

2007-June 2013        Assistant Professor (Tenure Track)  
University of Wisconsin – Milwaukee  
Department of Educational Psychology (Counseling Psychology Area)

#### **CERTIFICATION**

2001-present           National Certified Counselor, The National Board for Certified Counselors  
(#70128)

#### **PROFESSIONAL ASSOCIATION AFFILIATIONS**

American Counseling Association, Member (2013-Present)  
American Psychological Association, Member (2001-Present)  
    Division 17: Society of Counseling Psychology  
        Section on Ethnic & Racial Diversity  
    Division 45: Society for the Psychological Study of Ethnic Minority Issues  
Hispanic Professionals of Greater Milwaukee (2007-Present)  
National Certified Counselors' Association (2001-Present)  
National Latina/o Psychological Association, Lifetime Member (2002-Present)  
Society of Indian Psychologists (2015-Present)  
Wisconsin Counseling Association, Member (2008-Present)



**RESEARCH GRANTS & SUPPORT****Academic Year SURF (Salary for Undergraduate Research Fellows) Award, Office of Undergraduate Research, University of Wisconsin-Milwaukee.**

Budget Period: 09/01/2015 – 05/31/2016 (FUNDED)

Funding: Paid research assistant 10-20 hours per week for Fall 2015 & Spring 2016

Partners: Shannon Chavez-Korell & Nancy Muro

**Institute of Excellence in Urban Education (IEUE) Research Grant, University of Wisconsin-Milwaukee.** Project title: *Breaking the Relationship between Poverty and Associated Risks: Examining the Influence of Coping and Social Support.*

Budget Period: Fall 2014 – Summer 2015

Budget Amount: \$25,000.00 (FUNDED)

Principle Investigators: Shannon Chavez-Korell & Markeda Newell

**Transdisciplinary Fellow in the Center for 21<sup>st</sup> Century Studies, University of Wisconsin-Milwaukee.** Project title: *Acts of Belonging: Exploring Arts Participation and its Relationship to Psychological Well-Being and Executive Frontal Lobe Functioning for Latino Elders with Alzheimer's Dementia.*

Fellowship Period: 2013-2014

Budget Amount: \$10,000.00 (AWARDED)

Partners: Nelva Olin (United Community Center); Chavez-Korell (UWM Educational Psychology); Ramin Pashaie (UWM Electrical Engineering); Patricia Torres Najera (UWM Electa Quinney Institute); & Rina Kundu (UWM Peck School of the Arts).

**Faculty Diversity Research Award, Institute on Race & Ethnicity, University of Wisconsin System.**

Budget Period: Fall 2011 – Summer 2012

Budget Amount: \$12,500.00 & Research sabbatical Fall 2011 (AWARDED)

Principle Investigator: Shannon Chavez-Korell

**Academic Year SURF (Salary for Undergraduate Research Fellows) Award, Office of Undergraduate Research, University of Wisconsin-Milwaukee.**

Budget Period: 09/07/09 – 05/30/2010

Budget Amount: \$5,000.00 (FUNDED)

Partners: Shannon Chavez-Korell & Fernando Orozco

**Substance Abuse and Mental Health Services Administration (SAMHSA).**

Project title: *Un Nuevo Amanecer (A New Dawn);*

Grant #: SM058680-01

Budget Period: 10/01/08 – 10/01/11

Budget Amount: \$1,200,000.00 (FUNDED)

Community Partner: United Community Center

Academic Partner: Shannon Chavez-Korell (Other significant roles by Chavez-Korell: treatment fidelity consultant & overseeing cultural adaptations and modifications to the evidence-based treatment.)

**Forest County Potawatomi Community Foundation, Partnership Grant.**

Project title: *Examining the relationships between historical loss and trauma, cultural variables, and health for Urban American Indians.*

Budget Period: 03/01/09 – 03/01/10

Budget Amount: \$7,500.00 (FUNDED)

Principle Investigator: Shannon Chavez-Korell

**University of Wisconsin–Milwaukee, Roberto Hernandez Center, Faculty Grants Program.**

Project title: *Examining the Relationship between Ethnic Identity, Cultural Health Attitudes, Health Practices, and General Health Outcomes of Latino Adults.*

Budget Period: 09/01/08 – 08/31/09

Budget Amount: \$4,000.00 (FUNDED)

Principal Investigator: Shannon Chavez-Korell

**University of Wisconsin–Milwaukee, Roberto Hernandez Center, Faculty Grants Program.**

Project title: *Report on the Mental Health of Latinos in the Greater Milwaukee Area.*

Budget Period: 09/01/08 – 08/31/09

Budget Amount: \$4,000.00 (FUNDED)

Principal Investigator: Azara Santiago-Rivera

Co-PI: Shannon Chavez-Korell

**Pennsylvania State University, Africana Research Center, Student Dissertation Grant.**

Project Title: *A Cluster Analysis of Cross Racial Identity Scale Scores and Their Usefulness in Predicting Levels of Acculturation and Social Distance in the Lives of Black College Students.*

Budget Period: May 2005-May 2007

Budget Amount: \$1,000.00 (FUNDED)

Principal Investigator: Shannon Chavez-Korell

Co-PI: Beverly J. Vandiver

**PUBLICATIONS (\*denotes graduate student co-author)**

Newell, M. L., & **Chavez-Korell, S.** (2015). The evolution of multiculturalism in school Psychology: Research, training, and practice. In E. C. Lopez, S. G. Nahari, & S. L. Proctor (Eds.) *Handbook of Multicultural School Psychology* (2<sup>nd</sup> Edition). New York: Routledge.

**\*Chavez-Korell, S.,** Benson-Flórez, G., Delgado Rendón, A., & Farías, R. (2014). Examining the relationships between physical functioning, ethnic identity, acculturation, familismo, and depressive symptoms for Latino older adults. *The Counseling Psychologist*, 42(2), 255-277. [Major Contribution]

**Chavez-Korell, S., & Torres, L.** (2014). Perceived stress and depressive symptoms among Latino adults: The moderating role of ethnic identity cluster patterns. *The Counseling*

*Psychologist*, 42(2), 230-254. [Major Contribution]

Acevedo-Polakovich, I. D., **Chavez-Korell, S.**, & Umaña-Taylor, A. (2014). U.S. Latinas/os' ethnic identity: Context, methodological approaches, and considerations across the life span. *The Counseling Psychologist*, 42(2), 154-169. [Major Contribution]

Fouad, N. A., & **Chavez-Korell, S.** (2013). Considering social class and socio-economic status in the context of multiple identities: An integrative clinical supervision approach. In C.A. Falender, E. P. Shafranske, & C. Falicov (Eds.), *Diversity and Multiculturalism in Clinical Supervision: Foundation and Praxis--A Guide to Clinical Practice*. Washington, DC: American Psychological Association.

\***Chavez-Korell, S.**, Delgado Rendón, A., Beer, J., Rodriguez, N., Garr, A. D., Pine, C. A., Fariás, R., Larson, L., & Malcolm, E. (2012). Improving access and reducing barriers to depression treatment for Latino elders: Un nuevo amanecer (A new dawn). *Professional Psychology: Research and Practice*, 43(3), 217-226.

**Chavez-Korell, S.**, & Vandiver, B. J. (2012). Are CRIS cluster patterns differentially associated with African American enculturation and social distance? *The Counseling Psychologist*, 40(5), 755-788.

\***Chavez-Korell, S.**, Delgado-Romero, E., & Illes, R. (2012). The National Latina/o Psychological Association: Like a Phoenix Rising. *The Counseling Psychologist*, 40(5), 675-684. [Major Contribution]

\***Chavez-Korell, S.**, & Johnson, L. T. (2010). Informing counselor training and competent counseling services through transgender narratives and the transgender community. *Journal of LGBT Issues in Counseling*, 4, 202-213.

Field, L. D., **Chavez-Korell, S.**, & Domenech Rodríguez, M. M. (2010). No hay rosas sin espinas: Conceptualizing Latina-Latina supervision from a multicultural developmental supervisory model. *Training and Education in Professional Psychology*, 4, 47-54.

Townes, D. L., **Chavez-Korell, S.**, & Cunningham, N. J. (2009). (Re)Examining the relationships between racial identity, cultural mistrust, help-seeking attitudes, and preference for a Black counselor. *Journal of Counseling Psychology*, 56, 330-336.

**Chavez-Korell, S.**, & Lorah, P. (2007). An overview of affirmative psychotherapy and counseling with transgender clients. In K. J. Bieschke, R. M. Perez, & K. A. DeBord (Eds.) *Handbook of counseling and psychotherapy with lesbian, gay, bisexual, and transgender clients* (2<sup>nd</sup> ed, pp.271-288). Washington, DC: American Psychological Association.

**TECHNICAL REPORTS**

Baisch, M. J., **Chavez-Korell, S.**, Garcia-Franz, & Okunseri, C. (2009, April). *Progress Report Healthiest Wisconsin 2010 Health Priority: Access to Primary and Preventative Health Services*. Submitted to Wisconsin Public Health Council; Reported to the Governor's Office.

**MANUSCRIPTS UNDER REVIEW OR IN PROGRESS**

**Chavez-Korell, S.**, Newell, M., Rouse, L. (under review). Community based research in urban settings: An emergent model.

Miller, A. R., Vandiver, B. J., & **Chavez-Korell, S.** (under review). (Re)Examining the relationship between Black racial identity and self-esteem.

**Chavez-Korell, S.**, & Vandiver, B. J. (in progress). American Indian ethnic identity: Validation of the Ethnic Identity Scale (EIS).

Vandiver, B. J., Worrell, F., & **Chavez-Korell, S.** (in progress). Expanding the reach of Cross' Expanded Nigrescence Model: Introducing the Cross Racial Identity Scale-II.

**Chavez-Korell, S.**, Rouse, L., & Davis, A. (in progress). Examining ethnic identity, historical loss and trauma, and associated psychological symptoms for Urban American Indian adults.

**PROFESSIONAL CONFERENCE PRESENTATIONS (PEER REVIEWED)**

Vandiver, B. J., Worrell, F. C., & **Chavez-Korell, S.** (2015, August). *Presenting the CRIS-II*. Research poster presented at the 123<sup>rd</sup> Annual Convention of the American Psychological Association, Toronto, Canada.

**Chavez-Korell, S.** (2015, August). *The original nigrescence model: Is it still useful?* Presented symposium with Vandiver, B. J., Worrell, F. C., Chavez-Korell, S., & Cokley, K. O., *Does it matter which nigrescence theory to use – Original versus Expanded?* Symposium presented at the 123<sup>rd</sup> Annual Convention of the American Psychological Association, Toronto, Canada.

**Chavez-Korell, S.**, Lira, E. N., Reinders-Saeman, R., Kern, L., Lopez, M., Aloma, A., Salas-Pizana, S. (2014, October). *Campus climate for Latino college students and students of color: United we survive and thrive*. Research symposium presented at the 6<sup>th</sup> biennial meeting of The National Latina/o Psychological Association, Albuquerque, New Mexico.

Field, L., & **Chavez-Korell, S.** (2014, October). *She's from the ghetto: Classism and the Latin@*

*psychologist – The dialogue continues.* Roundtable presented at the 6<sup>th</sup> biennial meeting of The National Latina/o Psychological Association, Albuquerque, New Mexico.

Davis, A., **Chavez-Korell, S.**, Arndt, L. R., & Grayshield, L. (2013, January). *Seventh generation research and mentoring models for American Indian students, researchers, and communities.* Symposium presented at the National Multicultural Conference and Summit, Houston, Texas.

**Chavez-Korell, S.** (2012, October). *Improving access and reducing barriers to depression treatment for Latino elders: Un nuevo amanecer (A new dawn).* Paper presented at the 5<sup>th</sup> biennial meeting of The National Latina/o Psychological Association, New Brunswick, New Jersey.

Field, L. D., & **Chavez-Korell, S.** (2012, October). “*She’s from the Ghetto...*” *Part II: Classism and the Latina psychologist, the dialogue continues.* Roundtable presented at the 5<sup>th</sup> biennial meeting of The National Latina/o Psychological Association, New Brunswick, New Jersey.

Cerezo, A., **Chavez-Korell, S.**, Malaret, J., Morales, A., & Salcedo, B. (2012, October). *Nuevo horizontes: A comprehensive overview of trans-Latin@s needs, concerns, and how to better serve trans-Latin@s.* Symposium presented at the 5<sup>th</sup> biennial meeting of The National Latina/o Psychological Association, New Brunswick, New Jersey.

Field, L. D., Domenech Rodriguez, M. M., **Chavez-Korell, S.**, & Bratini, L. (2012, October). *Effective and compassionate training in the millennium: Latina/o mentors, clinical supervisors, instructors, advisors...what is your role?* Symposium presented at the 5<sup>th</sup> biennial meeting of The National Latina/o Psychological Association, New Brunswick, New Jersey.

Minchala, V., Gonzalez, M. C., **Chavez-Korell, S.**, & Garcia, D. (2012, October). *Challenges for the post-doctoral and job search processes: Tips from those who have gone before.* Symposium presented at the 5<sup>th</sup> biennial meeting of The National Latina/o Psychological Association, New Brunswick, New Jersey.

**Chavez-Korell, S.**, (2012, August). *Informing psychologist training and competent mental health services through transgender narratives.* Paper presented in symposium by Chavez-Korell, S., Miller, D. J., Shepler, D. K., Park, J., Gerstein, L. H., & Bowman, S.L. *Enhancing counselors’ competencies with LGBT clients: Revisiting implicit values.* Symposium presented at the 120<sup>th</sup> Annual Convention of the American Psychological Association, Orlando, FL.

**Chavez-Korell, S.**, & Newell, M. (2012, April). *Racial identity development and anger: Implications for teachers and students.* Presentation at the Educators’ Network for Social Justice 5<sup>th</sup> Annual Conference on Anti-racist/Anti-bias Teaching, Indian Community School, Franklin, WI.

- Chavez-Korell, S., Davis, A. R., & Arndt, L. M.** (2011, August). *Research in partnership with American Indian communities: Promoting social justice through community based participatory research*. Symposium presented for Division 17 at the 119<sup>th</sup> Annual Convention of the American Psychological Association, Washington, DC.
- Chien, L. L., & Chavez-Korell, S.** (2011, August). *Examination of the relationship among knowledge of health insurance use, education level, and physical health conditions for Latinos*. Poster presented at the 119<sup>th</sup> Annual Convention of the American Psychological Association, Washington, DC.
- Chavez-Korell, S.** (2011, June). *Examining the impact of historical loss and trauma on the mental and physical health of Urban American Indians*. Research presented at the National Congress of American Indians, Milwaukee, WI.
- Chavez-Korell, S., Emery, E., Huber, B., Kerner, L., Magness, M., Marshall, M., Sommers, M., & Strong, D.** (2011, April). *SAMHSA older adult mental health targeted capacity expansion grants: What have we learned?* Symposium presented at the Annual Conference of the American Society on Aging, San Francisco, CA.
- Delgado Rendón, A., Malcom, E., & Chavez-Korell, S.** (2011, February). *Un nuevo amanecer (a new dawn): A collaborative approach to treating depression among Latino elders in Milwaukee, WI*. Oral presentation at the 2011 Minority Health in the Midwest Conference, University of Illinois at Chicago, Chicago, IL.
- Chavez-Korell, S.** (2011, January). *Culture as a buffer: Moderating the relationships between stress, depressive symptomology, and help-seeking attitudes*. Research presented in symposium by Torres, L., Driscoll, M., Chavez-Korell, S., & Rollock, D., *The mental health correlates of living in the U.S.: Latino-specific stressors & resources*. Symposium presented at the National Multicultural Conference and Summit, Seattle, WA.
- Chavez-Korell, S., Field, L. D., & Domenech Rodriguez, M.** (2010, November). *Latinas supervising Latinas: No hay rosas sin espinas*. Symposium presented at the fourth biennial meeting of The National Latino Psychological Association, San Antonio, TX.
- Chavez-Korell, S., Parisot, M., Orozco, F., Charles, M., White, M., & Davis, A.** (2010, November). *An examination of Latina/o adults' help-seeking attitudes*. Poster presented at the fourth biennial meeting of The National Latino Psychological Association, San Antonio, TX.
- Chavez-Korell, S., Palreddy, S., Calvillo, J., Chien, C., Liu, J., & Abdullah, M.** (2010, November). *Examining the relationship between sociocultural variables and depression*. Poster presented at the fourth biennial meeting of The National Latino Psychological Association, San Antonio, TX.
- Chavez-Korell, S., Miville, M. L., & Illes, R.** (2010, November). *The dissertation process from*



*start to finish!* Symposium presented at the fourth biennial meeting of The National Latino Psychological Association, San Antonio, TX.

Field, L. D., **Chavez-Korell, S.**, & Saucedo, E. (2010, November). *"She grew up in the ghetto..." Classism and the Latina psychologist*. Roundtable presented at the fourth biennial meeting of The National Latino Psychological Association, San Antonio, TX.

Lira, E., **Chavez-Korell, S.**, Illes, R., Reyes, W., & Benson, G. (2010, November). *Examining spiritual health practices, Latino ethnic identity, and acculturation*. Poster presented at the fourth biennial meeting of The National Latino Psychological Association, San Antonio, TX.

Delgado-Rendon, A., Malcolm, E., Larson, L., Farias, R., Suszek, C., Garr, A., Pine, C., Rodriguez, N., **Chavez-Korell, S.**, Santiago-Rivera, A., & Padilla, D. (2010, October). *Un nuevo amanecer (a new dawn): A collaborative approach to treating depression among Latino elders in Milwaukee, WI*. Poster presented at the Community Engagement for Health Conference, Milwaukee, WI.

**Chavez-Korell, S.**, Charles, M., & Parisot, M. (2010, August). *Latino stress as predicted by ethnic identity, familismo, acculturation, and locus of control*. Poster presented at the 118<sup>th</sup> annual conference for the American Psychological Association, San Diego, CA.

**Chavez-Korell, S.**, Davis, A. R., & Arndt, L. M. (2010, June). *Community-based participatory research techniques in addressing health disparities in Urban Indian populations*. Symposium presented at the Inaugural Conference of the Society for the Psychological Study of Ethnic Minority Issues, APA, Division 45, Ann Arbor, MI.

Davis, A., **Chavez-Korell, S.**, Orozco, F., & Calvillo, J. (2009, November). *Predicting help-seeking attitudes by examining Latino ethnic identity, spirituality, acculturation, and familismo*. Poster presented (won first place research poster award) at the first annual Encuentro Latino Institute Conference, Las Cruces, NM.

**Chavez-Korell, S.**, Palreddy, S., & Stribling-Davis, A. (2009, August). *Examining the usefulness of ethnic identity scale scores in predicting health locus of control*. Poster presented at the 117<sup>th</sup> annual conference for the American Psychological Association, Toronto, Ontario, Canada.

Komondoros, S., **Chavez-Korell, S.**, Palreddy, S., Chien, L., & Liu, J. (2009, August). *Relationship among perceived health competence, locus of control, and Latino ethnic identity*. Poster presented at the 117<sup>th</sup> annual conference for the American Psychological Association, Toronto, Ontario, Canada.

Liu, J., Chien, L., **Chavez-Korell, S.**, Calvillo, J., & White, M. (2009, August). *Predicting Latino stress: Acculturation, help-seeking attitudes, and locus of control*. Poster presented at the 117<sup>th</sup> annual conference for the American Psychological Association,

Toronto, Ontario, Canada.

Illes, R., Santiago-Rivera, A., **Chavez-Korell, S.**, Reyes, W., Rico, M., Lira, E., Palreddy, S., Benson, G., DeRose, T., & Hernandez, M. (2009, August). *Relationships among quality of life, physical health, and depressive outcomes for Latino elders*. Poster presented at the 117<sup>th</sup> annual conference for the American Psychological Association, Toronto, Ontario, Canada.

Santiago-Rivera, A., Rico, M., **Chavez-Korell, S.**, Benson, G., DeRose, T., Illes, R., Palreddy, S., Reyes, W., Lira, E., Hernandez, M., & Xiong, I. (2009, August). *Impact of age, gender, and income on familismo and acculturation*. Poster presented at the 117<sup>th</sup> annual conference for the American Psychological Association, Toronto, Ontario, Canada.

Davis, A. R., & **Chavez-Korell, S.** (2009, April). *(Re)Search for Change: Cultural humility and community partnerships in health disparities research*. Paper accepted for oral presentation at the 23<sup>rd</sup> National Conference on Undergraduate Research, Lacrosse, WI.

Abdullah, M., Calvillo, J., Davis, A. R., Moore, E., & **Chavez-Korell, S.** (2009, April). *Examining the relationship between Latino ethnic identity, spirituality, and help-seeking behaviors*. Poster accepted for presentation at the 23<sup>rd</sup> National Conference on Undergraduate Research, Lacrosse, WI.

Liu, J., Chien, L. L., **Chavez-Korell, S.**, & Calvillo, J. (2009, February). *Examining the relationship between Latino ethnic identity, help-seeking attitudes and locus of control*. Poster presented at the 26<sup>th</sup> Annual Winter Roundtable on Cultural Psychology and Education, Teachers College - Columbia University, New York City, NY.

**Chavez-Korell, S.**, Domenech-Rodriguez, M., & Field, L. (2009, January). *Understanding Latina trainee and supervisory development in a cultural context*. Roundtable discussion presented at the National Multicultural Conference and Summit 2009, New Orleans, LA.

**Chavez-Korell, S.**, Davis-Stribling, A., & White, M. (2008, November). *Empowering Latino communities and promoting social justice through culturally competent research and community partnerships*. Symposium presented at the third biennial meeting of The National Latino Psychological Association, Costa Mesa, CA.

**Chavez-Korell, S.**, Santiago-Rivera, A., & Miville, M. (2008, November). *Dissertation process from start to finish*. Symposium presented at the third biennial meeting of The National Latino Psychological Association, Costa Mesa, CA.

**Chavez-Korell, S.**, Calvillo, J., Palreddy, S., White, M., Davis-Stribling, A., Liu, J., Ramstack, D., Komondoros, S., Chien, L.L., & Engelking, R. (2008, November). *Examining the relationships between Latino ethnic identity, cultural health beliefs and practices, and general health outcomes for Latino adults*. Poster presented at the third biennial meeting of The National Latino Psychological Association, Costa Mesa, CA.



Santiago-Rivera, A., **Chavez-Korell, S.**, Reyes, W., Illes, R., DeRose, T., Benson, G., Palreddy, S., Rico, M., & Lira, E. (2008, November). *Effects of ethnic identity, acculturation, and familismo on health outcomes of Latino elders*. Poster presented at the third biennial meeting of The National Latino Psychological Association, Costa Mesa, CA.

Santiago-Rivera, A., **Chavez-Korell, S.**, Benson, G., DeRose, T., Illes, R., Lira, E., Palreddy, S., Reyes, W., & Rico, M. (2008, November). *Impact of gender and age on familismo and acculturation: An exploratory investigation*. Poster presented at the third biennial meeting of The National Latino Psychological Association, Costa Mesa, CA.

**Chavez-Korell, S.**, & White, M. (2008, November). *Affirmative counseling with transgender clients*. One hour workshop presented at The Wisconsin Counseling Association Fall Summit, Grand Rapids, WI.

Davis-Stribling, A. R., **Chavez-Korell, S.**, Ramstack, D. S., Komondoros, S., Palreddy, S., White, M., Chien, L., & Liu, J. (2008, August). *Using culturally competent research and community partnerships to promote social justice and empower Native communities*. Poster presented at the 20<sup>th</sup> annual Native Health Research Conference, Portland, OR.

**Chavez-Korell, S.**, & Vandiver, B. J. (2008, August). *Cross Racial Identity Scale scores usefulness in predicting acculturation and social distance*. Poster presented at the 116<sup>th</sup> annual conference for the American Psychological Association, Boston, MA.

**Chavez-Korell, S.** (2008, March). *Retention of "At Risk" college students: An outreach initiative*. Poster presented at the International Counseling Psychology Conference, Chicago, IL.

**Chavez-Korell, S.**, Vandiver, B. J., & Cross, W. E., Jr. (2008, February). *Pointing the way to the future of Black racial identity: From understanding the original nigrescence model to expanded nigrescence research using the Cross Racial Identity Scale*. Symposium presented at the 25<sup>th</sup> Annual Winter Roundtable on Cultural Psychology and Education, Teachers College - Columbia University, New York City, NY.

Townes, D., & **Chavez-Korell, S.** (2008, February). *A cluster analysis of Cross Racial Identity Scale scores to predict levels of cultural mistrust, help-seeking attitudes, and preference for counselor race in the lives of African Americans*. Symposium presented at the 25<sup>th</sup> Annual Winter Roundtable on Cultural Psychology and Education, Teachers College - Columbia University, New York City, NY.

**Chavez-Korell, S.**, & Lorah, M. (2007, August). *Overview of affirmative psychotherapy and counseling with transgender clients*. Presented in symposium with Mobley, M., Fassinger, R. E., Perez, R. M., & DeBord, K. A., *Advancing social justice perspectives in counseling and psychotherapy with Lesbina, Gay, Bisexual, and Transgender Clients*. Symposium presented at the 115<sup>th</sup> annual conference for the American Psychological

Association, San Francisco, CA.

Field, L. D., **Chavez-Korell, S. C.**, Domenech Rodriguez, M., & Davis, M. (2006, October). *Latinas supervising Latinas: Rewards & challenges*. Symposium presented at the second biennial meeting of The National Latino Psychological Association, Milwaukee, WI.

**Chavez-Korell, S.**, & Lorah, M. (2004, October). *Counseling transgender clients*. Two hour workshop presented at the annual meeting of The Pennsylvania Counseling Association, State College, PA.

**Chavez-Korell, S.** (2004, April). *The need for biracial identity education in multicultural graduate training*. Paper presentation at the annual Great Lakes Regional Conference, Ball State University, Muncie, IN.

Bieschke, K., Matthews, C., & **Korell, S. C.** (2003, April). *Providing affirmative counseling to adolescents who identify as gay, lesbian, or bisexual*. Three hour workshop presented at the 17<sup>th</sup> Annual Children's Interagency Training Conference, State College, PA.

**Korell, S. C.** (2003, February). *Developing professional leadership through diverse collaboration*. Roundtable discussion at the annual Holmes Partnership Conference, Washington, DC.

Maples, N. J., Velligan, D. I., DiCocco, M., Castillo, D. A., Lam, Y. W., Erehefsky, L., **Korell, S. C.**, Archuleta, D., & Miller, A. L. (2003, February). *Has medication adherence improved with the new-generation atypical antipsychotics?* Poster at the International Congress on Schizophrenia Research, Colorado Springs, CO.

Lam, Y. W., Velligan, D. I., DiCocco, M., Erehefsky, L., Maples, N. J., Castillo, D. A., Archuleta, D., **Korell, S. C.**, & Miller, A. L. (2003, February). *Comparative assessment of antipsychotic adherence by concentration monitoring, pill count and self-report*. Poster at the International Congress on Schizophrenia Research, Colorado Springs, CO.

Lam, Y. W., Velligan, D. I., Erehefsky, L., **Korell, S. C.**, DiCocco, M. A., & Miller, A. L. (2002, June). *Intra-individual variability in plasma concentrations as an indicator of adherence in schizophrenia*. Round table discussion and paper presented at the National Institute for Mental Health NCDEU Annual Meeting, Boca Raton, FL.

**Korell, S. C.**, Velligan, D. I., & Dicocco, M. A. (2002, February). *Assertive community treatment versus cognitive adaptation training*. Paper presentation at the annual International Congress for Schizophrenia Research, Davos, Switzerland.

**INVITED PRESENTATIONS & CONSULTATIONS\***

- \*Chavez-Korell, S., & Frattura, E.** (2016, February). *Integrated comprehensive services and developing a social justice identity*. Full day workshop and consultation on February 3, 2016 for Ohio Public Schools Region 3 State Support Team, Cleveland, Ohio.
- \*Frattura, E., Chavez-Korell, S., & Saphier, J.** (2016, February). *Leading for Social Justice: 2015 Summer Institute Follow-up Webinar*. 1-1/2 hour webinar on February 1, 2016 for Ohio Public Schools State Support Teams.
- Field, L., & Chavez-Korell, S.** (2015, November). *Conceptualizing supervision from a multicultural developmental supervisory model: Latinas supervising Latinas*. 4-hour presentation on November 15, 2015 for the New York State Psychological Association at Fordham University, New York, New York.
- \*Frattura, E., Chavez-Korell, S., & Saphier, J.** (2015, October). *Leading for Social Justice: Follow-up Webinar*. 1-1/2 hour webinar on October 21, 2015 for Ohio Public Schools State Support Teams.
- Chavez-Korell, S.** (2015, October). *Improving access and reducing barriers to depression treatment for Latino elders*. 1-hour lecture and discussion on October 8, 2015 with students and faculty. Department of Psychology Colloquium Series, Marquette University, Milwaukee, WI.
- \*Chavez-Korell, S.** (2015, August). *Developing a social justice identity as a leader*. Full day workshop and consultation on August 11, 2015 for teachers and administrators at Nicolet High School, Glendale, WI.
- \*Chavez-Korell, S.** (2015, June). *Core principles and focusing on equity: Personal identity*. Full day presentation and consultation on June 30, 2015. Leading For Social Justice Institute: Ensuring ALL Students Are Supported, provided by Ohio Public Schools State Support Teams 3, 6, and 9. June 29 – July 1, 2015, Quest Conference Center, Columbus, Ohio.
- Chavez-Korell, S., & Landingham, R.** (2015, May). *Spiritual, cultural, and demographic aspects of mental health*. Community Mental Health Seminar Series, Institute for Health and Society, Medical College of Wisconsin, Milwaukee, WI.
- Chavez-Korell, S.** (2015, March). *Do you understand me? Looking at depression for racial and ethnic minorities*. 1-hour presentation and discussion on March 10, 2015 at Milwaukee Public Library downtown. Science Cafés, The Community Engagement Key Function of the Clinical and Translational Science Institute, Medical College of Wisconsin.
- \*Chavez-Korell, S.** (2014, July). *Developing an equity social justice identity as a leader*. 1-1/2 hour presentation on July 28, 2014. National Leadership for Social Justice Institute, Madison, WI.

**\*Chavez-Korell, S.** (2014, May). *Exploring identity development: Understanding the relationship between attitudes and behavior*. 2-presentations: 3-hour presentation to primarily Katy ISD educators on May 14, 2014; 2-hour presentation to primarily Katy ISD principals on May 14, 2014. Consultation services to Katy Independent School District, Katy, Texas.

Arredondo, P., **Chavez-Korell, S.**, & Colon, H. (2014, April). *Improving and identifying barriers to access in health and mental health*. 1-hour panel discussion. 1<sup>st</sup> Annual Forum on Latino/a Affairs, Milwaukee, WI.

**Chavez-Korell, S.** (2013, August). *Exploring identity development: Understanding the relationship between the individual and social justice efforts in schools*. 2-presentations: 2-hour presentation on August 1, 2013; 1-1/2 hour presentation on August 5, 2013. National Leadership for Social Justice Institute, Milwaukee, WI.

**\*Chavez-Korell, S.** (2012, November). *Multicultural dialogues: Factors influencing the groups' dynamics*. 4-hour multicultural consultation, presentation, and dialogue facilitation at The Healing Center, Milwaukee, WI.

**Chavez-Korell, S.** (2012, February). *Latina/o mental health disparities: Implications for clinical practice*. 1 hour presentation. Department of Counselor Education and Counseling Psychology Colloquium Series, Marquette University, Milwaukee, WI.

**Chavez-Korell, S.**, Schurman, K., & Cooper, S. *Interpersonal violence awareness and solutions: Perspectives on healing from the Native American community*. 1-hour panel presentation and discussion. Soup with Substance, Marquette University, Milwaukee, WI.

Newell, M., & **Chavez-Korell, S.** (2011, October). *Understanding Racial Identity Development: Implications for School Psychological Service Delivery*. 3 hour workshop presented at the 2011 Wisconsin School Psychologists Association Fall Convention, Manitowoc, WI.

**\*Chavez-Korell, S.**, & Field, L. D. (2011, March). *Conceptualizing supervision from a multicultural developmental supervisory model*. 2-hour presentation and consultation with faculty and clinical supervisors. Pace University, New York, NY.

**Chavez-Korell, S.** (2010, December). *Social justice psychology: Considering social class and socio-economic status*. 1-1/2 hour presentation for the full staff of 75+ employees at Milwaukee Job Corps Center, Milwaukee, WI.

**Chavez-Korell, S.** (2010, December). *Latino cultural values*. Presentation at full staff meeting of 250+ employees at United Community Center, Milwaukee, WI.

**\*Chavez-Korell, S.**, & Newell, M. (2010, November). *Understanding racial identity:*

*Implications for school-based practices.* 1-1/2 hour presentation and discussion with principal, teachers, and staff at Transition High School, Milwaukee Public Schools, Milwaukee, WI.

**Chavez-Korell, S.** (2010, April). *(Re)Considering the role of racial/ethnic identity in psychology: A multivariate approach.* 1-hour lecture and discussion with students and faculty. Department of Psychology Colloquium Series, Marquette University, Milwaukee, WI.

**Chavez-Korell, S., & Newell, M.** (2010, April). *Microaggressions, stereotype threat, and perceptual gap.* 2 presentations, 1-1/2 hours, presentation and discussion with Special Education Teachers in Milwaukee Public Schools, Milwaukee, WI.

Newell, M., & **Chavez-Korell, S.** (2010, April). *Understanding racial microaggressions in the classroom.* 2 presentations, 1-1/2 hours, presentation and discussion with Special Education Teachers in Milwaukee Public Schools, Milwaukee, WI.

**Chavez-Korell, S., & White, M.** (2010, April) *Transgender awareness: Social justice for all.* 1 hour presentation and discussion with Students for a Fair Wisconsin, Milwaukee, WI.

**Chavez-Korell, S.** (2010, April). *Examining Latino health in Southeastern Wisconsin: Culture is keeping us healthy.* 1 hour symposium and discussion at 1<sup>st</sup> Annual La Cultura Cura: Empowering Latinos in Higher Education Conference, Latino Student Union - UWM, Milwaukee, WI.

**Chavez-Korell, S., & Newell, M.** (2010, March). *Racial identity: Understanding self in relationship to others.* 1-1/2 hour presentation and discussion with 160 School Psychologists in Milwaukee Public Schools, Milwaukee, WI.

Newell, M., & **Chavez-Korell, S.** (2010, February). *Racial microaggressions: Understanding the power and pain.* 1-1/2 hour presentation and discussion with 160 School Psychologists in Milwaukee Public Schools, Milwaukee, WI.

**Chavez-Korell, S., Alvarado, I. G., & Ortiz, T.** (2009, May). *Mental illness: The unspoken reality (Enfermedad mental: Sufriendo en silencio).* Panel presentation and discussion at the 21<sup>st</sup> Annual Salute to Hispanic Women Luncheon, Milwaukee, WI.

**Chavez-Korell, S., & Johnson, N.** (2004, May). *Inviting and engaging multiple perspectives in the classroom.* Three hour Colloquy Diversity Workshop – Schreyer Institute for Teaching Excellence, The Pennsylvania State University, University Park, PA.

\*Jones, W. T., & **Chavez-Korell, S.** (2003, June). *Agents of change in achieving diversity in electrical and computer engineering research and education.* Two hour workshop presented at the National Science Foundation, Washington, DC.

**OTHER COMMUNITY PARTNERSHIP PROJECTS (not listed elsewhere)**

- Jan. 2013-2015      Project Title: *Los Cuidadores Unidos: United Latino Caregivers*. Project Partners: United Community Center (Community Partner) & Medical College of Wisconsin's Zeno Franco, Ph.D. (Principle Investigator). Project Consultant: Shannon Chavez-Korell.
- Jan. - Aug. 2013      Project Title: *First Nations Students Finding Themselves in the Circle – Pilot Project*. Project Partners: Richanda E. Kaquatosh, Director of First Nations Studies, Milwaukee Public Schools & Shannon Chavez-Korell, Ph.D. (Academic Partner) University of Wisconsin-Milwaukee.

**HONORS AND AWARDS**

***TCP Outstanding Contribution of the Year Award*** (Award presented August 2015), for Major Contribution titled *Ethnic Identity in Latinas/os*, February 2014 issue of *The Counseling Psychologist*. Award presented during the Division 17 Business Meeting held at the 123<sup>rd</sup> Annual Convention of the American Psychological Association, Toronto, Canada.

***Hispanic Professionals of Greater Milwaukee Future Leader Award*** (August 2013). This award recognizes an emerging professional who with less than 10-years in their field is excelling above their peer set. Presented by Hispanic Professionals of Greater Milwaukee.

***Student Success Award*** (2013-2014), for demonstrating a continuous dedication to the academic success of our learners as recognized by University of Wisconsin-Milwaukee students during the MAP-Works Survey. Presented by UWM, Student Success Center, MAP-Works, and the Associate Vice Chancellor for Enrollment Management.

***Professor of the Year Award*** (2011-2012), presented by the Counseling Student Organization, Department of Educational Psychology, University of Wisconsin-Milwaukee.

***Faculty Travel Award*** (NIH Regional Seminar Grant Workshop), Graduate School and Office of Sponsored Projects, University of Wisconsin-Milwaukee (Spring, 2011).

***Mentorship and Education Program in Mental Health Services Research*** (NIMH), University of New Mexico Institute of Social Research, Mentee (2008-2009).

R. Mae Shultz Scholarship, The Pennsylvania State University (2005–2006).

Rodney J. and Vernell A. Reed Graduate Scholarship in Urban Education, The Pennsylvania State University (2004–2005).

Outstanding Graduate Student in College of Education Scholarship, Penn State (2003–2004).



Conrad Frank, Jr. Graduate Fellowship in the College of Education, Penn State (2003–2004).

Holmes-Puksar Graduate Fellowship, The Pennsylvania State University (2002–2004).

Carr Academic Scholarship, Angelo State University (Undergraduate Studies).

Mexican American Student Assoc. Scholarship, Howard College (Undergraduate Studies).

## **SERVICE**

### **National Service:**

#### *Editorial Boards*

*Journal of Counseling Psychology* (2016)

*Journal of Latina/o Psychology* (December 2014 – December 2016)

*The Counseling Psychologist* (January 2014 – December 2016)

#### *Ad-Hoc Reviewer*

*Journal of Career Development*

*Journal of Clinical Psychology*

*Journal of Counseling Psychology*

*Journal of Immigrant and Minority Health*

*Journal of Latina/o Psychology*

*Progress in Community Health Partnerships: Research, Education, and Action*

*Self & Identity*

*Sex Roles: A Journal of Research*

*The Counseling Psychologist*

#### *Leadership*

2008-2012	National Latina/o Psychological Association, Executive Committee. Executive Committee Member: Student Professional Development Coordinator.
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Sept-Nov 2010	Chair, NLPA Student Scholarship Committee, National Latina/o Psychological Association.
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April-Oct 2008	Chair, NLPA Student Scholarship Committee, National Latina/o Psychological Association.
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#### *Other National Service*

2012	Revision Team, Review of the American Psychological Association's Guidelines on Multicultural Education, Training, Research, Practice and Organizational Change for Psychologists (Multicultural Guidelines).
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National Reviewer (Conference Proposals & Scholarships)

2012	Reviewer, National Multicultural Conference & Summit 2013 proposals.
2012	Reviewer, National Latina/o Psychological Association 2012 Conference proposals.
2012	Reviewer, National Latina/o Psychological Association Student Scholarship Committee, National Latina/o Psychological Association.
2008-2011	Program Committee Member, Division 17 – Counseling Psychology, American Psychological Association. Reviewed programming for the 2009, 2010, 2011 & 2012 American Psychological Association's Conventions.
2010	Reviewer, National Latina/o Psychological Association 2010 Conference proposals.
2010	Reviewer, National Multicultural Conference & Summit 2011 proposals.
May 2010	Reviewer, Division 44 – LGBT, American Psychological Association. Reviewed research papers for the Div. 44 Transgender Research Award.
2008	Reviewer, National Latina/o Psychological Association 2008 Conference proposals.
2007	Reviewer, International Counseling Psychology Conference proposals.
2007	Reviewer, American Assoc. of College Teachers Education Conference proposals.

Local & State Service:

May 2010-present	Spotted Eagle Inc. Board of Directors, Board Member & Board Officer. Nominated and appointed to the SEI Board in April 2010. Elected Board Officer-Secretary (2010-2012). Elected Board Officer-Vice Chair & Secretary (2013-14) Elected Board Co-Chair (2014-2015)
2011-2012	Wisconsin CESA #1 Response-to-Intervention Workgroup.
2010, 2013, & 2014	Latino Nonprofit Leadership Program (LNLP), Mentor. Mentee: Rebecca Arrichiello (2010) Mentee: Marisa Hernandez-DeWindt (2013) Mentee: Nadia Lopez (2014)
2007-2010	Wisconsin State Health Plan Committee, Wisconsin's Office of the Governor, Appointed Committee Member.



Spring 2010	Healthiest Wisconsin 2020 State Health Plan, Wisconsin's Priorities to Address Health Disparities. Invited as expert panelist: Minority Health and Data Collection.
2009-present	Urban Indian Wellness Consortium; Milwaukee, WI; Steering Committee & Research Subcommittee.
Fall 2009	Healthiest Wisconsin 2020 Focus Area Strategic Team, Wisconsin State Health Committee. Invited as expert panelist: Mental Health Panel.
2008 & 2009	Great Lakes Native American Research Center for Health (NARCH), Undergraduate Research Mentee: Amileah Stribling-Davis (2008) Undergraduate Research Mentee: Phillip Frame (2009)

**University Service:**

2015 – present	Scholastic Appeals Committee, SOE Representative, UWM Graduate School.
Fall 2014-2016	Chancellor's Advisory Committee for LGBT+ Advocacy, Appointed by the University Committee of the Faculty Senate, UW-Milwaukee.
2015, 2009, 2008	McNair Scholars Mentor, University of Wisconsin-Milwaukee. Undergraduate Student Mentee: Jesus Calvillo (2008) Undergraduate Student Mentee: Ernesto Lira (2009) Undergraduate Student Mentee: Fernando Orozco (2009) Undergraduate Student Mentee: Nancy Muro (Summer 2015)
2013-present	Latino Studies Coordinating Committee, UW-Milwaukee.
2013, Nov. 15	LGBT Resource Center, UWM. Provided 1-hour training to LGBT Resource Center Staff on how to conduct focus group research for program evaluation, community feedback, and program development.
2013, April 19	Inclusive Excellence Center, UWM. Provided 2-hour training to Inclusive Excellence Center Staff on how to conduct focus group research for program evaluation, community feedback, and program development.
2012-Spring 2014	Chancellor's Advisory Committee on Mental Health, Expansion of Campus Resources Subcommittee, UW-Milwaukee.
Spring 2012-2014	Community/University Partnership (CUP) Grants Evaluation Team. Chaired by Cheryl Ajitutu, Interim Associate Vice Chancellor, Academic Affairs and Global Inclusion and Engagement.

Spring 2012	Latino Student Success Initiative: Exito, Task force member. Chaired by Joan Prince, Vice Chancellor, Academic Affairs and Global Inclusion and Engagement.
2011-2013	Developed two online courses focused on multicultural counseling for mental health professionals' continuing education credit (Affirmative LGBT Counseling & Counseling African Americans). School of Continuing Education, University of Wisconsin-Milwaukee.
2009-2011	Advanced Opportunity Program Fellowship, Committee member, University of Wisconsin-Milwaukee.
2009-2010	Steering Group, Think Tank for Policy and Change: Race, Ethnicity and Multicultural Understanding. University of Wisconsin-System Institute for Race and Ethnicity.
Spring 2009	Lesbian, Gay, Bisexual, and Transgender Studies Certificate Advisory Council, College of Letters and Science, Univ. of Wisconsin-Milwaukee.
2008-2009	Latino Studies Coordinating Committee, Univ. of Wisconsin-Milwaukee.
2007-present	Women's Studies Affiliate, University of Wisconsin-Milwaukee.

**School Of Education (SOE) Service:**

2014-2017	Office of the Charter Schools Advisory Committee, Applications Committee, & Evaluation Committee - Dean Appointed Fall 2014.
2012-2013	University of Wisconsin Milwaukee & Milwaukee Public Schools, Partnership Program Workgroup, prospectus development.
July 2012	Professional Development, SOE Process Improvement Work Groups. Conducted a 2-hour presentation and facilitated discussion with SOE & BATO staff on the topic "Working in Groups" (July 12, 2012).
Fall 2010 – 2014	SOE Inclusive Excellence Liaison, Office of the Provost.
Fall 2009-April 2010	SOE Awards Committee.
Dec. 2009–Jan. 2010	SOE Search Committee, Associate Dean for Education Outreach.
2009 – present	Faculty Advisor, Urban Education Doctoral Program Multicultural Studies Specialization.

2008-2009 SOE Marketing Committee, Appointed in Fall 2008.

**Department Service:**

2015 – present Training Director of the Master’s Counseling Program, Department of Educational Psychology.

2013 – present Executive Committee Member, Department of Educational Psychology.

2013 – present Personnel Committee Member, Department of Educational Psychology

2011 – present Program Coordinator, Multicultural Knowledge of Mental Health Practices Certificate Program (Post-Masters Certificate), Department of Educational Psychology, University of Wisconsin-Milwaukee.

2011 – present NCE Campus Coordinator, National Counselors’ Examination (NCE) by the National Board for Certified Counselors.

2009 – present Comprehensive Exams Coordinator, Masters Community Counseling Program, Department of Educational Psychology, School of Education.

**Service to Students:**

Summer 2015 Panelist, McNair Scholars Program, Mentoring Panel.

Fall 2013 Restorative Justice Workgroup, Dean of Students Office, University of Wisconsin-Milwaukee.

2013-Oct. 4 Facilitator for Coffee Talk, a 1-1/2 hour talk held for graduate and undergraduate women. Sponsored by the UWM Graduate School and UWM Women’s Resource Center.

2013-Sept. 13 Keynote Speaker, Lawton Scholars Fall Welcome Reception, University of Wisconsin-Milwaukee.

2013-May 15 Fourth Annual Lavender Graduation, LGBT Resource Center, UWM. Announced graduates and distributed certificates and graduation tassels.

2012-Sept. 19 Discussant for “Intersections: Gender and Multicultural Film Series” sponsored by UWM’s Women’s Resource Center, UWM Union Sociocultural Programming, and UWM Multicultural Student Centers. Bolton Hall Room 196, 1pm-3pm. Films discussed included *Gordita* and *The Big Deal*.

- 10-15-2010 Panelist, Latina Student Networking Reception, Sponsored by UWM Roberto Hernandez Center, Sociocultural Programming, and Women's Resource Center.
- 2009-2010 Faculty Advisor, Multicultural Graduate Student Alliance (MGSA).
- 04-10-2008 Presenter at You@UWM: Multicultural Overnight Event; UWM Office of Admissions.

### **Student Thesis & Dissertation Committee Service:**

#### **Chairperson, Doctoral Dissertation Committees:**

1. **Shelly Komondoros** (Defended May 1, 2012). *The influences of ethnic identity, perceived racism, and acculturation on physical health status among Latino adults*. [Recipient of \$4,000 research grant from UWM's Roberto Hernandez Center]
2. **Soumya Palreddy** (Defended July 11, 2012). *Sports participation among South Asian Americans: The influence of acculturation and value of sport*.
3. **Maureen White** (Defended May 3, 2013). *Resiliency factors among transgender people of color*. [Recipient of UWM'S LGBT Research of the Year Award]
4. **Les T. Johnson** (Defended Nov. 6, 2014). *Transgender college student activists: The intersections of identities*. Ph.D. in Urban Education
5. **Michelle Parisot** (Defended December 2015). *Transitioning into adulthood: Exploring the educational trajectories among undocumented Latinos*.
6. **Marisela Lopez** (In progress; Proposed Spring 2014).
7. **Ernesto Lira** (In progress; Proposed Summer 2014)
8. **Alina Aloma** (In progress; Proposed Summer 2014)
9. **Rachel Reinders** (In progress; Proposed Spring 2015)
10. **Silvia Salas** (Proposal in progress)
11. **Esmeralda Leon Gil** (Proposal in progress)
12. **Nick Lambrou** (Proposal in progress)
13. **Katt Cochran**
14. **Bediha Ipekci**

#### **Chairperson, Master's Thesis Committees:**

1. **April Woods** (Defended April 2010)

#### **Committee Member (non-Chair), Doctoral Dissertation Committees:**

- UWM, Counseling Psychology Doctoral Program: 15 to Date.
- UWM, School Psychology Doctoral Program: 1 to Date.
- UWM, Urban Education Doctoral Program: 1 to Date
- UWM, Nursing: 1 to Date.
- UWM, Clinical Psychology: 2 to Date.
- Marquette University, Doctoral Counseling Psychology: 2 to Date.
- California School of Professional Psychology Alliant University: 1 to Date.

Committee Member (non-Chair), Master's Thesis Committees:

UWM, Master's Community Counseling: 5 to Date.

UWM, Master's Clinical Psychology: 1 to Date.

Committee Member (non-Chair), UWM Undergraduate Thesis Committees:

UWM, Psychology Undergraduate Thesis: 2 to Date.

**TEACHING (\*typical courses taught at UWM)**

\*Introduction to Community Counseling (Masters Graduate Counseling Class);

\*Group Counseling (Masters Graduate Counseling Class);

\*Multicultural Counseling (Masters Graduate Counseling Class);

Counseling Children and Adolescents (Masters Graduate Counseling Class);

Practicum 1 – Community Counseling (Masters Graduate Counseling Class);

Advanced Doctoral Practicum (Ph.D. Course);

Family Systems (Masters Graduate Counseling Class);

Counseling Theories (Masters Graduate Counseling Class);

\*Multicultural Guidelines and Ethics Overview (Graduate Certificate Program);

\*Multicultural Guidelines: Working with LGBT Clients (Graduate Certificate Program);

\*Multicultural Guidelines: Working with African Americans (Graduate Certificate Program);

\*Multicultural Guidelines: Working with Latinos (Graduate Certificate Program);

Qualitative Research (Undergraduate &amp; Graduate Level Course);

Advanced Multicultural Psychology (Ph.D. Course);

Supervision and Consultation (Ph.D. Course);

Ethics in Counseling Psychology (Ph.D. Course).

**PROFESSIONAL APPOINTMENTS****June 2013-present     Associate Professor (with Tenure)**

University of Wisconsin – Milwaukee

Department of Educational Psychology; Milwaukee, WI

**2007-2013             Assistant Professor (Tenure Track)**

University of Wisconsin – Milwaukee

Department of Educational Psychology; Milwaukee, WI

**2005-2006             Pre-doctoral Psychology Internship**

Suffolk University Counseling Center (APA Accredited)

Boston, MA

**2004-2007             Diversity Planning Analyst (Contract)**

The Pennsylvania State University; University Park, PA

Office of the Vice-Provost, Educational Equity

<b>2004-2005</b>	<b><u>University Counselor – Graduate Assistantship</u></b> The Pennsylvania State University, University Park, PA Counseling and Psychological Services
<b>2003-2004</b>	<b><u>University Counselor – Doctoral Practicum</u></b> The Pennsylvania State University, University Park, PA Counseling and Psychological Services
<b>2003</b>	<b><u>Career Counselor – Doctoral Practicum</u></b> The Pennsylvania State University, University Park, PA MBNA Career Services Center
<b>2002-2003</b>	<b><u>Clinic Counselor - Doctoral Practicum</u></b> The Pennsylvania State University, University Park, PA CEDAR Clinic
<b>2000-2002</b>	<b><u>Social Science Research Associate</u></b> University of Texas Health Science Center at San Antonio, TX Department of Psychiatry Division of Schizophrenia and Related Disorders
<b>2002</b>	<b><u>Adjunct Faculty Member</u></b> Northwest Vista College; Department of Psychology; San Antonio, TX
<b>2000-2002</b>	<b><u>Individual, Group, &amp; Family Therapist (Weekend Contract)</u></b> Southwest Mental Health Center (Southwest Neuropsychiatric Hospital for Children and Adolescents); San Antonio, TX
<b>2000-2001</b>	<b><u>Community Counselor, Master's Practicum</u></b> San Antonio Gay and Lesbian Community Center; San Antonio, TX
<b>1998-2000</b>	<b><u>Case Manager / Mental Health Worker III</u></b> Southwest Mental Health Center (Southwest Neuropsychiatric Hospital for Children and Adolescents); San Antonio, TX
<b>1996-1998</b>	<b><u>Police Dispatcher (Emergency Services)</u></b> Angelo State University Police Department; San Angelo, TX
<b>1995</b>	<b><u>Hospital Health Aid</u></b> Chaplain Services; Department of Veterans Affairs Medical Center; Big Spring, TX

Exhibit “C”  
M. Leslie Wade Zorwick, Ph.D.  
Expert Report March 19, 2016

**M. Leslie Wade Zorwick, Ph.D.**

1600 Washington Avenue, Conway, AR 72034

Phone: 501.450.1493

Email: Zorwick@hendrix.edu

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March 19, 2016

R. A. Coulter

776 E. Riverside Drive, Suite 240

Eagle, Idaho 83616

Re: Jun Yu v. Idaho State University, Case No. 4:15-CV00430-REB

Dear Attorney Coulter:

At your request, I have prepared an expert witness report regarding my professional opinions in the matter of Jun Yu v. Idaho State University (Case No. 4:15-CV00430-REB).

I am currently a tenured Associate Professor at Hendrix College who specializes in social psychology. At Hendrix College, I teach courses in Stereotyping and Prejudice, Social Psychology, Social Cognition, Identity and Belonging, Stereotyping and Identity, Psychology and the Law, and Statistics. I received my B.A. in Psychology and Philosophy from Emory University, my M.A. in Psychology from The Ohio State University, and my Ph. D. in Psychology from The Ohio State University. At Hendrix College, I broadly conduct research about stereotyping, prejudice, identity, perspective taking, and the social benefits of integrated educational settings. More specifically, I study the gender stereotyping of women in traditional and non-traditional roles, the impact of identification with social groups on the perception of others, race-based stereotyping, stereotype threat, and the use of perspective-taking as a way to improve relationships between different people. During my time at Hendrix, I have received both internal research grant support and non-profit grant support for my work. I have also been nominated for the Edna Award for Social Justice from the Berger-Marks Foundation. I have provided a copy of my full curriculum vitae with this report.

Social psychologists have long been interested in issues of stereotyping, prejudice, and discrimination. As a field, social psychologists are in a unique position to discuss the ways in which stereotyping may be manifested in behavior. Recent legal scholarship has begun to point to the importance of having expert witnesses that can speak to both the psychological underpinnings of prejudice and the ways in which stereotyping may manifest in behavior. Bodensteiner (2008) argues "in order to make better, more reliable decisions in discrimination cases, all participants in the process need to



understand the psychology of discrimination” (p. 108). It has also been argued that an awareness of social cognitive processes – for example, how the activation of group categories, like race, encourage the use of stereotypes – is essential to understanding prejudice and discrimination (Krieger, 1995).

In preparing my report, I have extensively researched and reviewed the research literature that offers evidence in support of the theories of aversive racism and shifting standards. The theories I cite – aversive racism and shifting standards – are widely recognized and accepted within the field of social psychology and both have been studied for more than 25 years. My opinions are based on my education and research and they are solely mine, and do not reflect the positions of my employer or other organizations with which I am affiliated.

## **I. Materials Reviewed**

To prepare my report, I reviewed the following case documents:

- Complaint filing with the U. S. District Court for Idaho in the matter of Jun Yu v. Idaho State University, dated September 16, 2015.
- Updated Complaint Management Order by U. S. Magistrate Ronald E. Bush of the U. S. District Court for Idaho in the matter of Jun Yu v. Idaho State University, dated January 26, 2016.
- Document titled: “The Assault on Jun Yu: Multicultural Incompetence in a Clinical Psychology Doctoral Program, Resulting in the Professional Destruction of an International Student,” by Jocelyn Eikenburg and Michael D. Dwyer.
- Document titled: “Clinical-Professional Development Points For Consideration By the Graduate Council in the Appeal of Mr. Jun Yu,” by Jun Yu.
- All documents contained in the 659 page defendant’s initial disclosures.
- Defendant’s answers and response to the Plaintiff’s first set of discovery requests dated February 5, 2016.
- All documents contained in pages 660-845, which was shared in the Defendant’s answers and response to the Plaintiff’s first set of discovery requests
- Plaintiff’s answers and response to the Defendant’s first set of discovery requests dated March 16, 2016.
- All documents contained in the 1408 page plaintiff’s initial disclosures, including “State Board of Psychology of Ohio – Complaint Against Dr. Leslie Speer and Dr. Thomas Frazier filed by Jun Yu,” “APA Ethics Office – Complaint against Dr. Mark Roberts filed by Jun Yu,” and “APA Ethics Office – Complaint against Dr. Shannon Lynch filed by Jun Yu.”
- The Graduate Record Exam (GRE) Report of Scores for Mr. Jun Yu.

## II. Opinions and Basis of Opinions about Aversive Racism

### 1. *Modern manifestations of prejudice are less blatant than manifestations of prejudice in the past.*

A great deal of research in social psychology has identified the fact that it has become much less socially acceptable to endorse prejudiced attitudes over the past fifty years. Public endorsement of prejudiced ideals is uncommon and is associated with public censure because we have largely embraced egalitarianism as a society (Dovidio & Gaertner, 2000). However, despite the fact that people will not explicitly endorse stereotypes to the same extent as fifty years ago, discrimination is still a very large problem (Dovidio & Gaertner, 2000). Because of the social norm of egalitarianism, people do not express racist attitudes publicly. However, when people are not aware of how their negative race-based attitudes might be affecting them, either because the invocation to use these attitudes is subtle or the situation is ambiguous, researchers tend to see evidence that racial bias is, in fact, present (Dovidio & Gaertner, 2000). Unfortunately, “the invisible nature of acts of aversive racism prevents perpetrators from realizing and confronting (a) their own complicity in creating psychological dilemmas for minorities and (b) their role in creating disparities in employment, health care, and education” (Sue et al., 2007, p. 272).

Social psychologists have identified two types of measures to assess racial attitudes: explicit and implicit. Explicit measures tap into the attitudes that participants can self-report and are willing to disclose (Gaertner & Dovidio, 2002). Implicit measures are indirect and often assess the extent to which categories and traits are linked in memory, operating under the assumption that the greater the connection between a category and a trait, the easier it will be to perceive and associate the two (Greenwald & Krieger, 2006). Implicit measures regularly demonstrate evidence of pro-White bias, which points to the power of socialization in America to shape the racial attitudes of individuals (Lee, 2013; Greenwald & Krieger, 2006).

It was originally thought that implicit measures of bias tapped into attitudes that were outside of people’s conscious awareness and that people could not detect these biases. However, recent research has found that people are aware of their implicit, as well as explicit, bias and are able to predict their implicit biases fairly accurately (Hahn, Judd, Hirsh, & Blair, 2014). The ability to be self-aware of implicit and explicit racial attitudes seems to be a critical precursor for avoiding unwanted behavior based on bias. Hahn and his colleagues (2014) argue that “awareness of one’s implicit biases is a good and healthy first step for the effortful control of prejudiced reactions. That is, participants might use their... knowledge to be more careful in their behavior and more aware of their possibly biased reactions” (p. 1388). Monteith and Mark (2005) argue that when

stereotypes are activated and when we act in biased ways, by noticing our biased behavior, we have an opportunity to identify cues that might signal an increased risk of bias in the future. This increased awareness allows us avoid using stereotypes and prejudice in subsequent judgment. In fact, Monteith and Mark (2005) argue that “one of the potential obstacles to learning to self-regulate prejudiced responses is failure to recognize biases when they occur” (p. 143).

2. *Aversive racism theory explains the tension between egalitarian attitudes and disparate treatment of minorities.*

According to Armour (1995) “the dominant model of prejudice in the current legal literature is the theory of aversive racism” (p. 746). In their research, Dovidio and Gaertner (2000) discuss aversive racism as one reason why people may not be aware of the extent to which their behaviors have been affected by negative racial attitudes, saying: “aversive racism is hypothesized to characterize the racial attitudes of many whites who endorse egalitarian values, who regard themselves as nonprejudiced, but who discriminate in subtle, rationalizable ways” (p. 315). Aversive racism combines an explicit belief in egalitarianism with implicitly measured connections between racial groups and negative stereotypes. Because these negative stereotypes are learned due to socialization in a culture, they tend to be established first. And, when egalitarianism is learned and starts to be explicitly valued, it doesn’t seem to undo these cognitive associations (Dovidio, 2001). In the theory of aversive racism, aversion is felt based on both negative stereotypes of other racial groups and the concern people have at the thought of being seen as prejudiced (Gaertner & Dovidio, 2002).

In addition, aversive racism seems to be more likely to manifest in subtle behavior than overt and obvious behavior (Dovidio, 2001). Evidence of aversive racism has been found in the context of helping behavior (Dovidio 2001; Kunstman & Plant, 2008), doctor-patient interactions (Penner et al., 2010), job candidate decisions (Dovidio & Gaertner, 2000), student selection decisions (Hodson, Dovidio, & Gaertner, 2002), resource allocations (Son Hing, Li, & Zanna, 2002), legal decisions about defendants (Gaertner & Dovidio, 2002), and intergroup interactions (Dovidio, Gaertner, Kawakami, & Hodson, 2002). Ultimately, “aversive racists recognize that prejudice is bad, but they do not recognize that *they* are prejudiced” (Dovidio & Gaertner, 2004, p. 26).

3. *Aversive racism can be activated by subtle cues that highlight group membership.*

Son Hing, Li, and Zanna (2002) studied aversive racism in response to an Asian experimenter. Specifically, they highlighted the Asian experimenter’s racial

identity with a strong linguistic accent, which caused the experimenter's racial category to become salient for participants. This salient racial identity then caused participants who fit the pattern of aversive racism – low explicit prejudice and high implicitly measured prejudice – to subsequently favor larger cuts to the budget of an Asian students association, indicating that the salient racial identity resulted in prejudiced decision making. This research points to the fact that subtle cues, such as the strength of an accent, can set the stage for the use of race-based stereotypes.

**4. *Aversive racism is most likely to shape behavior in the face of ambiguity.***

For aversive racists, when decision-making or behavior would clearly demonstrate race bias, they choose decisions and behaviors that will not demonstrate bias. But, when there is ambiguity in a situation, racism will influence decision making in ways that will not threaten the person's self-image as being nonprejudiced. For example, when considering a highly qualified candidate, aversive racists will express equal interest in Black or White job candidates. But, when considering a moderately qualified job candidate, aversive racists will choose the White job candidate over the Black job candidate, because there is a way to justify their decision (e.g., this candidate does not have enough experience) that does not require an acknowledgement of their own prejudice attitudes (Dovidio & Gaertner, 2000).

The creators of the theory argue that aversive racism is most likely to manifest when "normative structure is weak, when the guidelines for appropriate behavior are unclear, when the basis for social judgment is vague, or when one's actions can be justified or rationalized on the basis of some factor other than race" (Pearson, Dovidio, & Gaertner, 2009, p. 5). Consistent with findings on aversive racism, Crandall and Eshleman (2003) proposed the Justification-Suppression Model. This model argues that the relationship between prejudice and the expression of prejudice is determined by two things: the factors that encourage us to suppress prejudice and the factors that encourage us to justify using prejudice. The factors that increase the likelihood of aversive racism manifesting – ambiguity, weak norms, ability to rationalize behavior in race-neutral ways, and unclear guidelines – can all be considered to be factors that can take the pressure off people to suppress their stereotypes, resulting in the greater usage and activation of stereotypes.

Aversive racism also involves an avoidance of interracial interaction, because of the anxiety that is associated with negative stereotypes and the anxiety associated with the risk of inadvertently expressing prejudice, which would go against the person's stated belief in egalitarianism (Dovidio & Gaertner, 2004). One additional consequence of this anxiety is that when interracial interaction

does occur, aversive racists seek to end the interaction as quickly as possible (Dovidio & Gaertner, 2004).

5. *Aversive racism involves focusing on race-neutral explanations*

One way that evaluators can create ambiguity surrounding evaluations involves seeking out race-neutral explanations for behavior. Between 1989 and 1999, Dovidio and Gaertner (2000) found that the explicit endorsement of prejudice declined, but aversive racism did not. Part of the difficulty in combating aversive racism is that people who are making decisions based on race and stereotypes may not be fully aware of how stereotypes are influencing them. Our ability to rationalize race-based decisions in race-neutral ways, then, becomes an impediment to eliminating racist beliefs. And, when decision makers only search for evidence that supports their prior belief or expectation, they may create a race-neutral justification for a policy or decision that has a disparate impact on minority students.

One extreme of race-neutrality involves taking the approach of colorblindness, which minimizes differences across racial groups and involves a focus on similarities across people (Purdie-Vaughns & Walton, 2011). Recently, Chow and Knowles (2016) have argued that color-blindness can be used strategically to mask negative stereotypes about racial groups and to allow culturally dominant groups to maintain their privilege. Color-blind decision-making can be used in contemporary contexts as a way to “‘set the agenda’ so that race can no longer be effectively discussed and addressed. Thus, for many Whites, support for color-blind policies may reflect the motivation to protect the racial status quo” (p. 26).

6. *Aversive racism can lead to post hoc explanations for decisions.*

Hodson, Dovidio, and Gaertner (2002) argue that one cause of the differential treatment of Whites and minority groups by aversive racists is the tendency to give the “benefit of the doubt” to White targets. In their research, Hodson et al. (2002) find that when qualifications are mixed, participants higher in prejudice will change the value they assign to each type of qualification, depending on which will most favor White candidates. This work finds that “higher prejudice-scoring participants weighed application criteria in ways that systematically justified or rationalized...discrimination against Blacks” (Hodson et al., 2002, p. 469).

Research has found that when aversive racist participants, relative to truly low prejudice participants, have a race-neutral explanation for decision making, they will discriminate against Asian job candidates (Son Hing, Chung-Yan, Hamilton, & Zanna, 2008). And, these participants who demonstrated this aversive racism

subsequently demonstrated a biased memory towards the Asian candidate, so when they thought back about the candidate at the end of the study, they consistently remembered less of that candidate's positive qualities (Son Hing et al., 2008).

Research has found that when people make decisions that are influenced by social category membership (e.g., race or gender), they will often cover up the true reasons for their decisions and will rationalize their choices by identifying or creating reasons *post hoc* that aren't based on group membership (Norton, Vandelllo, & Darley, 2004). It has been argued that this covering up of biased reasoning is "a means of rationalizing one's questionable actions to oneself" (Norton et al., 2004, p. 829). Further work by Uhlmann and Cohen (2005) has found that we define and then redefine the qualifications we use to assess job candidates who belong to different social groups, so that we can justify the choice of the candidate who is stereotypically expected to succeed at the job in question. Making matters worse, Uhlmann and Cohen (2005) find that the perception that our criteria and judgments are objective can make the bias caused by re-defining criteria even worse. This finding – that we see ourselves as being more objective than we are – is consistent with work on the bias blind spot, which argues that we have an easier time seeing the ways in which other peoples' decisions are biased than the ways in which we are biased (Pronin & Kugler, 2006). In their work, Pronin and Kugler (2006) argue that the bias blind spot will manifest when people focus on their own internal thoughts, and not their behaviors, to determine they are not biased, all the while ignoring the ways in which their internal thoughts may be protecting them from having to acknowledge bias.

## 7. *Positive feedback can be consistent with a pattern of aversive racism.*

A meta-analysis found that while ambiguous criteria lead aversive racists to prefer Whites, clear criteria lead to a slight preference for minorities (Aberson & Ettlín, 2004). This allows for aversive racists to maintain their non-prejudiced self-views and to provide evidence of non-prejudiced credentials to others. Unfortunately, being able to reference these "moral credentials" has been associated with subsequent behavior that is prejudiced (Effron, Cameron, & Monin, 2009). For example, in the research conducted by Monin and Miller (2001), after males were given the opportunity to disagree with sexist statements on a survey, they were more likely to endorse the idea that certain jobs are more appropriate for men. Researchers also find that expressing positivity toward Black politicians serves as a justification for prejudice (Effron et al., 2009).

Research has also demonstrated that the stereotypes associated with different social groups often include both positive and negative components (Fiske,



Cuddy, Glick, & Xu, 2002). In their Stereotype Content Model, Fiske and her colleagues (2002) argue that groups are frequently seen as being high in warmth and low in competence *or* as being high in competence and low in warmth. They argue that these combinations of positive and negative stereotypes occur because positive stereotypes allow us to continue holding negative stereotypes about the group, while maintaining the belief that we are not prejudiced.

8. *Aversive racism can make working relationships more challenging.*

Aversive racism makes interracial interactions less successful (Dovidio, Gaertner, Kawakami, & Hodson, 2002). In interracial interactions, White interaction partners tend to focus on their conscious belief in egalitarianism and they think this will communicate their positivity to Black partners. In contrast, Black interaction partners focused on the ways in which White participants' negative stereotypes leaked out nonverbally, which communicated significantly less friendliness. After the interracial interaction, White aversive racists thought things had gone well, while the Black participants they interacted with felt uneasy and did not think the interaction had gone well (Dovidio et al., 2002). Additional research has found that interracial interaction with White aversive racists produces team performance that is significantly worse than interacting with Whites who are either low in prejudice or who are actually high in prejudice (Dovidio & Gaertner, 2004). Dovidio and Gaertner (2004) argue that this occurs because "the conflicting messages displayed by aversive racists and the divergent impressions of the team members' interaction interfered with the team's effectiveness" (p. 25).

9. *Aversive racism can manifest in racial microaggressions.*

One consequence of aversive racism is that it is hard to identify because of its "subtle, nebulous, and unnamed nature" (Sue et al., 2007, p. 272). Racial microaggressions are one manifestation of aversive racism and they involve "brief, everyday exchanges that send denigrating messages to people of color because they belong to a racial minority group" (Sue et al., 2007, p. 273). Racial microaggressions might involve "subtle snubs or dismissive looks, gestures, and tones" (Sue et al., 2007, p. 273). One example of racial microaggressions provided by Sue et al. (2007) is the tendency to assume that communication styles different than those common for Whites in America are either wrong or less appropriate, which communicates to racial minorities that they are expected to assimilate to dominant American culture. One critical problem that stems from racial microaggressions is that they will often be explained away in a race-neutral way, similar to the finding that selection decisions made by aversive racists will only manifest bias when race-neutral explanations are possible.



These racial microaggressions can occur in both social and academic contexts on college campuses and affect the well being of minorities (Solorzano, Ceja, & Yosso, 2000). Sue (2010) argues “the most detrimental forms of microaggressions are usually delivered by well-intentioned individuals who are unaware that they have engaged in harmful conduct toward a socially devalued group. These everyday occurrences may on the surface appear quite harmless, trivial, or be described as ‘small slights,’ but research indicates they have a powerful impact upon the psychological well-being of marginalized groups” (p. 3). The consequences of racial microaggressions include the creation of hostile and exclusionary work and learning environments, lower workplace and school productivity, threats to group identity, learning environments in which people will worry about being stereotyped, and harm to both physical and mental health (Sue, 2010).

Color-blindness, too, is connected to microaggressions because it frequently invalidates the unique experience different groups have, as a function of their membership in socially devalued groups (Sue, 2010). Sue argues that color-blind decision making and policy “is predicated on the mistaken belief by many Whites that ‘not seeing color’ means they are unbiased and free of racism” (p. 10). And, the challenges that surround discussing race in American academic contexts have been well documented in previous research (Sue, 2013). The difficulty in openly discussing race in academic contexts can be detrimental for students of color, particularly when working with well-intentioned White faculty members who never challenge their race bias because they avoid difficult conversations about race (Sue, 2013).

Recent research has examined how racial microaggressions manifest for Asian international students (Houshmand, Spanierman, & Tafarodi, 2014). Houshmand and her colleagues (2014) find that these microaggressions involve being ridiculed for having an accent, being made to feel that cultural differences are not important and should not be considered, and the structural barriers that exist for funding and opportunities for international students. Houshmand et al. (2014) argue: “because of the ways in which Asian international students routinely experience racial invalidation and insults on campus, the onus of acculturation and integration cannot be placed solely on international students” (p. 385).

### **III. Connections between the facts of the case and Aversive Racism**

1. *There was ambiguity in the judgment criteria used when assessing Mr. Yu.*

- a) There was clear ambiguity about the level of English speaking skill that the Idaho State University faculty required for Mr. Yu to successfully complete his doctorate. According to the “Clinical-Professional Development Points For Consideration By the Graduate Council in the Appeal of Mr. Jun Yu,” the requirement for the university was a TOEFL score of 80 and Mr. Yu’s score was well above this standard. Mr. Yu was told to participate in a program to practice his English in his first year of the graduate program, which he did. After meeting the objective requirement of the University, and participating in the specified program, he continued to be told that he needed to work on his English and was told to “...immerse himself in English-speaking contexts wherever possible (i.e., course-work, clinic work, research, and opportunities external to the clinical program)” (ISU Documents 0065). Given that Mr. Yu was living in an English-speaking country, taking courses in English, teaching courses in English, and working in English speaking therapeutic settings, it’s completely unclear what more he was expected to do or how he could have more fully immersed himself in English. Given that the guidelines for appropriate English fluency were unclear and the suggestions for improvement were vague, this was the kind of normative situation that is frequently associated with the expression of aversive racism.
  
- b) There is evidence of ambiguity across the evaluations Mr. Yu received from many supervisors. These kinds of ambiguity communicate that the bases for judgment about Mr. Yu’s skills were neither clear nor concrete. Many supervisors gave feedback that was contradictory or that both praised and criticized Mr. Yu on the same dimensions. For example, in her final evaluation before dismissing Mr. Yu from the Cleveland Clinic on April 1, 2013, Dr. Leslie Speer said “Jun...accepts feedback well” and several lines later says “Jun is unaware of own limitations.” It’s difficult to understand how both of these can occur, given that if he accepts feedback well, that must be – at least in part – about the areas in which he needs to grow. In addition, when Dr. Speer spoke with Mr. Yu and told him that he would be dismissed from the internship, she also “admitted she could have been clearer about her expectations” (Plaintiff Documents 000307). There is also evidence that the assessments of Mr. Yu’s internship supervisors, Dr. Speer and Dr. Cheryl Chase, disagreed about his work and progress, creating ambiguity for the CTC when making a decision about whether to dismiss Mr. Yu from the ISU program. When criteria for success are vague or ambiguous, it increases the chances that aversive racism will be expressed.
  
- c) There is evidence of ambiguity in the tasks that were considered appropriate work for practicum students, suggesting a weak normative structure. While there is a broad set of appropriate activities for practicum students, it seems that Mr. Yu had different opportunities for skill development than other practicum students. For example, in his community practicum with Dr. Cheri Atkins in the

fall of 2011, Mr. Yu was only allowed to observe clinical activity. Even the ISU faculty seemed surprised that he would be accepted for a community practicum and not allowed to participate fully in the activities associated with the practicum (ISU Documents 0151). And, this decision to not allow him to work with clients, after he had received good grades from Dr. Atkins and been allowed to work individually with clients in the previous spring in an practicum with Dr. Atkins, suggests an arbitrary and capricious shift in treatment. When normative structure is weak, it increases the chances that aversive racism will be expressed.

- d) At its core, the idea of “satisfactory progress” in either professional or academic domains is inherently based on subjective ratings, which invite both ambiguity and the opportunity for shifting standards (which will be addressed in more detail in section IV below).

***2. ISU shifted from considering Mr. Yu’s cultural background to creating and using race-neutral explanations for their own behavior.***

It’s clear that the ISU Psychology department was cognizant and focused on Mr. Yu’s international status when he initially joined the program. The program admitted him in part because they wanted to have a student who “would bring Chinese culture front and center into the Program” (ISU Documents 0197). In addition, the initial approach to Mr. Yu’s education was one in which his faculty and supervisors took into account his international status; in fact, Dr. Mark Roberts mentions in his testimony before the graduate council on October 2, 2013 (ISU Documents 0269) that the faculty knew that Mr. Yu would need time to develop language skills and they tried to teach him in a way in the first two years that would give him the time to develop these skills, saying: “...during the first two years we simply...said okay, this is an international student, and we expect him to become more fluent in English...and so of course he was sheltered...during these first two years I think everyone just looked at some of the issues we might have had as typical for someone whose language was not English during those first two years.” While Dr. Roberts contends that the faculty tried to “shelter” Mr. Yu in his first two years, this was neither effective to communicate how Mr. Yu should improve his language nor effective to communicate the ultimate standard to which Mr. Yu would be held, in terms of English language proficiency.

In contrast, when Mr. Yu was dismissed, the language of the ISU faculty shifted to communicate that he was being treated exactly the same as every other student. The ISU faculty claims (ISU Document 0272) that they used the same “model for applying for internship, the same external review, and the same process for notification of the limitations. Nothing was done that was specific to him.” This shift in approach is one that moves from an acknowledgement of Mr.

Yu's individual needs to an espousal of color-blind ideology, which is connected to both the maintenance of prejudice and racial microaggressions. Sue (2013) argues that "organizations...that profess a color-blind philosophy actually promote interpersonal discrimination among employees, adopt discriminatory policies and practices, and justify inequality...pretending not to see color and avoiding critical consciousness of race lower empathic ability, dim perceptual awareness, and allow Whites to live in a world of deception" (p. 667).

Beginning in the description of the internship process, faculty begin clearly comparing Mr. Yu directly to native English speakers, allowing them a race-neutral justification for their negative feedback and lack of assistance. For example, in the Clinical Training Committee (CTC) student evaluation in spring 2012 (ISU Documents 0158), the summary includes this statement "... Jun's difficulties in assuming the perspective of patients and supervisors is inconsistent with fourth year doctoral student status, and when combined with difficulties in communication, seems likely to be the root cause of the Below Expectation items on the practicum rating scales and, possibly, the failure to obtain an internship." While two sentences later, the CTC acknowledges, "...given the highly competitive nature of the internship process, there may be reasons other than communication and perspective-taking...behind failure to match." There is absolutely *no* evidence that these issues were responsible for Mr. Yu not matching in an incredibly competitive internship process; in fact, multiple students in the ISU clinical psychology program went through non-standard internships and 29% of applicants did not receive internships through the match process in 2012 (Plaintiff Document 000011). This type of shifting toward race-neutral explanations is one that frequently precedes the expression of aversive racism in the research literature.

3. *There is evidence that post hoc explanations, which are a hallmark of aversive racism, were used to justify the decision to dismiss Mr. Yu.*
- a) In the Psychology Department's response to Mr. Yu's letter of appeal (ISU Documents 0640), Dr. Shannon Lynch wrote: "The reasons behind your dismissal date back to unsatisfactory progress in professional development that was formally documented during the fall semester 2011." While it is true that the first concerns about professional development appeared on the fall 2011 CTC evaluation, Mr. Yu was on track to graduate with his Ph.D. until his dismissal from the Cleveland Clinic internship.

Describing this time period as one during which the faculty started having the concerns that led to dismissal is somewhat misleading, as there was actually strong evidence in favor of Mr. Yu's skills in the fall semester of 2011. Dr. Mark Roberts wrote a letter of recommendation in the fall of 2011 (the same semester

referenced by Dr. Lynch), offering strong support for Mr. Yu's candidacy for APPIC internships. Dr. Roberts wrote: "Jun's professional development has also proceeded well...he has worked for seven different supervisors. All have indicated he met or exceeded expectations for his developmental level on virtually all rated professional skills, with two exceptions. Given his international background and Chinese accent, two supervisors believed his alliance building skills were below expectations...I did not detect that problem...I recommend him to you without reservation" (ISU Document 0670). In addition, in the fall of 2011, Dr. Tony Cellucci wrote a recommendation for Mr. Yu for an internship based on his three years of experience as Mr. Yu's teacher and practicum supervisor, saying "Jun made a definite contribution to the training program and department. I found him to be a person of integrity...he is also one of the hardest workers I have ever known...early concerns regarding English pronunciation and fluency did not present problems...Jun was easy to supervise..." (Plaintiff Documents 000478-000479).

The concerns raised by Dr. Lynch from 2011 were not seen as meriting dismissal until *after* the outcome of the Cleveland Clinic internship. This is the very definition of a *post hoc* explanation and justification for behavior.

- b) In their letter in response to Mr. Yu's complaint with the Idaho Human Rights Commission, Dr. Roberts and Dr. Lynch write that they pushed Mr. Yu in the direction of "a professional placement that focused on testing...given that psychometric tests have a specific linguistic script to follow" because "it was assumed that with practice he could readily learn to administer any of the tests used by the site. In contrast, a professional placement that involved primarily the provision therapy was considered premature for him, given his fluency problems" (ISU Documents 0148). In subsequent evaluations, the ISU faculty decided that Mr. Yu had not developed the skills that were consistent with his year in the program, particularly in regards to patient interaction. But, there is no mention of the fact that the ISU faculty actively curtailed Mr. Yu's learning opportunities as late as his third year in the program because of their beliefs that he was not ready for certain types of work activities.
- c) When Mr. Yu did not match through the APPIC process, the department suggested three possible next steps: applying through APPIC the following year, creating a non-standard internship, or returning to China for an internship. The CTC made the case that an internship in China would both address the linguistic challenges inherent in counseling in a nonnative language and allow Mr. Yu to develop relationships with other professionals in China, in advance of seeking employment there (ISU Documents 0158). Mr. Yu chose to create a non-standard internship in the United States, but the faculty actually had a strong preference that he complete his internship in China. In responding to a complaint with the Office of Consultation and Accreditation on January 28 2014 (ISU Document



0198), Dr. Mark Roberts wrote that, “In early June 2012...It was clear to the committee that Mr. Yu’s professional progress remained unsatisfactory...he was unable to perform at the intermediate level of professional skill,” yet the committee thought the best option for Mr. Yu would be an internship in China, calling it a “more viable option.”

In a letter in support of Mr. Yu receiving Dissertation funding, Dr. Roberts argues that Mr. Yu should have the resources to conduct therapy with families in China, noting “were Mr. Yu successful in accommodating the current treatment measures and treatment procedures to Chinese families, the potential clinical service to high-risk defiant and aggressive Chinese children is staggering” (ISU Documents 0668). In his letter of recommendation for APPIC, Dr. Mark Roberts says that Mr. Yu did excellent work collecting his dissertation data and functioned “virtually independently in performing a clinical trial” in China, including working with multiple families (ISU Documents 0670). Both of these documents suggest tremendous trust in Mr. Yu’s ability to engage in counseling that would be effective and transformative for clients. Dr. Roberts also notes that Mr. Yu’s largely independent work “is a most impressive accomplishment for a pre-intern in a clinical psychology program” (ISU Documents 0670).

When Mr. Yu was let go from the internship with Dr. Leslie Speer at the Cleveland Clinic, he requested the opportunity to attempt an internship in China. The psychology department denied this request, arguing in their response to Mr. Yu’s appeal that “failure at the Cleveland Clinic provided explicit evidence that your lack of satisfactory progress is not the result of a linguistic problem alone...we believe that you may actually put patients at risk, not as a matter of inadequate linguistic abilities, but as a matter of poor perspective taking and difficulties with conceptualization...and might put Chinese patients at risk of harm” (ISU Document 0641). The logical leap required to believe that the concern of one internship supervisor (which was not shared by Mr. Yu’s other supervisor, Dr. Cheryl Chase) meant increased risk for Chinese patients, when none of the faculty making this assessment had ever been in the position to assess Mr. Yu’s work with Chinese patients, suggests the creation of a *post hoc* justification for dismissal, in addition to the ISU faculty working to create a race-neutral justification for dismissal.

In addition, the *only* evidence of Mr. Yu’s work with Chinese families suggests incredible success. Mr. Yu had 100% of his 19 families complete their sessions with him (Plaintiff Document p. 295), which is an incredibly large and very rare completion rate in psychological research. In addition, the average satisfaction ratings Mr. Yu received were all in the range of 5.4-5.5 (out of 6) when patients considered Mr. Yu’s preparation, teaching skills, helpfulness, and his interest and concern for the caregiver and their child’s problems (Plaintiff Document 000377-000379). These ratings show that Mr. Yu’s Chinese patients had *very*

positive experiences working with him and that they perceived he had good perspective taking skills, which stands in direct contrast with the concerns of the ISU faculty. To ignore the only direct piece of evidence about Mr. Yu's work with Chinese patients in making their final decision about dismissal also offers strong evidence of the use of *post hoc* justifications.

- d) In the dismissal letter sent by Dr. John Landers to Dr. Mark Roberts when Mr. Yu was let go from an externship (ISU Documents 0035), Dr. Landers says "...Jun Yu is unable to grasp the communication nuances that are required to build rapport with difficult patients, administer standardized tests with difficult patients..." but then goes on to write "Jun Yu...has obviously mastered the behavioral science components essential to his career goal of returning to China to provide parent/child skills training." In a feedback summary form (ISU Documents 0039), Dr. Landers wrote "Given his desire to return to China and specialize in parent/child training, he is probably right where he needs to be...I would recommend continued focus in his area of interest..." This externship dismissal was held up as part of the reason for Mr. Yu's ultimate dismissal from the ISU program. However, Dr. Landers is explicit that the language problems that prevented Mr. Yu from working successfully at Dr. Landers' externship were not likely to be a problem working with Chinese patients. The ultimate usage of this dismissal to prove the concern about harming patients more generally suggests the ISU faculty were looking for ways to justify their decision to dismiss Mr. Yu after the fact.
- e) In responding to a complaint with the Office of Consultation and Accreditation on January 28 2014, Dr. Roberts wrote that, while the department thought that Mr. Yu should complete his internship in China, the department "was compelled...to honor his request to begin the process of approving the non-standard internship; further, we were...prevented...from contacting Dr. Speers [sic] independently to provide historical caveats regarding Mr. Yu's readiness for internship" (ISU Documents 0199). Given that Dr. Roberts had written a strong letter of support for Mr. Yu, when Mr. Yu applied for APPIC internships, this suggests *post hoc* generation of reasons to justify Mr. Yu's dismissal.
- f) When Mr. Yu's two internship supervisors in 2013, Dr. Cheryl Chase and Dr. Leslie Speer, offered mixed evidence about his work, the Psychology department only focused on the negative opinion of Dr. Leslie Speer. Dr. Chase did not share Dr. Speer's concerns; in fact, Dr. Chase was uniformly positive in her feedback and impressed with Mr. Yu's work (ISU Documents 0530). In responding to Mr. Yu's appeal of the decision to dismiss him (ISU Documents 0641), the Psychology department says that they did not consider Dr. Chase's feedback with the same weight because she had not seen Mr. Yu in "face-to-face service provision with clients." However, this is directly contradicted by Dr. Chase's report on Mr. Yu's work, which references working together with clients. In addition, given that Dr.



Speer did not work with Mr. Yu to discuss a plan for remediation before dismissing him means that her report was based on interaction that violated the minimal due process protections that were in place for Mr. Yu. Under these circumstances, the fact that the ISU Psychology department only focused on the evidence supporting their conclusion, even when the behavior of the supervisor giving the feedback did not meet the requirements established in the supervisory agreement, suggests the faculty were creating explanations for dismissal after the fact.

- g) One specific example of *post hoc* justifications for dismissal comes from the feedback of Dr. Shannon Lynch as a supervisor. In her assessment of Mr. Yu's practicum performance in the fall of 2011 (ISU Documents 0081) she comments on the organization of his note taking, his classroom performance, and the ways in which he struggles to incorporate the situation of clients into his approach. But, she points to improvement in several domains – including organization, conceptualization, and their working relationship – and she ends the evaluation by saying “I fully expect further improvement in the coming months and look forward to seeing his growth as a therapist in training.” There is clear evidence of Mr. Yu's further improvement under her supervision in the records. Initially, Dr. Lynch's evaluation was offered in December 2011 while Mr. Yu's practicum work was incomplete, and Dr. Lynch wrote in the Course Completion Contract (ISU Documents 0082), “If Jun does not carry out additional work, his current efforts reflect performance + skills equivalent to a ‘B’”. After Mr. Yu finished the incomplete work in Spring 2012 for her practicum, Dr. Lynch gave Mr. Yu an A- for his performance.

In striking contrast, her testimony before the graduate council on October 2, 2013 (ISU Documents 0274) involved a description of profound concerns at Mr. Yu's mishandling of a client in crisis – which was not flagged in the evaluation for that semester – and she says that “what I'm trying to convey to you is the ability to respond and this issue of doing harm to patients. This is just one example...and it's actually a very clear one in my mind from that time.” This shift in focus, from looking forward to tracking his growth and progress to one where she is confident that Mr. Yu is doing harm to clients suggests a profound shift in her impression that is not consistent with her assessment of his work *immediately* after his performance, and contradicts the satisfactory grade that she had awarded him for the practicum. This is consistent with the finding in the aversive racism literature that people demonstrating aversive racism systematically misremember minority candidates as being worse than they actually were.

- h) In his January 28, 2014 letter in response to the complaint filed by Mr. Yu against the ISU psychology department with the Office of Program Consultation and Accreditation (ISU Documents 0197), Dr. Mark Roberts wrote the following:

“Our concerns at admission were his poor GRE Verbal score (410; 34<sup>th</sup> percentile) and his poor GRE Analytic Writing score (3.5; 18<sup>th</sup> percentile). These scores are markedly discrepant from [sic] the modal applicant offered admission into the Program (see our website at: [www.isu.edu/psych/clinicalprogram.shtml/#admiss](http://www.isu.edu/psych/clinicalprogram.shtml/#admiss) for IR C-20 data). Given English as his second language, we discounted these poor scores on the GRE in order to enhance the Program's diversity.”

This statement is a significant misrepresentation of Mr. Yu's GRE scores. Mr. Yu took the GRE three times and it is common practice to consider the highest score for each section across the multiple tests. While it is true that Mr. Yu did receive the scores reported by Dr. Roberts on one of his GRE exams, he *also* scored a 600 on the verbal section (which is in the 85<sup>th</sup> percentile) and a 4.0 on the writing section (which is in the 33<sup>rd</sup> percentile). In combination with his 790 quantitative score (which is in the 92<sup>nd</sup> percentile), Mr. Yu's standardized test performance was quite strong. Although the website provided above by Dr. Roberts only offers information about mean and median GRE Scores for students admitted to the ISU psychology program from 2011-2015, Mr. Yu's scores indicate that his performance was *higher* than both the mean and the median of scores for other students in the program on both the verbal and the quantitative sections.

In his initial report of Mr. Yu's scores to the Office of Program Consultation and Accreditation, Dr. Roberts either misremembered Mr. Yu's test scores or intentionally used the lowest possible version of Mr. Yu's test scores as a *post hoc* justification for the treatment of Mr. Yu. If Dr. Roberts misremembered Mr. Yu's scores, it is consistent with the tendency for people to misremember the qualifications of Asian job candidates, in ways that systematically devalue performance, when aversive racism is influencing judgment.

**4. *Settings involving teamwork suggested patterns consistent with aversive prejudice.***

- a) When Mr. Yu filed a complaint against Dr. John Landers after being dismissed from an externship in fall 2011 without advanced notice, the ISU Psychology department conducted an investigation about the supervisory training experiences offered by Dr. Landers. In their ultimate report about this investigation, the department focuses on the experiences of the other student working with Dr. Landers that semester and previous externs with Dr. Landers, all of whom were White and native English speakers, to determine that Dr. Landers was an effective supervisor (ISU Documents 0114-0115). By equating the experience of native and nonnative English speakers, as well as minority and White students, it appears that the Psychology department neither gave the benefit of the doubt to Mr. Yu nor considered that being an Asian international

student might have given him a different perspective on the experience that no other students were actually in the position to corroborate or deny.

Notes from a follow up conversation that Dr. Landers had with Dr. Roberts suggest that Dr. Landers acknowledged that the way that he offered “daily feedback may have been too indirect” in the case of Mr. Yu. However, this information did not make it into Dr. Roberts’ report about the investigation of Dr. Landers to the CTC. The indirect nature of feedback is consistent with the challenges White individuals have discussing race and, in this instance, the fear of directly acknowledging race-related areas of concern may have prevented Mr. Yu from getting the direct feedback from his supervisor that could have helped him learn and grow as a therapist.

- b) In Mr. Yu’s first two years in the doctoral program, supervisors repeatedly praised him for being “non-defensive in accepting supervisory feedback” (ISU Documents 0076). In contrast, after repeatedly being told to improve English fluency (without any specifics of how to do so), being given different opportunities than his peers in practicum work, and having less support in navigating the structural challenges faced by international students trying to match an internship through APPIC, the perception of faculty working with Mr. Yu changed. In his testimony before the graduate committee, Dr. Roberts describes that after being dismissed from his externship with Dr. Landers in fall 2011, Mr. Yu’s behavior changed. Dr. Roberts says, “we started to see a lot of defensiveness, a lot of anger, a lot of noncooperation” (ISU Document 0270).

In response to the CTCs spring 2012 feedback, Mr. Yu wrote that he perceived that he was not trusted by supervisors, who both assigned him different work based on low expectations and did not give feedback for improvement in a timely manner (ISU Document 0160). And, in giving testimony before the graduate committee, Mr. Yu describes “insensitivities from the beginning” that culminated in feeling “betrayed by this program” when Dr. Roberts looked for evidence to support Dr. Landers’ decision to dismiss Mr. Yu from the externship at Eastern Idaho Regional Medical Center and the perception that Dr. Roberts expressed “no concern” for Mr. Yu’s mental state following his dismissal from the externship (ISU Document 0257). Mr. Yu’s description is consistent with the experience of someone who has chronically experienced the expression of microaggressions in their academic environment.

##### ***5. Some behavior by ISU faculty suggests the use of racial microaggressions.***

There are a series of behaviors on the part of the ISU faculty that suggest that racial microaggressions were present. Mr. Yu’s wife alleges that Dr. Shannon

Lynch, the chair of the Psychology department, said “Jun’s English is terrible” in a casual conversation.

In addition, research has found that the expectation that nonnative speakers are expected to participate in course work in an identical way to native English speakers is one of the most common manifestations of microaggressions against Asian international students. When Dr. Shannon Lynch wrote in her fall 2011 evaluation that when Mr. Yu looked at course materials during a class discussion, it reflected disengagement (ISU Documents 0708), he was being held to a standard that is more typical of White, Western, native English speakers.

As the only international student in the program, it seems that the ISU faculty treated this numerical minority to reflect something more connotative of abnormality. In his testimony before the graduate council, Dr. Roberts described Mr. Yu applying to both APPIC sites where his Chinese language background would be an asset and ones where it wouldn’t actively be an asset, saying: “I think two of the sites he applied to that was the case, and the other nine he was competing with the typical graduate student at that point, who is basically a sophisticated fourth-year student or fifth-year student” (ISU Documents 0270). In this comment, Dr. Roberts is equating and conflating Mr. Yu’s national origin and nonnative communication in English with perceived deficits in professional skill. Dr. Roberts also attributed Mr. Yu’s success in getting four internship interviews through the APPIC process to his background and being a Chinese student, only indirectly hinting at Mr. Yu’s skill, which is also typical of the use of microaggressions to minimize success (ISU Documents 0270).

Mr. Yu also alleges that after being dismissed from his clinical externship in 2011, in his fourth year in the doctoral program, Dr. Roberts began asking him to define words in English (Plaintiff Document 000573).

Finally, microaggressions towards Asian international students can involve a lack of awareness of the structural challenges that these students face. So, when the CTC said in May of 2011 that Mr. Yu should apply to work at internship sites with Chinese speaking populations so that his “Chinese language is a strength, rather than a liability,” they created an extra logistical challenge that Mr. Yu’s peers did not face (ISU Documents 0025). Mr. Yu reports that there was no offer of help by the ISU faculty to address this structural challenge. Not only did the ISU faculty not offer to help, they seemed to be unaware of these structural challenges. In his testimony before the graduate council (ISU document 0271), Dr. Mark Roberts said that for a students, it’s much more common to finish everything but their dissertation, and that it was “very unusual status” for the program to have a student with every requirement completed but their internship.

However, these structural challenges were predictable, if the faculty had looked into the challenges that an international student might face in the APPIC match process. In his report for the Graduate Council (ISU Documents 0304), Dr. Michael Dwyer outlines the many reasons why racial minorities, and especially international students who are racial minorities, have a particularly difficult time matching through the APPIC process, ranging from the fact that some internships require US citizenship to the relative unimportance many sites place on speaking a foreign language to the ways in which nonnative speakers can be perceived as less confident or professional.

#### IV. Opinions and Basis of Opinions about Shifting Standards

##### 1. *Language is frequently relative and we use group membership to disambiguate descriptors.*

Most descriptions of people involve subjective language. For example, to identify a person as being tall means that we know we are referring to height for people, as opposed to buildings. In many instances, we make sense of these subjective descriptors using group stereotypes (Biernat, 2003; Biernat 2009). Research has found that in understanding height, participants will think differently about what it means to be tall or short when considering men and women (Biernat, Manis, & Nelson, 1991). One consequence of this subjectivity is that while we don't typically say people are tall *for a woman*, "our impressions and descriptions of others are likely to be based, in part, on reference to the group stereotype as a judgment standard" (Biernat, 2009, p. 137).

In making a decision about relevant standards of comparison, we often make these judgments based on our own personal motivations (Miron, Branscombe, & Biernat, 2010). Research has found that when people strongly identify with their group, they are more likely to shift standards in a way that makes their group look good, specifically seeing negative behaviors in the group's past as not being quite as bad (Miron et al., 2010). One consequence is that when considering their own unjust actions, groups often require more injustice to confirm that they did something bad, which results in more "lenient assessment of injustice of the ingroup's actions" (Miron et al., 2010, p. 769). This means that in a desire to avoid feelings of guilt, groups are unwilling to acknowledge their own injustice by creating unreasonably lax standards for their behavior. Specifically, Miron et al. (2010) argue that this allows people to conclude that race-based injustice "does not qualify as racism" because we hold the bar so high to acknowledge the presence of racism (p. 777).

##### 2. *The shifting standards model explains why understanding the comparison groups being used in judgment are important.*



In the case of shifting standards, evaluations will change as a function of the referent group (Biernat, 2009). So, while we might think a child is very smart when compared to other children, we may not think of them as being quite as intelligent when compared to college graduates. Research on the shifting standards model has found that whether participants are asked evaluative questions on subjective or objective scales will produce different evaluations of the same target (Biernat, 2009). For example, if an international student is compared to other international students in an academic program, the evaluation will likely be different than if the international student is being compared to all students in the program because the relevant group-level stereotypes of the comparison group are different.

When using objective scales, where the meaning of the assessment is similar across all individuals, the group-level stereotypes of specific groups will have a more visible impact. So, in considering how many inches and feet tall a group of men and women are, ratings tend to show the stereotypic expectation that men are taller than women. In contrast, when using more subjective assessments – such as asking if people are very tall, somewhat tall, somewhat short, or very short – people will consider what these groupings mean in the context of the target's group. On these subjective assessments, then, there will be similar distributions of men and women into each category, because people are answering the question with the implicit understanding they are assessing height *for women or for men*.

In considering the promotion and success of women in the workplace and understanding laws that support caregivers, legal scholars have relied on shifting standards to understand outcomes for men and women in both work and caretaking roles (Williams & Segal, 2003; Benard, Paik, & Correll, 2008; Williams, 2003).

In addition, shifting standards are used when we consider the information we hear about other people (Biernat, 2009). When participants are asked to reverse engineer what it means for a man and woman to be either a “very good” or “all right” parent, they expect considerably more parenting behavior consistent with success on the part of women than men, following either descriptive labels; this means that women described as “all right” parents are actually assumed to be as involved or more involved than men described as “very good” parents, which is consistent with stereotypes of women (Kobrynowicz & Biernat, 1997). When we communicate with other people, they frequently interpret positive feedback about negatively stereotyped groups in such a way that they remember the feedback being worse (Biernat, 2012). This is particularly important when considering performance evaluations, which may have positive information that is presented subjectively, while still creating an overall less favorable impression

of someone who belongs to a negatively stereotyped group than the same information about someone who belongs to a group that is not negatively stereotyped (Biernat, 2012).

One large problem with the use of shifting standards is that “in academic, workplace, and legal settings, the standards used to decide that an individual is incompetent, and the standards against which one begins noticing incompetence, matter for real work outcomes including dismissals, demotions, and verdicts” (Biernat, Fuegen, & Kobrynowicz, 2010, p. 866). The comparison standards that employers and supervisors use in making evaluations have tremendous impacts on people and must be considered when understanding decision-making surrounding the termination of employment or opportunity. In addition, “by using different standards, particularly by using subjective language in evaluating racial, ethnic, gender, and occupational groups, discrimination can occur invisibly” (Crandall & Eshleman, 2003, p. 429). This happens because the extent to which people shift standards when making judgments related to stereotypes seems to be a subtle marker of stereotype application (Biernat, Collins, Katzarska-Miller, & Thompson, 2009).

**3. *The differences in minimum standards and confirmatory standards can explain disparities in ratings of different groups.***

Minimum standards are those things required for considering someone *might* have a trait or set of qualifications (for example, the things it would take to be included on a short list of potential job candidates). In contrast, confirmatory standards are those required to be *confident* that someone has the trait or qualifications in question (for example, the things it would take to actually get the job). Shifting standards research has found that for people who belong to stereotyped groups, minimum standards are often lower but confirmatory standards are higher (Biernat & Kobrynowicz, 1997; Biernat, 2012).

This has the consequence of meaning that the evaluations of people who belong to negatively stereotyped groups often look initially better than groups who are not negatively stereotyped; however, selection decisions ultimately favor those belonging to groups that are not negatively stereotyped. This may provide the appearance of kindness, but Biernat and Kobrynowicz (1997) argue that initial low standards are actually patronizing and that “the ultimate outcome for a low-status person is a longer, more difficult trek to document ability and evaluations that are objectively less positive than those awarded to similarly credentialed individuals from high-status groups” (p. 555). Unfortunately, these standards can also be used to differentially punish stereotyped and non-stereotyped employees. Shifting standards research has found that minority employees were



less likely to be placed on workplace probation, but they were more likely to be ultimately fired from the position (Biernat, 2012).

Research has also found that the type of evaluation being used can make a difference in the use of minimum and confirmatory standards. Formal evaluations encourage people to use confirmatory standards and to look for strong evidence to be confident in judgment, while informal evaluations (for example, note taking) encourage people to use minimum standards (Biernat et al., 2010). This means that formal evaluations may set up people from negatively stereotyped groups to have a more difficult time to confirm positive traits, because the bar for confirmatory standards for this group are actually higher.

After giving positive subjective feedback based on shifting standards, perceivers can use the same kinds of moral credentials discussed previously to justify further disparate treatment (Biernat, 2012). Biernat (2012) argues that “positive communication produced by the use of shifting standards provides ‘cover’ for subsequent prejudice but leaves the communicator feeling as though he or she has behaved without bias” (p. 20). Ultimately, “the use of shifting standards may contribute to the maintenance of stereotypes over time and to confusion and inconsistency in the feedback targets receive” (Biernat, 2012, p. 2)

## V. Connections between the facts of the case and shifting standards

### 1. *The ISU faculty used different comparison groups to assess Mr. Yu's performance at different points in his career as a student.*

In testimony before the graduate council on October 2, 2013 (ISU Documents 0269), Dr. Mark Roberts explains that initial evaluations of Mr. Yu are based on his skills, compared to the groups of international students, saying: “We...looked at [Mr. Yu] during his first two years here as somebody with linguistic differences that would – might slow the pace of his acquisition of professional skills...so it's his practicum evaluations that come to the fore. And during the first two years we simply...said okay, this is an international student, and we expect him to become more fluent in English...and so of course he was sheltered...during these first two years I think everyone just looked at some of the issues we might have had as typical for someone whose language was not English during those first two years.”

However, in Mr. Yu's final CTC evaluation (ISU Documents 0030), it's clear that he was being compared to a different group when the decision was made to dismiss him. Dr. Roberts wrote: “Despite four years (August 2008 to May 2012) in the standard curriculum on campus and three months in an approved clinical internship, [Mr. Yu] remains unable to provide professional services in a manner

consistent with expectations for a fourth year student or an intern.” These comments suggest that the standard to which Mr. Yu’s progress was held changed during his time in the program; Mr. Yu was initially given special consideration to allow time for his English language skills to improve, while in the last year the approach was not one that was sensitive to his unique situation as a student. In fact, in the letter of dismissal, Mr. Yu was explicitly compared to the standard of native English speakers who had successfully completed the ISU doctoral program.

Due to this shift in comparison standard, the feedback Mr. Yu received was inconsistent, arbitrary, and capricious during his time in the ISU psychology graduate program. Given that the standard to which Mr. Yu was held actively changed during his time in the ISU Psychology graduate program, the feedback he received in the first two years did not prepare him to meet the expectations that the faculty held him to in making their dismissal decision. This may tie back into the fact that race-based conversations are frequently difficult for White professors (Sue, 2013).

2. *There is evidence of shifting standards in the judgments made about Mr. Yu by the ISU faculty.*

There are numerous examples of times where the implicit comparison group for Mr. Yu is made explicit. In her practicum evaluation in the spring of 2010 (ISU Documents 0063), Dr. Cheri Atkins writes “while I have witnessed dramatic improvements over the past year or so with conversational English, his conversational skills are still subpar for doctoral level training experience in both assessment and treatment.” This comment suggests that she sees improvement, but only when considering the referent group to be international students. This is also an early red flag that the feedback Mr. Yu is getting is relative to international students, not the group of “successful ISU program graduates” to which he will eventually be compared when the decision is made to dismiss him from the program.

It is troubling that, in his response to a complaint with the Office of Consultation and Accreditation on January 28 2014 (ISU Documents 0198), Dr. Mark Roberts wrote that, “In early June 2012...It was clear to the committee that Mr. Yu’s professional progress remained unsatisfactory...he was unable to perform at the intermediate level of professional skill,” yet the committee thought the best option for Mr. Yu would be an internship in China, calling it a “more viable option.” If it is true that the faculty and CTC did not believe that Mr. Yu was capable of independent therapeutic work, it seems unlikely they would be open to allowing him any sort of internship. This suggests that either the faculty’s expectations for care were higher in the United States than China or that they

held Mr. Yu's work to a different standard when he worked with Chinese and American populations.

3. *Evaluations of Mr. Yu's work were on formal evaluations, which encouraged the use of confirmatory standards.*

Mr. Yu's twice-yearly evaluations from the CTC are formal evaluations established by the program. This type of evaluation is frequently associated with confirmatory standards and from the testimony of Dr. Mark Roberts, it is clear that the expectations of proficiency for a nonnative English speaker are lower than for a "typical" student. This means that it would be more difficult for Mr. Yu to ultimately confirm impressions of competence or strong English language skill than it would for students who did not belong to a negatively stereotyped group. And, Mr. Yu's CTC evaluations frequently include lots of positive feedback, including statements praising his "strong GTA performance" (ISU Documents 0054), "'good job' with his first ADA evaluation" (ISU Documents 0059), "journal submission and acceptance...at the WCBCT conference" (ISU Documents 0065), "exceptional" effort (ISU Documents 0072), and "diligence...non-defensiveness...conceptualizations [that were] accurate and sophisticated" (ISU Documents 0077), to name just a few. But, the handful of concerns about Mr. Yu's work and progress seemed to carry much more weight than the tremendous number of positive comments, which is consistent with the incredible difficulty of meeting confirmatory standards in domains in which one is negatively stereotyped.

## VI. Conclusions and Summary Opinions

The inconsistencies in the treatment of Mr. Yu across his time in the program, and the profound shift in the faculty's impression of his performance following his dismissal by Dr. Landers from the Eastern Idaho Regional Medical Center externship, show decision-making that was not based on objective and consistent standards. And, the ambiguity created without objective and consistent standards sets the stage for aversive racism to manifest. The ambiguity surrounding the evaluation and assessment of Mr. Yu was evidenced in unclear expectations of required English language proficiency, the feedback Mr. Yu received from supervisors, the criteria used to assess the tasks that would be appropriate for Mr. Yu's level of training, and in the overall criteria used to assess "satisfactory progress."

It appears that across his time in the program, the faculty shifted from trying to consider Mr. Yu's unique circumstances as an international student to coming up with race-neutral explanations for their negative assessments. This focus on race neutrality is one hallmark of situations that are conducive to the expression of aversive racism and

reflects a color-blind approach, which is strongly associated with the use of microaggressions. The shift from trying to consider Mr. Yu's needs as an international student to trying to treat him the same as other students was accompanied by Mr. Yu's impression that his supervisors did not respect him, which is also consistent with the challenged work environments that are created in the presence of aversive racism. Despite the faculty arguing they tried to accommodate Mr. Yu as a nonnative English speaker, it appears that microaggressions towards Mr. Yu were happening simultaneously and one consequence of these microaggressions was that Mr. Yu felt unsupported and undermined in his work.

There is strong evidence of the use of *post hoc* justifications once the psychology faculty made the decision to dismiss Mr. Yu from the program. These *post hoc* justifications include memories of his work that are reported differently from initial assessments of his work, considering areas of concern as dismissal-worthy only after the decision was made to dismiss Mr. Yu from the psychology program, a complete reversal of the faculty's belief in the appropriateness of Mr. Yu completing an internship in China, systematically failing to consider positive evaluations of Mr. Yu's work with the same weight as negative evaluations, and using mixed feedback from supervisors to justify dismissal by systematically ignoring positive comments. The use of *post hoc* justifications – particularly race-neutral *post hoc* justifications – for behavior or decisions is another hallmark of the presence of aversive racism.

There is also strong and compelling evidence that the evaluations of Mr. Yu were shaped by shifting standards. The ISU faculty made regular references to the fact that they were comparing Mr. Yu to international students, for whom English is their nonnative language, in his first two years in the program and "typical" program graduates (in the words of ISU faculty) in his third year and beyond. The shift that occurs during his time in the ISU graduate program suggests that Mr. Yu's performance was seen as good "for an international student" in his first two years, but that there was a significant drop in assessments of his work when he was compared to the native English speakers who made up the department's expectation of a successful student. This leads me to believe that Mr. Yu got feedback early on that was *relative* to what was expected for international students, as opposed to all graduates of the program. This prevented him from having the opportunity to grow from feedback in the same way offered to the native English speakers who make up the majority of the psychology graduate program. This is consistent with research suggesting White faculty, even those who believe in egalitarianism, have a difficult time speaking about topics involving race. And, this difficulty reduces the likelihood that faculty will become self-aware of their own biases, which is required to have a chance to correct for bias.

The regular and formal evaluations Mr. Yu received from the CTC may have also encouraged the use of shifting standards in such a way that it was more difficult for Mr. Yu to meet the confirmatory standards of professional competence. And, this happened

because of the ways in which nonnative English speakers and international students were stereotypically expected to be less successful.

It is also clear, given the ISU faculty's initial desire for Mr. Yu to complete his internship in China and their complete reversal after dismissing him, based on their concern that he might harm clients in China, that the faculty either a) created *post hoc* justifications for their behavior and evaluations of Mr. Yu, b) held him to different standards in working with American and Chinese populations, or c) had different requirements for the treatment of clients in America and China. In any instance, his work was being judged in a way that involved shifting standards of judgment in stereotype-relevant domains. And, this judgment ignored the overwhelmingly positive feedback from Mr. Yu's actual clients in China, who were the only people in a position to actually communicate his skill as a clinician.

From early on in the work developing Mr. Yu's nonstandard internship at the Cleveland Clinic, concerns were raised about his inability to access the due process of a standard APPIC internship grievance procedure. There are many ways in which Dr. Leslie Speer violated the minimal due process that was available to Mr. Yu (Plaintiff Document 000053-000059) – ranging from not offering a second assessment until after his dismissal to not working with him to develop a remediation plan in the face of performance concerns to not assembling the group of supervisors in Ohio to discuss his performance before dismissal – and the ISU faculty used the decision of Dr. Speer to justify dismissing Mr. Yu from the program. The ISU faculty's decision to privilege the opinion and decision-making of a supervisor who was violating accepted standards means that the decision was, at least in part, based on a violation of accepted professional norms. In addition, the psychology department never placed Mr. Yu on probation or told him he was at risk of dismissal from the program.

On the basis of these facts, it is my opinion that the behavior of the members of the Idaho State University psychology department was arbitrary and capricious and deviated from accepted professional norms in psychology. It is also my opinion that the shifting of standards in stereotype-relevant judgments contributed to the negative treatment of Mr. Yu in ways that were not professionally appropriate. While aversive racism is typically something my field only studies while considering differences across large groups of people, and not individuals, it is hard to imagine a situation that more strongly demonstrates all of the hallmarks that are typically present when aversive racism is occurring, which *strongly* suggests that the behavior of the ISU Psychology department was influenced by Mr. Yu's race and international status.

## **VII. Previous work as an expert witness**

*Spurlock v. Fox*, 2010 WL 3807167 (M.D.Tenn., 2010)

I was an expert for the plaintiff in a NAACP-backed lawsuit against a 2009 Metro Nashville school re-zoning plan. I wrote an expert witness report, was deposed, and testified in court. My testimony described the social psychological literature on prejudice, stereotyping, and the benefits of integrated educational settings.

### VIII. Compensation

My rate for the work on this case is [REDACTED]/hour. This fee includes case review, literature review, report writing, and communication with the legal team. I charge [REDACTED]/hour, plus travel expenses, up to a maximum of [REDACTED]/day for travel and testimony.

Sincerely,

A handwritten signature in black ink that reads "Leslie Wade Zorwick". The signature is written in a cursive, flowing style.

Dr. M. Leslie Wade Zorwick  
Associate Professor of Psychology  
Hendrix College

### References

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- Sue, D. W. (2010). Microaggressions, marginality, and oppression: An introduction. In D. W. Sue (Ed.), *Microaggressions and Marginality: Manifestations, Dynamics, and Impact* (pp. 3-22). New Jersey: Wiley.
- Sue, D. W. (2013). Race talk: The psychology of racial dialogues. *American Psychologist*, 68(3), 663-672. doi:10.1037/a0033681.
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- Uhlmann, E. L., & Cohen G. L. (2005). Constructed criteria: Redefining merit to justify discrimination. *Psychological Science*, 16(6), 474-480.
- Williams, J. C. (2003). Litigating the glass ceiling and the maternal wall: Using stereotyping and cognitive bias evidence to prove gender discrimination: The social psychology of stereotyping: Using social science to litigate gender discrimination cases and defang the "cluelessness" defense. *Employee Rights and Employment Policy Journal*, 7, 403-456.
- Williams, J. C., & Segal, N. (2003). Beyond the maternal wall: Relief for family caregivers who are discriminated against on the job. *Harvard Women's Law Journal*, 26, 77-162.

## M. LESLIE WADE ZORWICK

Curriculum Vitae – Spring 2016

### CONTACT INFORMATION

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**Position:**

Associate Professor of Psychology  
Hendrix College

**Phone:**

(501) 450-1493 (office)  
(501) 908-2936 (cell)

**Address:**

Department of Psychology  
1600 Washington Avenue  
Hendrix College  
Conway, AR 72032

**Fax:**

(501) 450-4547

**Email:**

Zorwick@hendrix.edu

### EDUCATION

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Ph.D. Psychology, The Ohio State University, 2007

Advisor: Dr. Marilyn B. Brewer

Major Area: Social Psychology; Minor Areas: Psychobiology, Quantitative Psychology

Dissertation title: *Behavioral Assimilation and Nested Social Categories: Exploring Gender Stereotype Priming and Stereotype Threat*

M.A. Psychology, The Ohio State University, 2003

Advisor: Dr. Marilyn B. Brewer

Thesis title: *Subtypes of Women: Content, Complexity, and the Automatic Activation of Warmth and Competence*

B.A. Psychology, Emory University, 2000.

Summa Cum Laude, Honors Thesis Advisor: Dr. Eric J. Vanman

Honor's Thesis Title: *Law Student Perceptions of Male and Female Mentors*

Philosophy, Emory University, 2000.

Summa Cum Laude, Honors Thesis Advisor: Dr. Donald P. Verene

Honor's Thesis Title: *Time and Dialectic in Vico and Ellul*

### EMPLOYMENT HISTORY

---

Margaret Berry Hutton Odyssey Professor, Hendrix College, 2016-2019

Associate Professor of Psychology (with tenure), Hendrix College, 2013-present

Assistant Professor of Psychology, Hendrix College, 2007-2013

Lecturer, The Ohio State University, 2006-2007

Graduate Teaching Assistant, The Ohio State University, 2003-2006

Pre-Doctoral Fellow, National Institute of Mental Health, 2002-2003

University Fellow, The Ohio State University, 2001-2002

## TEACHING EXPERIENCE

---

### **Hendrix College**

Introduction to Psychology  
Social Psychology  
Stereotyping and Prejudice  
Statistics  
Social Cognition  
Psychology and Law  
Advanced Research: Identity and Stereotyping  
Social Psychology and Film (Maymester term)

### ***College Service Courses***

Journeys (first year interdisciplinary seminar course)  
Exploration (first year college orientation course)  
The Engaged Citizen: Identity and the Need to Belong (first year interdisciplinary seminar course, co-taught with Dr. Todd Berryman from History)

### **The Ohio State University**

Introduction to Social Psychology  
Introduction to Psychology

### ***Course Coordinator (for 25 sections)***

Introduction to Social Psychology, 2005-2007

### ***Practicum Leader and Teaching Assistant***

Summer Practicum for Teaching Psychology

### ***Facilitator, Graduate Instructor Training, Psychology Department***

Grading papers in Introduction to Social Psychology, 2003-2005  
Leading discussions in Introduction to Social Psychology, 2004-2006

### ***Facilitator, OSU College of Arts and Sciences Instructor Training Program***

Developing Effective Presentation Skills

### ***Facilitator, OSU "Orientation on Teaching and Learning: A Conference for New TAs"***

Getting and using student feedback, 2007  
Knowing our students, 2007  
Managing the Classroom, 2004-2006  
Developing Effective Presentation Skills, 2004-2005  
Preparing for the first day, 2004-2006  
Teaching for the diverse classroom, 2004-2005

### **Guest Lectures**

Theories and Research in Religion, Hendrix College (Fall 2009)  
Introduction to Women's Studies, The Ohio State University (Winter 2005)  
Research Methods in Personality, Kenyon College (Spring 2006)  
Career Exploration in Psychology, The Ohio State University (Spring 2005, Winter 2006)  
Introduction to Psychology, Sinclair Community College (Summer 2004)

## **Research Supervisor**

### ***Student Research for Undergraduate Research Odyssey Credit, Hendrix College***

#### **2014-2015**

- Jericka Battle & Hannah Hill, *"Are You Allowed to Say That?" Evaluations of Professors Teaching Race-Related Courses*
- Cathryn McClellan, Andrew Jordan, & Peter Erickson, *The Role of Moral Convictions on Ingroup and Outgroup Judgments.*
- Chloe Showalter, Katie Arnold, & Kate Westerfeld, *Group Dynamics: How Status Influences the Perception of In-Group Transgressors*

#### **2012-2013**

- Gabe Gonzales, *Priming for Price: Affluence primes and consumer behavior*

#### **2011-2012**

- Hannah Allee, *Priming the golden rule in secular and religious contexts*
- DeAngelo Gatlin, *The mitigative effects of individuation on stereotype threat in women*
- Courtney Graves, *The effect of group stereotypes and exemplars on aggressive behavior*
- Michael Nelson, *The effect of gender priming on gender stereotype activation*
- April Sizemore, *The "SlutWalk" movement, gender identity, and perception of women*
- Jennifer Smith, *The effects of perspective taking and counterfactual thinking on policy decisions*
- Mika Smith, *The influence of political affiliation on stereotype threat and self-stereotyping*
- Tessa Vuper, *The effect of identity fusion on punishment and self protection*

#### **2009-2010**

- Patty Hill, *Models of Criminal Justice and Plea Bargaining*
- Dietlinde Heilmayr, *Prejudice Reduction through Urban Debate League Participation*
- Blair Sanning, *Perception of Sexism and Attributional Ambiguity*
- Kendra Anderson, *The effect of racial stereotypes on aggression*
- Leigh Bondurant, *Stereotyping in those with ADHD*
- Emily Lenard, *Meritocracy priming and the interpretation of ambiguous effort*
- Melanie Morse, *Public self-awareness and prosocial behavior*
- Alex Woody, *Race and system justification*
- Nate Carnes, *Stereotype Threat and Optimal Distinctiveness in Identity*
- Kiley Gottschalk, *A Perceived Success and Gender Stereotypes in the Workplace*
- Julia Maschmann, *How College Student's Stereotypes of the Police Affect Trust and Support.*

#### **2008-2009**

- Dietlinde Heilmayr, *The Effect of Gender Stereotypes on Behavior*
- Tori Todd, *Group Membership, Identification, and Attitude Bases* (conducted with Dr. Michelle See at the National University of Singapore)

#### **2007-2008**

- Amanda Mooneyham and Rainey Gibson, *Odyssey Project, Hendrix College, 2007-2008, The In-crowd: A look at Superfans and the role of Social Identity and Inclusion*

***Student Research Conducted with the Social Psychology Research Interest Group (SPRING), Hendrix College***

2015-2016

- *Perspective Taking about Police and Protesters in Ferguson, MO.*, conducted with Jericka Battle, Iman Belk, Marissa Earles, Liz Forester, Laura Hildebrand, Emily Hill, Andrew Jordan, Sydney King, Aspen Madrid, Marlee Martin, Laruen McHenry, Natalie Mulkey, Reina Ortiz, Delli Robinson, Chloe Showalter, Matt Stewart, and Susan Warren
- *Gender stereotypes and transgender individuals*, lead student: Chloe Showalter
- *Stereotypes of professors who teach classes related to diversity and inclusion*, lead students: Jericka Battle and Laura Hildebrand
- *The effect of perspective taking and counterfactuals on perceptions that life events were fated*, lead student: Andrew Jordan

2011-2012

- *Job Interviews and Southern Stereotype Threat*, conducted with Heather Allen, Georgia Belk, Jenny Burgos, Rebecca Cox, Elizabeth Davis, Katie DeFrance, Lauren DeLano, Johnny English, Gabe Gonzales, Ieshea Goree, Autumn Hail, Celia Ketcham, Katie Michaud, Lauren Nelson, Will Phillips, Sam Siegel, April Sizemore, Arthur Stewart, Blake Tierney, and Bryan Vanco

2010-2011

- *False Confessions and Memory Perspective*, conducted with Heather Allen, Jessica Alwell, Megan Andrews, Georgia Belk, Jordan Cacici, Johnny English, Meredith Fletcher, Ieshea Goree, Jenn Guenther, Autumn Hail, Stacey Makhanova, Anya Mazor, Katie Michaud, Christin Norman, Will Phillips, Megan Powell, and Tori Todd
- *Southern Stereotypes and Behavioral Assimilation, Study 2*, conducted with Heather Allen, Jessica Alwell, Megan Andrews, Georgia Belk, Jordan Cacici, Johnny English, Meredith Fletcher, Ieshea Goree, Jenn Guenther, Autumn Hail, Stacey Makhanova, Anya Mazor, Katie Michaud, Christin Norman, Will Phillips, Megan Powell, and Tori Todd
- *Trust and Support for Legal Authorities*, conducted with Heather Allen, Jessica Alwell, Megan Andrews, Georgia Belk, Jordan Cacici, Johnny English, Meredith Fletcher, Ieshea Goree, Jenn Guenther, Autumn Hail, Stacey Makhanova, Anya Mazor, Katie Michaud, Christin Norman, Will Phillips, Megan Powell, and Tori Todd

2009-2010

- *Southern Stereotypes and Behavioral Assimilation, Study 1*, conducted with Abby Blaney, Leigh Bondurant, Jordan Cacici, Liz Fasterling, Dietlinde Heilmayr, Brittney Reynolds, Tori Todd, and Alex Woody

***Honor's Thesis Advising***

- Kierstin Montano, Undergraduate Honors Thesis, The Ohio State University, 2006-2008, *Pluralistic Ignorance, Body Satisfaction, and Social Comparison*
- Colleen Carr, Undergraduate Honors Thesis, The Ohio State University, 2006-2007, *Misery loves company, sometimes: The effect of perspective taking on music preferences as mood management strategies*



- Aleah Burson, Undergraduate Honors Thesis, The Ohio State University, 2006–2007, *Self-regulation, self-esteem, and religiosity*
- Jason Bloom, Undergraduate Honors Thesis, The Ohio State University, 2005-2006, *How athletes and non-athletes respond to negative academic feedback*
- Brithany Pawloski, Undergraduate Honors Thesis, The Ohio State University, 2002-2003, *You are what you eat: How differentially stigmatized weight extremes affect the perception of women*

### **Directed Readings**

- Alexis Reddig, Hendrix College, 2007-2008, *Gender stereotypes and social justice*
- Elizabeth Hood, Hendrix College, 2007-2008, *Cross-cultural social psychology*

## **AWARDS, HONORS, GRANTS, AND FELLOWSHIPS**

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Margaret Berry Hutton Odyssey Professorship (with Robert Williamson), *Living Faithfully in the Context of Racial Injustice*, \$75,000, 2016-2019

NSF Grant Proposal (with Matt Moran, Fred Baker, Leigh Lassiter-Counts, Kesha Baoua, and Tom Goodwin), *Springboard to Success: Hendrix College S-STEM Scholars Program*, invited revise and resubmit

Advisory Board Member, Glenn Pelham Foundation for Debate Education, 2014-present  
Project Grant, *Debate Across the Curriculum Assessment Research*, Glenn Pelham Foundation for Debate Education, \$7,500, 2013-2014

Faculty Sabbatical Project Grant, Hendrix College, \$2,000, 2014

Hearst Project Grant, *Proposal for online research ethics training to enhance engaged learning and Odyssey projects across campus* (with David Sutherland), \$5,000, 2013-2014

Nominee, Faculty Appreciation Award (given by the class of graduating Hendrix seniors), 2012  
Hearst Project Grant, *Enhancing Technology for Experiential Learning in the Hendrix College Psychology Department* (with Lindsay Kennedy, Jennifer Peszka, & Mita Puri), \$10,000, 2012

Nominee, Edna Award for Social Justice, The Berger-Marks Foundation, 2011

Odyssey Project Grant, *Psychology 484 – Advanced research in stereotyping and prejudice*, Hendrix College, \$1,817, 2011

Odyssey Project Grant, *Due Process v. Crime Control: Effects of each model on Plea Bargaining* (with Patty Hill), Hendrix College, \$200, 2009-2010

Odyssey Project Grant, *Stereotyping and Prejudice Research* (with Blair Sanning and Dietlinde Heilmayr), Hendrix College, \$7,273.10, 2009-2010

Odyssey Project Grant, *The effects of gender stereotypes on behavior* (with Dietlinde Heilmayr), Hendrix College, \$5,375, 2008-2009

Faculty Project Grant, *Materials for Psychology and Law Course Development*, \$150, Summer 2008

Odyssey Project Grant, *The In-crowd: A look at Superfans and the role of Social Identity and Inclusion* (with Rainey Gibson and Amanda Mooneyham), Hendrix College, \$1,728, 2007-2008

Teaching Excellence Award Winner, Department of Psychology, The Ohio State University, 2006

Baumgartner Travel Award, Department of Psychology, Social Area, The Ohio State University, 2004 and 2006

Invited Keynote Speaker, *University-wide Orientation on Teaching and Learning: A Conference for New TAs*, 2005

Fellow, Summer Institute in Social Psychology, Society for Personality and Social Psychology, 2005

Graduate Associate Teaching Award Winner, The Ohio State University, 2005

Teaching Excellence Award for the General Psychology Program, The Ohio State University, 2004-2003

Humanitarian Award, Emory University, 2000

## **PUBLICATIONS AND PRESENTATIONS**

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### **Books**

Davis, K. A., **Zorwick, M. L. W.**, Roland, J., & Wade, M. M. (Eds.). (in press; anticipated publication in July 2016). *Using Debate in the Classroom: Encouraging Critical Thinking, Communication, and Collaboration*. New York: Routledge.

### **Journal Articles and Book Chapters (\* denotes Hendrix undergraduate collaborator)**

**Zorwick, M. L. W.**, & Wade, J. (in press). Debate as a Vehicle for Civic Education. *Communication Education*.

**Zorwick, M. L. W.** (in press). Using debate to develop perspective taking and social skills. In K. A. Davis, M. L. W. Zorwick, J. Roland, & M. M. Wade (Eds.), *Using Debate in the Classroom: Encouraging Critical Thinking, Communication, and Collaboration*. New York: Routledge.

Davis, K., **Zorwick, M. L. W.**, Roland, J., & Wade, M. M. (in press). An introduction to classroom debate: A tool for educating minds and hearts. In K. A. Davis, M. L. W. Zorwick, J. Roland, & M. M. Wade (Eds.), *Using Debate in the Classroom: Encouraging Critical Thinking, Communication, and Collaboration*. New York: Routledge.

**Zorwick, M. L. W.** & Wade, J. (2015). Using forensic activity to develop the skills identified in Common Core State Standards. *The Rostrum*, 90(1), 46-52.

**Zorwick, M. L. W.**, Wade, M. M., & \*Heilmayr, D. P. (2009). Urban debate and prejudice reduction: The contact hypothesis in action. *Contemporary Argumentation and Debate*, 30, 29-39.

Wade, J. & **Zorwick, M. L. W.** (2009). Assigned advocacy, argumentation, and debate in high school classrooms. *The Rostrum*, 83(8), 13-15.

**Wade, M. L.** & Brewer, M. B. (2006). The structure of female subgroups: An exploration of ambivalent stereotypes. *Sex Roles*, 54, 753-765.

### **Professional Presentations (\* denotes Hendrix undergraduate collaborator)**

**Zorwick, M. L. W.** (2016). *The role of vicarious perceived perspective taking in students' impressions of teachers*. Poster presented at the annual meeting of the Society for Personality and Social Psychology, San Diego, CA.

\*Jordan, A., & **Zorwick, M. L. W.** (2016). *How do we think turning points for others are fated: The role of counterfactual thought and perspective taking in meaning-making*. Poster presented at the annual meeting of the Society for Personality and Social Psychology, San Diego, CA.

- \*Battle, J., \*Hildebrand, L., & **Zorwick, M. L. W.** (2016). *Are you allowed to say that? An analysis of evaluations of professors teaching race-related courses*. Poster presented at the annual meeting of the Society for Personality and Social Psychology, San Diego, CA.
- Zorwick, M. L. W.** (2015). *Perceived perspective taking in teacher-student relationships*. Talk presented at the annual meeting of the Southwestern Psychological Association, Wichita, KS.
- \*Battle, J., \*Hill, H., & **Zorwick, M. L. W.** (2015). *"Are you allowed to say that?" Evaluations of professors teaching race-related courses*. Poster session presented at the annual meeting of the Southwestern Psychological Association, Wichita, KS.
- \*McClellan, C., \*Jordan, A., **Zorwick, M. L. W.**, & \*Erickson, P. (2015). *Role of moral convictions on ingroup and outgroup judgments*. Talk presented at the annual meeting of the Southwestern Psychological Association, Wichita, KS.
- \*Showalter, C., **Zorwick, M. L. W.**, \*Arnold, K., & \*Westerfield, K. (2015). *Group dynamics: How status influences the perception of in-group transgressors*. Poster session presented at the annual meeting of the Southwestern Psychological Association, Wichita, KS.
- Wade, J. & **Zorwick, M. L. W.** (2015). *Making the case for assigned advocacy, argument, and debate across the Curriculum*. Paper presented at the Conference on Speech and Debate as Civic Education at Penn State University, State College, PA.
- \*Allee, H., & **Zorwick, M. L. W.** (2012). *Priming the golden rule in secular and religious contexts*. Poster session presented at the annual meeting of the Southwestern Psychological Association, Oklahoma City, OK.
- \*Gatlin, D., & **Zorwick, M. L. W.** (2012). *The mitigative effects of individuation on stereotype threat in women*. Poster session presented at the annual meeting of the Southwestern Psychological Association, Oklahoma City, OK.
- \*Graves, C. M., & **Zorwick, M. L. W.** (2012). *The effect of group stereotypes and exemplars on aggressive behavior*. Poster session presented at the annual meeting of the Southwestern Psychological Association, Oklahoma City, OK.
- \*Nelson, M., & **Zorwick, M. L. W.** (2012). *The effect of gender priming on gender stereotype activation*. Poster session presented at the annual meeting of the Southwestern Psychological Association, Oklahoma City, OK.
- \*Sizemore, A., & **Zorwick, M. L. W.** (2012). *The "SlutWalk" movement, gender identity, and perception of women*. Poster session presented at the annual meeting of the Southwestern Psychological Association, Oklahoma City, OK.
- \*Smith, J., & **Zorwick, M. L. W.** (2012). *The effects of perspective taking and counterfactual thinking on policy decisions*. Poster session presented at the annual meeting of the Southwestern Psychological Association, Oklahoma City, OK.
- \*Smith, M., & **Zorwick, M. L. W.** (2012). *The influence of political affiliation on stereotype threat and self-stereotyping*. Poster session presented at the annual meeting of the Southwestern Psychological Association, Oklahoma City, OK.
- \*Vuper, T., & **Zorwick, M. L. W.** (2012). *The effect of identity fusion on punishment and self protection*. Poster session presented at the annual meeting of the Southwestern Psychological Association, Oklahoma City, OK.
- \*Sanning, B. K., & **Zorwick, M. L. W.** (2011). *Getting away with prejudice: Attributional ambiguity and in-group sexism*. Poster session presented at the 12<sup>th</sup> annual meeting of the Society of Personality and Social Psychology, San Antonio, TX.
- Zorwick, M. L. W.** (2010). *Working relationships in legal settings: The role of status, warmth, and competence*. Talk presented at the annual meeting of the Southwestern Psychological Association, Dallas, TX.

- \*Anderson, K. M., & **Zorwick, M. L. W.** (2010). *The effect of racial stereotypes on aggression*. Poster session presented at the annual meeting of the Southwestern Psychological Association, Dallas, TX.
- \*Bondurant, L. L., & **Zorwick, M. L. W.** (2010). *Stereotyping in those with ADHD*. Poster session presented at the annual meeting of the Southwestern Psychological Association, Dallas, TX.
- \*Lenard, E. M., & **Zorwick, M. L. W.** (2010). *Meritocracy priming and the interpretation of ambiguous effort*. Poster session presented at the annual meeting of the Southwestern Psychological Association, Dallas, TX.
- \*Morse, M. C., & **Zorwick, M. L. W.** (2010). *Public self-awareness and prosocial behavior*. Poster session presented at the annual meeting of the Southwestern Psychological Association, Dallas, TX.
- \*Sanning, B. K., & **Zorwick, M. L. W.** (2010). *The effects of gender on perceptions of prejudice towards women*. Poster session presented at the annual meeting of the Southwestern Psychological Association, Dallas, TX.
- \*Woody, W. A., & **Zorwick, M. L. W.** (2010). *Race and system justification*. Poster session presented at the annual meeting of the Southwestern Psychological Association, Dallas, TX.
- Zorwick, M. L. W.** (2008). *Behavioral assimilation and nested social categories: Exploring gender stereotype priming*. Poster session presented at the ninth annual meeting of the Society of Personality and Social Psychology, Albuquerque, NM.
- Wade, M. L., & Brewer, M. B.** (2007). *Exploring gender stereotype priming and stereotype threat in nested social categories*. Talk presented at the annual meeting of the Midwestern Psychological Association, Chicago, IL.
- Wade, M. L., & Brewer, M. B.** (2007). *Behavioral assimilation and nested categories*. Poster session presented at the eighth annual meeting of the Society of Personality and Social Psychology, Memphis, TN.
- Wade, M. L., & Brewer, M. B.** (2006). *Nested group identification and the link between perception and behavior*. Talk presented at the annual meeting of the Midwestern Psychological Association, Chicago, IL.
- Wade, M. L., & Brewer, M. B.** (2006). *Behavioral assimilation and nested category membership*. Poster session presented at the seventh annual meeting of the Society of Personality and Social Psychology, Palm Springs, CA.
- Wade, M. L., & Brewer, M. B.** (2005). *Effects of subgroup prototypicality on the attribution of traits to superordinate groups and subgroups*. Talk presented at the annual meeting of the Midwestern Psychological Association, Chicago, IL.
- Wade, M. L. & Brewer, M. B.** (2004). *Superordinate and subordinate in-group and out-group perceptions of female subtypes*. Poster session presented at the annual meeting of the American Psychological Society, Chicago, IL.
- Wade, M. L., & Pawloski, B.** (2004). *You are what you eat: How differentially stigmatized eating disorders affect the perception of women*. Talk presented at the annual meeting of the Midwestern Psychological Association, Chicago, IL.
- Wade, M. L., & Brewer, M. B.** (2004). *Female subtype membership and in-group identification bias*. Poster session presented at the fifth annual meeting of the Society of Personality and Social Psychology, Austin, TX.
- Wade, M. L., & Brewer, M. B.** (2003). *The relationship between trait overlap and spatial distances in subtypes of women*. Poster session presented at the annual meeting of the American Psychological Society, Atlanta, GA.



- Wade, M. L., & Brewer, M. B. (2003). *I'm not every woman: Subgroup identification and differentiation in women*. Talk presented at the annual meeting of the Midwestern Psychological Association, Chicago, IL.
- Wade, M. L., & Vanman, E. J. (2001). *From Atticus Finch to Ally McBeal: A perspective on women in the legal profession*. Poster session presented at the annual meeting of the Society of Personality and Social Psychology, San Antonio, TX.

### Undergraduate Presentations Sponsored

- Battle, J. (2015). *Vicarious Perceived Perspective Taking: The Power of Online Professor Reviews*. Talk given at the annual meeting of the Arkansas Symposium for Psychology Students, Conway, AR.
- Jordan, A. & McClellan, C. (2015). *Role of Moral Convictions on Ingroup and Outgroup Judgments*. Talk given at the annual meeting of the Arkansas Symposium for Psychology Students, Conway, AR.
- Showalter, C. (2015). *Group Dynamics: How Status Influences the Perception of In-Group Transgressors*. Talk given at the annual meeting of the Arkansas Symposium for Psychology Students, Conway, AR.
- Carnes, N. C. (2010). *Stereotype Threat and Optimal Distinctiveness in Identity*. Talk given at the National Conferences Undergraduate Research, Missoula, MT.
- Gottschalk, K. A. (2010). *A Perceived Success and Gender Stereotypes in the Workplace*. Talk given at the National Conferences Undergraduate Research, Missoula, MT.
- Morse, M. C. (2010). *The Effects of Subgroup Stereotype Priming on Behavior*. Talk given at the National Conferences Undergraduate Research, Missoula, MT.
- Hill, P. A. (2010). *Due Process v. Crime Control: The Effects of Each Model on Plea Bargains*. Talk given at the annual meeting of the Arkansas Symposium for Psychology Students, Conway, AR.
- Maschmann, J. (2010). *How College Student's Stereotypes of the Police Affect Trust and Support*. Talk given at the annual meeting of the Arkansas Symposium for Psychology Students, Conway, AR.
- Munn, T. J. (2010). *Beyond the SNARC effect: Evidence that Steven's Power Law is a measure of the quantity-space relationship*. Talk given at the annual meeting of the Arkansas Symposium for Psychology Students, Conway, AR.
- Sanning, B. K. (2010). *The effects of gender on perceptions of prejudice towards women*. Talk given at the annual meeting of the Arkansas Symposium for Psychology Students, Conway, AR.
- Bondurant, L. L. (2009). *Are Children with ADHD and Dyslexia a Stigmatized Group?* Talk given at the annual meeting of the Arkansas Symposium for Psychology Students, Siloam Springs, AR.
- Sanning, B. K. (2009). *Self-Affirmation as seen in Dissonance Theory and Terror Management Theory*. Talk given at the annual meeting of the Arkansas Symposium for Psychology Students, Siloam Springs, AR.
- Spann, P. M. (2009). *Attributional Inertia: Examining Our Failings in Social Judgment*. Poster presented at the annual meeting of the Arkansas Symposium for Psychology Students, Siloam Springs, AR.

## ONGOING RESEARCH PROJECTS

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**Zorwick, M. L. W.** (2014-present). *Perspective Taking in Student-Faculty Interactions.*

**Zorwick, M. L. W.** (2015-present). *Perspective Taking in Ferguson, MO: Understanding reactions to police and protestors.*

**Zorwick, M. L. W. & Wade, J. M.** (2008-present). *The Benefit of Teaching Argumentation and Advocacy Across the Curriculum.*

**DeRouen, A., & Zorwick, M. L. W.** (2015-present). *Using Dialog Circles to Facilitate Cross-Race Conversations at Millsaps College and Hendrix College.*

## EXPERT WITNESS TESTIMONY

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*Spurlock v. Fox*, 2010 WL 3807167 (M.D.Tenn., 2010)

I was an expert for the plaintiff in a NAACP-backed lawsuit against a 2009 Metro Nashville school re-zoning plan. I wrote an expert witness report, was deposed, and testified in court. My testimony described the social psychological literature on prejudice, stereotyping, and the benefits of integrated educational settings.

## PROFESSIONAL DEVELOPMENT

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Participant, Teaching Workshops, The Engaged Citizen (first year interdisciplinary seminar course), Hendrix College, 2015

Participant, *Teaching Empathy: Developing Interdisciplinary Pedagogies* project with Centre College and Millsaps College, Associated Colleges of the South (ACS) Faculty Development Grant, 2015-2016

Faculty Discussant, *Developing Effective Writing Assignments and Giving Effective Writing Feedback*, Teaching-focused Brown Bag Discussions, 2013

Participant, Teaching Workshops, Explorations (first year college orientation course), Hendrix College, 2008-2012

Participant, Teaching Workshops, Journeys (first year interdisciplinary seminar course), Hendrix College, 2007-2012

Member, Explorations Writing Group, Hendrix College, 2008-2010

Participant, Associated Colleges of the South (ACS) Summer Teaching Workshop, 2009

SAT Scorer, Flexible Scoring of the Writing Section, Pearson, 2008

Co-facilitator (with Alice Hines), Workshop on Peer Reviews in Explorations, Hendrix College, Summer 2008

Participant, *Deliberation about things that matter* project for Phi Beta Kappa and the Teagle Foundation, Hendrix College, 2007-2008

Coordinator, Visitation and Graduate School Information Day at The Ohio State University for Kenyon College undergraduates, 2006

Graduate Student Participant, Preparing Future Faculty (Mentor: Dr. Michael Levine, Kenyon College), 2006

Certificate of Training in the Teaching of Psychology, The Ohio State University, 2006

Textbook Selection Committee, Introduction to Psychology, The Ohio State University, 2004-5

Participant, Writing Across the Curriculum Workshop, Office of Faculty and TA Development,  
The Ohio State University, 2003

**Ad hoc Reviewer for Peer-Reviewed Journals**

Basic and Applied Social Psychology  
Sex Roles  
Journal of Statistics Research

**Conference Submission Reviewer**

***Society for Personality and Social Psychology***

Poster Review Panel of the Program Committee (2015)  
Graduate Student Travel Grant Committee (2014)

***American Psychological Association***

Division 45 (Ethnic Minority Issues)  
Division 2 (Teaching of Psychology)

***Southwestern Psychological Association***

Personality/Social Area  
Teaching of Psychology Area

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**SERVICE**

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**Talks with the public**

Panelist, *Are we alone in the universe?* Science Café Series, Little Rock, AR, 2012

**Talks at Hendrix College**

Speaker, *Moving Toward Effective Allyship in Social Justice Work*, Friday Afternoon Discussion:  
Conversations in the Liberal Arts, Marshall T. Steele Center, 2016

Speaker, *Stereotype Activation and Stereotype Application (or, Stuff I Really Think you Should Know  
About Stereotypes)*, Cultural Connection Committee, 2015

Faculty Discussant, *"Dear White People" Movie Discussion*, Sponsored by the Multicultural  
Development Committee, Students for Black Culture, and Student Activities, 2015

Faculty Discussant, *The Unlikely Disciple: A Sinner's Semester at America's Holiest University (by  
Kevin Roose)* Book Discussion, Sponsored by the Psychology Club, 2015

Faculty Discussant, *What is my calling and how do I know?*, Tuesday Talk Series, Hendrix College  
Chaplain's Office and Miller Center, 2015

Faculty Discussant, *"Crash" Movie Discussion*, Psychology Department, Hendrix College, 2014

Speaker and Moderator, *The Science of Happiness*, Hendrix TED Club, 2012

Faculty Discussant, *Fall Success Institute*, Academic Support Services Office, 2011 and 2012

Faculty Discussant, *Couples Panel*, Chaplain's Office Relationship Series, 2010

Faculty Discussant, *What is my calling and how do I know?*, Tuesday Talk Series, Hendrix College  
Chaplain's Office and Miller Center, 2008



Faculty Discussant, *Sarah Palin: How is she Altering Gender Politics in Election 2008?*, Project Pericles Forum, 2008  
Faculty Discussant, *The Hillary Effect: How is Gender Shaping Election 2008?*, Project Pericles Forum, 2007  
Faculty Discussant, *Socially Offensive Behavior*, Sponsored by the Students for Black Culture, Feminist Club, and Students Promoting the Education of Asian Cultures, 2007

#### **Institutional Service at Hendrix College**

Member, Task Force on Inclusion and Climate, 2015-2016  
Faculty Mentor (for Dr. Gretchen Renshaw), Committee for New Faculty Orientation, 2015-2016  
Elected Member, Committee for Academic and Professional Concerns, 2012 and 2015-2018  
Chair, Diversity and Climate Strategic Planning Working Group, Hendrix College, 2014-2015  
Chair, Hendrix College Human Subjects Review Board (HSRB), 2010-2015  
Member, Provost Search Committee, 2012-2013  
Member, Higher Education Research Institute (HERI) Survey Committee, 2012-2013  
Faculty Mentor (for Dr. Carmen Hardin), Teaching Mentoring Pilot Program, 2012-2013  
Member, Integrated Advising Committee, Hendrix Strategic Initiative, 2012-2013  
Elected Member, Committee on Committees, 2010-2012 and 2015  
Coordinator, Senior and Junior Meetings for Psychology Students, Psychology Department, Hendrix College, 2009-present  
Faculty Presenter and discussant (with Lindsay Kennedy), *How to get into Graduate School in Psychology*, 2011 and 2012  
Faculty Host and Discussant, New Student Summer Reading Program, Hendrix-Murphy Foundation, 2010 and 2011  
Member, Advising Initiative Study Group, 2009-2011  
Faculty Participant, Sophomore Class Retreat, Hendrix-Murphy Foundation, 2008 and 2010  
Orientation Trip Faculty Advisor, Memphis, TN, 2010  
Assessment Consultant, Journeys (first year interdisciplinary seminar course), 2010-2011  
Member, College Conduct Council, 2008-2010  
Member, Human Subjects Review Board, 2009-2010  
Faculty Representative, Career Services Advisory Committee, 2008-2010  
Member, Council of New Student Advisors (dedicated advisors for incoming first year students), 2008-2009  
Judge, Hays Scholarship Competition, 2008-2010  
Faculty Liaison, Men's Soccer Team, 2007-2008

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#### **URBAN DEBATE LEAGUE TEACHING AND CONSULTING**

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The Urban Debate League (UDL) is a national education reform movement targeting socio-economically challenged students to bring interscholastic debate and all of its related benefits to underserved student populations in order to level the playing field in education.

**National Debate Project**

**Emory University**, Atlanta, Georgia; **Georgia State University** Atlanta, Georgia; **New York University**, New York City; **Tennessee State University**, Nashville, Tennessee

*Consultant and Policy Advisor, 2002-present*

- Provide program advice for national Urban Debate League assessment
- Make curriculum recommendations for Urban Debate League summer programs, after school programs, and teacher professional development
- Advise on policy, materials, and best practices resulting from evaluation of national Urban Debate League movement

**Atlanta Urban Debate League**

**Emory University National Debate Institute**, Atlanta, GA

*Instructor and Dorm Counselor*, Summer 1996-Summer 1999

- Taught advocacy, critical thinking skills, and computer research skills to students
- Participated in diversity training programs for faculty

**Barkley Forum of Emory University**, Atlanta, GA

*Grant Researcher*, 1999-2000

- Compiled research on Communication Studies, Debate, and Urban Debate programs
- Curriculum advisor

**Kansas City Urban Debate League**

**University of Missouri, Kansas City**, Kansas City, MO

*Instructor and Dorm Counselor*, Summer 1998

- Reviewed argument construction and research skills with novice students

**New York Urban Debate League**

**New York University/Open Society Institute**, New York, NY

*Instructor*, Summer 1997-1999

- Instructor for new UDL teachers, including demonstrations and best practices for teaching debate skills
- Reviewed argument construction and research skills with novice and varsity students

**Baltimore Urban Debate League**

**Towson University**, Baltimore, MD

*Instructor*, Summer 1998-2000

- Instructor for new UDL teachers, including demonstrations and best practices for teaching debate skills
- Reviewed argument construction and research skills with novice and varsity students
- Curriculum advisor for faculty of debate institute program

**Washington, D. C. Urban Debate League**

**American University**, Washington, D.C.

*Instructor and Dorm Counselor*, Summer 2002

- Reviewed argument construction and research skills with novice students
- Curriculum advisor for faculty of debate institute program

**Miami Urban Debate League**

**University of Miami**, Miami, FL

*Consultant and Instructor*, Summer 2004-2007

- Instructor for new UDL teachers, including demonstrations and best practices for teaching debate skills
- Prepared research and teaching materials for new teachers
- Reviewed argument construction and research skills with novice and varsity students
- Taught refresher courses for teachers and students during the school year
- Judged debates and helped administer and run tournaments
- Curriculum advisor for faculty of debate institute program

**Milwaukee Urban Debate League**

**Marquette University**, Milwaukee, WI

*Consultant and Teacher*, 2006-2007

- Offered programming advice for Urban Debate League administrators
- Instructor for new UDL teachers, including demonstrations and best practices for teaching debate skills
- Prepared research and teaching materials for UDL for new teachers
- Reviewed argument construction and research skills with novice and varsity students
- Taught refresher courses for teachers and students during the school year
- Judged debates and helped administer and run tournaments
- Curriculum advisor for faculty of debate institute program

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**PROFESSIONAL AFFILIATIONS**

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Society for Personality and Social Psychology (APA Division Eight)

American Psychological Society

Southwestern Psychological Association

Phi Beta Kappa

Phi Sigma Tau (Philosophy Honors Society)

Psi Chi (Psychology Honors Society)

Omicron Delta Kappa (Honorary Leadership Fraternity)

John Gordon Stipe Society (Honorary Society for Creative Scholarship)

Exhibit “D”  
Excerpts From July 20, 2016 Deposition Of  
Mark Roberts, Ph.D.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF IDAHO

JUN YU,	)
Plaintiff,	) Case No.
vs.	) 4:15-cv-00430-REB
IDAHO STATE UNIVERSITY,	)
and	)
JOHN/JANE DOES I through X,	)
whose true identities are	)
presently unknown,	)
Defendants.	)
_____	)

DEPOSITION OF

MARK ROBERTS, Ph.D.

TAKEN JULY 20, 2016

REPORTED BY:

DIANA WEINBERGER, CSR No. 727, RPR

Notary Public

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1 progress of the student, and he had completed the  
2 graduation checklist, but he cannot be awarded his  
3 degree, because he had not completed the internship.  
4 Q. So when you say he was "all but internship,"  
5 does that mean that if he gets his internship completed,  
6 he gets his doctorate?  
7 A. Yes.  
8 Q. So he only had one course to complete?  
9 A. That course is a 12-month, 2,000 hour,  
10 three-credit course, with one credit per semester for  
11 three semesters.  
12 Q. Okay, but the answer --  
13 A. It's the fifth year, or sixth, for some, of  
14 their education, so it's not a minor thing.  
15 Q. Absolutely. Wasn't suggesting it was minor.  
16 But it was the only thing he had to complete?  
17 A. That's correct.  
18 Q. I'm looking at the second part of this  
19 paragraph, and in that we talk about those three options  
20 again.  
21 A. Um-hum.  
22 Q. In this particular document, does it say  
23 anything that these options, if he took one option, the  
24 other options would be foreclosed?  
25 A. No.

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1 MR. COULTER: Exhibit 5, ma'am.  
2 BY MR. COULTER:  
3 Q. Exhibit 5 is one of those --  
4 A. Good.  
5 Q. It's one of those letters that we had in  
6 there already.  
7 A. Um-hum.  
8 Q. And that's the right date, November 12th?  
9 A. Um-hum.  
10 MR. KELLY: You have to say yes?  
11 THE WITNESS: Yes.  
12 BY MR. COULTER:  
13 Q. Now, have you had an opportunity to take a  
14 look at this?  
15 A. Yes.  
16 Q. In the last paragraph, or beginning of the  
17 last paragraph on the first page, which is ISU  
18 Document 03123, it starts with, Please remember that the  
19 Clinical Training Committee provided you two other  
20 options to complete the required internship. See your  
21 spring semester evaluation letter, June 4, 2012. One,  
22 reapply to APPIC member sites; two, propose an  
23 accommodated internship in China. Both of these options  
24 are still available to you. Do you see that language?  
25 A. Yes.

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1 Q. You're going to get tired of hearing this  
2 question, but the question is, does it say anywhere in  
3 there that if he chose one of the three, that the other  
4 two were foreclosed to him?  
5 A. No.  
6 Q. Now, Dr. Roberts, did you inform Mr. Yu that  
7 if Mr. Yu were dismissed from the only requirement that  
8 he had to complete his doctorate, that he would be  
9 dismissed from the Doctor of Clinical Psychology  
10 program?  
11 A. No.  
12 Q. To your knowledge, did any other faculty  
13 member inform Mr. Yu that, if Mr. Yu were dismissed from  
14 the only class that he had to complete to earn his  
15 doctorate, that he would be dismissed from the Doctor of  
16 Clinical Psychology program?  
17 A. I am not aware of any other communications.  
18 Q. And even though you answered this question,  
19 I've still got to ask it, because it's being asked in a  
20 different format. To your knowledge, did any other ISU  
21 administrator inform Mr. Yu that, if Mr. Yu were  
22 dismissed from the only class he had to complete to earn  
23 his doctorate, that he would be dismissed from the  
24 Doctor of Clinical Psychology program?  
25 A. I'm not aware of any such communications.

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1 Q. Let me ask you a question that's not on my  
2 list. Did you know, if he were dismissed from that  
3 program, that he would -- that would subject him to  
4 being dismissed from the doctorate program?  
5 A. Did I know in advance?  
6 Q. Yes.  
7 A. No.  
8 Q. Who made the call?  
9 A. The Clinical Training Committee always looks  
10 at the performance of the student that is -- and has  
11 accumulated, and is provided to them, and then makes  
12 decisions.  
13 Q. Who makes up the Clinical Training  
14 Committee?  
15 A. All of the full-time clinical faculty  
16 members.  
17 Q. So all the full-time clinical faculty  
18 members were not specifically aware of Jun's academic  
19 record, were they?  
20 A. Yes, they were. They were the body who  
21 provides information for each of his eight semester  
22 evaluations, which you've shown me copies. I am the  
23 writer of the document, I am the signer of the document,  
24 but I represent the Clinical Training Committee.  
25 Q. So you were the writer of the document that

<p style="text-align: right;">Page 78</p> <p>1 started the process of dismissal?</p> <p>2 A. I am the person who brought the information</p> <p>3 about the dismissal to the Clinical Training Committee,</p> <p>4 and the committee reviewed it in the context of all the</p> <p>5 information we have about Mr. Yu.</p> <p>6 Q. All right. So Dr. Roberts, this did not</p> <p>7 happen in a vacuum. What -- if you were the person who</p> <p>8 wrote this document, what -- if you were the person</p> <p>9 who -- I don't know if there was a document that went to</p> <p>10 the CTC that said, We need to dismiss this individual.</p> <p>11 Was there a memorandum that was sort of circulated</p> <p>12 throughout the CTC, that you authored, that said, We</p> <p>13 need to look at dismissing Mr. Yu?</p> <p>14 A. No.</p> <p>15 Q. Well, then, how did -- who initiated the</p> <p>16 communication with the CTC, to have Mr. Yu dismissed?</p> <p>17 A. I brought the dismissal from the internship</p> <p>18 information to the Clinical Training Committee, for its</p> <p>19 review and disposition, one option of which was to</p> <p>20 dismiss the student, in his particular instance, for</p> <p>21 failure to maintain satisfactory progress toward the</p> <p>22 degree, based not simply on the internship dismissal,</p> <p>23 but the process that unfolded, starting in the fall of</p> <p>24 2011.</p> <p>25 Q. I've looked at this record of Mr. Yu very</p>	<p style="text-align: right;">Page 80</p> <p>1 every year when they are oriented to the clinical</p> <p>2 student handbook in the fall of each year.</p> <p>3 Every student attends that session, is</p> <p>4 indeed required to attend that session, and is indeed</p> <p>5 required to sign a document indicating they've attended</p> <p>6 the session, has been given a copy of the student</p> <p>7 handbook, and/or been given the updates of the</p> <p>8 subsequent handbooks after his first year. Mr. Yu was</p> <p>9 given a copy of the handbook in 2008, and then he was</p> <p>10 given updates every four years, and in those documents,</p> <p>11 and in the handbook, it very specifically says the</p> <p>12 student is responsible for understanding the graduate</p> <p>13 school catalog for those parts that are relevant to</p> <p>14 them. So he was made aware of those legal documents,</p> <p>15 and it is his responsibility to attend to them.</p> <p>16 Q. Okay. I understand that. I understand the</p> <p>17 clinical handbook itself. That wasn't my question. My</p> <p>18 question was, did anyone specifically -- let me back up</p> <p>19 for a second. Did he have a mentor? Did he have a</p> <p>20 project manager?</p> <p>21 A. I was his mentor for science, and I was his</p> <p>22 Director of Clinical Training.</p> <p>23 Q. And you've known him for how long?</p> <p>24 A. Since 2008.</p> <p>25 Q. And you did not tell him that he was in</p>
<p style="text-align: right;">Page 79</p> <p>1 carefully, and I can't find a single document that says,</p> <p>2 You're in professional trouble. Should you not do X, Y,</p> <p>3 or Z, you're facing dismissal. Is there any document</p> <p>4 like that?</p> <p>5 A. There is no document like that that includes</p> <p>6 the threat of dismissal.</p> <p>7 Q. It's not necessarily a threat of dismissal.</p> <p>8 It's a matter of -- look, if you fail the Academic Board</p> <p>9 in the United States Naval Academy, guess what, you're</p> <p>10 going to get dismissed. Everybody knows that. You get</p> <p>11 a period to get things done, but it's clearly spelled</p> <p>12 out. If you do X, Y, and Z, and you fail the Ac Board,</p> <p>13 you're done. Do you understand where I'm coming from?</p> <p>14 Now, a person spends five years in this</p> <p>15 program. He gets a dismissal letter. Was there any</p> <p>16 warning given by the administration, or I could say the</p> <p>17 psychology department, that should he fail this</p> <p>18 internship, he would be subject to dismissal? Was there</p> <p>19 ever anything given that way?</p> <p>20 A. The graduate school handbook explicitly</p> <p>21 states that a student who fails to make satisfactory</p> <p>22 progress in the program can be dismissed, given a vote</p> <p>23 of the faculty. Hence, it is always an option to</p> <p>24 dismiss a student from the program, given those</p> <p>25 conditions. The student is made aware of that process</p>	<p style="text-align: right;">Page 81</p> <p>1 danger?</p> <p>2 A. We did not anticipate the level of problem</p> <p>3 that yielded the dismissal. We were hopeful that he</p> <p>4 would succeed. Dr. Speer saw something in him during</p> <p>5 his fall volunteer work that led her to go to great</p> <p>6 pains of constructing the internship. He could have had</p> <p>7 a good match with her and developed well. The last</p> <p>8 thing I was going to do was threaten him with</p> <p>9 consequences at the start of that internship. It did</p> <p>10 not cross my mind to make that particular threat.</p> <p>11 From my standpoint, what you're referring to</p> <p>12 is a formal plan of remediation that specifies a</p> <p>13 measurement and a consequence, such as, if you're</p> <p>14 dismiss from X, Y, and Z, here's going to be the</p> <p>15 consequence. We did not have a formal plan of</p> <p>16 remediation that had the measurement of success at the</p> <p>17 internship. You get your degree, failure, you'll be</p> <p>18 dismissed. We did not have that, we did not communicate</p> <p>19 that, we did not anticipate his dismissal.</p> <p>20 We were hopeful he would succeed. We worked</p> <p>21 very hard to craft an APPIC-equivalent internship</p> <p>22 germane to him and his interests, and the site wanted to</p> <p>23 provide it, and we were pleased and hopeful. Hence, we</p> <p>24 did not make any threat. We did not anticipate the</p> <p>25 dismissal. As I mentioned earlier, I had some doubts</p>



<p style="text-align: right;">Page 82</p> <p>1 about his ability, based upon his 2011, 2012 externship 2 and internship -- externship and practicum performance, 3 but I was hopeful. 4 Q. So I guess the answer would be, no, to my 5 question? 6 A. Repeat the question, and I can confirm that. 7 (Last Question Read Back.) 8 THE WITNESS: The answer to that is, 9 correct, I did not tell him that. 10 MR. COULTER: Could you give the witness 11 Exhibit 6? 12 BY MR. COULTER: 13 Q. I'm going to ask you to take a look at 14 Exhibit 6, and when you're ready, just let me know and 15 I'll start questioning. 16 A. Okay. 17 Q. Have you had ample time to look at it? 18 You're still looking at it? 19 A. It's fine. Please proceed. 20 Q. Okay. Doctor, can you identify this 21 document? 22 A. Yes. 23 Q. And what is it? 24 A. It was the faculty's response to his appeal 25 of the dismissal, consistent with the requirements of</p>	<p style="text-align: right;">Page 84</p> <p>1 document? 2 A. I believe I did, yes. I would say yes to 3 that. 4 Q. Let's look at the first page of this 5 document. 6 A. Okay. 7 Q. Look where it says Argument No. 1. Since 8 you drafted this document, it's appropriate to ask you 9 your knowledge of this. Would that be correct? 10 A. Yes. 11 Q. So where it starts -- where it says, The 12 reasons behind your dismissal date back to the 13 unsatisfactory progress. 14 Do you see that? 15 A. Yes. 16 Q. And I believe your testimony was that, in 17 the professional aspect of it, we've had issues since 18 2011. Is that correct? 19 A. Yes. 20 Q. And we won't go into why that is, because 21 you pretty well told us that. Okay? How does that -- I 22 was trying to get the connection. In one document we 23 talk about, I think in Exhibit 4, we talk about "all but 24 internship" ready. If Mr. Yu were having these problems 25 since 2011, how could he, "all but internship" ready?</p>
<p style="text-align: right;">Page 83</p> <p>1 the graduate school. 2 Q. So you say it was the faculties' response? 3 A. Yes. The graduate faculty of the entire 4 faculty, so the clinical faculty and the experimental 5 faculty convened to review an appeal of the dismissal, 6 which was issued previously by the graduate faculty of 7 the psychology department. 8 Q. So I'm going to call your attention to the 9 ISU document, the last page, 0642. 10 A. Yes. 11 Q. Whose signature is on this document? 12 A. The department Chair. 13 Q. So did the department Chair write this 14 document? 15 MR. KELLY: Object. Calls for speculation, 16 and also the document speaks for itself. 17 THE WITNESS: I'm sure I drafted it in 18 response to the graduate faculties' convening and 19 discussion and points. So I, as Director of Clinical 20 Training, I would take notes, and put all the germane 21 information into hopefully a concise manner, to 22 communicate to the student not only the faculties' 23 decision, but the process behind that decision. 24 BY MR. COULTER: 25 Q. So it's your testimony that you drafted this</p>	<p style="text-align: right;">Page 85</p> <p>1 A. That language was used in communication with 2 a graduate Dean for which that was the case. On his 3 program of study to complete Ph.D., he had completed all 4 requirements except the internship. 5 Q. Dr. Roberts, did you feel, having known 6 Mr. Yu since 2008, worked with him, etcetera, did you 7 feel that he was internship ready in his fifth year? 8 A. In his fourth year, I unabashedly supported 9 his internship readiness, based on his three years in 10 the program, and his performance in China in the summer 11 of 2011, and I supported his internship application 12 wholeheartedly, based upon that summer's performance, 13 which eliminated my doubts as to his ability to perform 14 clinical professional work, given Chinese culture, 15 Chinese language, and a specific protocol, and I gave 16 him a very strong recommendation for internship in, it 17 would have been October of 2011. 18 Q. Well, then, in regards to the Chinese 19 internship, what about working in a clinical environment 20 was the second language in Cleveland? 21 A. Once that opportunity emerged, given his 22 choices in the fall of 2012, information had 23 accumulated. His dismissal from the externship site in 24 2011, his poor ratings by Dr. Lynch in her practicum in 25 the fall of 2011, his poor performance by myself and</p>

Exhibit “E”  
Excerpts From July 20, 2016 Deposition  
Of Shannon Lynch, Ph.D.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF IDAHO

JUN YU,	)
Plaintiff,	) Case No.
vs.	) 4:15-cv-00430-REB
IDAHO STATE UNIVERSITY,	)
and	)
JOHN/JANE DOES I through X,	)
whose true identities are	)
presently unknown,	)
Defendants.	)
_____	)

DEPOSITION OF

SHANNON LYNCH, Ph.D.

TAKEN JULY 20, 2016

REPORTED BY:

DIANA WEINBERGER, CSR No. 727, RPR

Notary Public

<p style="text-align: right;">Page 54</p> <p>1 A. If he was able to successfully complete the 2 internship, yes. 3 Q. So when Dr. Roberts write this, "All but 4 internship," if he completes it, if I understand 5 correctly, if he completes internship at CCA, he would 6 receive his Ph.D. in Clinical Psychology? 7 A. Yes. 8 Q. Now, again, in that particular first 9 paragraph, it says, Our clinical training process -- if 10 I'm going too fast, let me know -- Our Clinical Training 11 Committee has offered him three options. Reapply to 12 national internship match in November of 2012, a process 13 that failed to yield him a site during the last 14 application cycle; propose local internship subject to 15 Clinical Training Committee approval; propose a modified 16 internship in China, subject to clinical committee 17 approval, where he hopes to gain academic employment, 18 which would include professional practice in the future. 19 Do you see that? 20 A. Yes. 21 Q. Now, again, it does not say that, in that 22 particular paragraph there, that Option One, option -- 23 if he chose one of the other options, the other options 24 would be foreclosed to him. Is that correct? 25 A. Correct.</p>	<p style="text-align: right;">Page 56</p> <p>1 MR. KELLY: I would. 2 BY MR. COULTER: 3 Q. Was there ever any discussion among the 4 faculty, i.e., the clinical psychology faculty, that if 5 Mr. Yu were dismissed from the only class he had to 6 complete to earn his doctorate, that he would be 7 dismissed from ISU's Doctor of Clinical Psychology 8 program? 9 A. There was no discussion about dismissing him 10 until he received the second U, and the second 11 indication from an external site that he was struggling 12 clinically. So prior to his dismissal from Cleveland 13 Clinic, there was no discussion of dismissing him. 14 Q. Did you inform Mr. Yu that if Mr. Yu were 15 dismissed from the CCA internship, that he would be 16 dismissed from his doctorate in the clinical psychology 17 program? 18 A. Did I personally? 19 Q. Yes ma'am. 20 A. No. 21 Q. Did you instruct a faculty member or 22 administrator to inform Mr. Yu that, if he were 23 dismissed from in the CCA program, that he would be 24 dismissed from the Doctor of Clinical Psychology 25 program?</p>
<p style="text-align: right;">Page 55</p> <p>1 (Exhibit No. 5 Marked.) 2 BY MR. COULTER: 3 Q. Ma'am, I've handed you -- I've handed you 4 what's been marked Exhibit 5. It's a November 12th 5 letter, written by Dr. Roberts. I want you to just take 6 a look at that, and when you've had a chance to review, 7 just look up and let me know. 8 A. Okay. 9 Q. All right. Now, just turn to that last 10 page, which is ISU Document 324 of the Exhibit No. 5. 11 The last paragraph says, Both of these options are still 12 available to you. I assume you continue to prefer the 13 non-standard internship option at the Cleveland Clinic, 14 given the time, effort and expense you have expended to 15 craft the proposal. It is my responsibility to remind 16 you of these other two options. 17 Does this document ever state that if he 18 chose the option to go to Cleveland Clinic, that the 19 other two options would be foreclosed to him? 20 A. No. 21 Q. Now, was there any discussion among the 22 faculty that if Mr. Yu were dismissed from the only 23 class he had to complete to earn his doctorate, that he 24 would be dismissed from the ISU's Doctor of Clinical 25 Psychology program? Would you like me to repeat that?</p>	<p style="text-align: right;">Page 57</p> <p>1 A. No. 2 Q. Did any other faculty member inform Mr. Yu 3 that if Mr. Yu was dismissed from the CCA program, that 4 he would be dismissed from the Doctor of Clinical 5 Psychology program? 6 MR. KELLY: I object. Calls for 7 speculation, but if you know. 8 BY MR. COULTER: 9 Q. To your knowledge. 10 A. I don't have knowledge of anyone informing 11 of that. 12 Q. My last question in that regard, because I'm 13 a lawyer, to your knowledge -- only to your knowledge -- 14 did any other ISU administrator inform Mr. Yu that, if 15 he were dismissed from the CCA internship, that he would 16 be dismissed from the clinical psychology program where 17 he could get his doctorate? 18 A. Not to my knowledge. 19 (Exhibit No. 6 Marked.) 20 BY MR. COULTER: 21 Q. I've just handed you what has been marked as 22 Exhibit 6. It's a May 17, 2013 letter that was written 23 by yourself. I'm going to give you an opportunity to 24 review this document, and when you have completed your 25 review of this document, just let me know.</p>

Page 98	Page 100
<p>1 Calls for speculation as to what other people may have 2 told him. 3 BY MR. COULTER: 4 Q. But you're the Director. 5 A. I'm the Chair. So the Director was 6 Dr. Roberts, and in my role as Chair, I wrote that final 7 letter, and I'm a member of the faculty. He received 8 notice that we were concerned about his progress. Not 9 academic progress, but professional progress. So he had 10 received notice of that in a prior evaluation. The 11 graduate catalog states there are three conditions under 12 which a student might be dismissed, and one is lack of 13 progress considered by the faculty. 14 Did we explicitly say to him, if you fail at 15 this internship, you will be dismissed? No. We did not 16 anticipate that he would fail. No. We did not say 17 that. 18 Q. So to be sure that I understand it right, 19 from your testimony, that you -- no one, to your 20 knowledge, ever told him that, if he failed this 21 internship, he would be dismissed from the university, 22 from the program. Is that correct? 23 A. Correct. 24 Q. And no one ever told him that explicitly, no 25 one ever told him, oh, by the way, you're not going to</p>	<p>1 Q. I will tell you that this is the last 2 exhibit, even though I have one underneath here. 3 (Exhibit No. 10 Marked.) 4 BY MR. COULTER: 5 Q. Dr. Lynch, I'm handing you what has been 6 marked as Exhibit 10, and you have talked about it a 7 little bit, but I'm going to talk about the Clinical 8 Student Handbook. If you could take a look at the pages 9 that I've handed to you. Let me know when you've had an 10 opportunity to review. 11 A. Just to be clear, do you want me to read the 12 full document? 13 Q. Yes. 14 A. Okay. 15 Q. Now, take a look at page 33, the second page 16 of this particular document, and it talks about the 17 grievance process. This is the Department of Psychology 18 Idaho State University Clinical Student Handbook? 19 A. Correct. 20 Q. And you are the Chair of that department? 21 A. I am. 22 Q. And I'm not asking you if you know 23 everything about that, because that would be impossible. 24 But as you read that grievance procedure, do you believe 25 that's important?</p>
Page 99	Page 101
<p>1 have any other opportunity to go to China or do your 2 internship in China. No one ever told him that either. 3 Is that correct? 4 A. Correct. 5 Q. I want to go to this Domain E, Student 6 Faculty Relations. You see where Domain E starts? 7 A. I do. 8 Q. And on the second page of that, just above, 9 I guess subparagraph 5, it says something to the effect 10 of, In all matters relevant to the evaluation of 11 students' performance, programs must -- must -- adhere 12 to the institution's regulations, local, state, federal 13 statutes regarding due process, and fair treatment of 14 students. 15 Do you see that? 16 A. I do. 17 Q. And is that what ISU ascribes to? ISU is 18 broad. In the psychology department, is this what ISU 19 ascribes to? 20 A. Do you mean, do we take these seriously? 21 Q. Yes. 22 A. I'm just trying to understand your question. 23 Yes. Absolutely. 24 Q. Is there any exception that you know of? 25 A. No.</p>	<p>1 A. Yes. 2 Q. Why? 3 A. So that conflicts that come into the 4 department have a chance to be resolved, and can 5 facilitate student success and faculty relationships. 6 Q. Now, if I remember correctly from the 7 discovery, because you've read all the discovery 8 documents. Right? How many, in Jun's class of 2008 to 9 2013, how many internships, non-A-p-p-i-c internships, 10 lacked the due process component? 11 A. Only Jun's. There were three, and I believe 12 only his lacked the due process at the site. 13 Q. Of the two that had the due process, was 14 there any faculty interaction with the site that was 15 approved, to discuss whether or not -- let me back up. 16 Strike that. Of the sites that were non-APPIC, that had 17 due process, did any of them, prior to entering, not 18 have due process in their proposals, to your knowledge? 19 A. I don't know that I would have knowledge of 20 that, because I don't construct the agreements. 21 Q. Who would? 22 A. Dr. Roberts works with the student to make 23 the proposal, and then he communicates with the site or 24 sites involved. I do not have direct involvement in 25 creating the proposal. I review it, to approve it, to</p>

Exhibit “F”  
Erin Cooley, Ph.D.  
Expert Report June 22, 2016

**Erin Cooley, Ph.D.**

13 Oak Drive, Hamilton, NY 13346

Phone: 315-228-7328

Email: ecooley@colgate.edu

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June 22, 2016

R. A. Coulter  
776 E. Riverside Drive, Suite 240  
Eagle, Idaho 83616

Re: Jun Yu v. Idaho State University, Case No. 4:15-CV00430-REB

Dear Attorney Coulter:

At your request, I have prepared an expert rebuttal witness report regarding my professional opinions in the matter of Jun Yu v. Idaho State University (Case No. 4:15-CV00430-REB).

I am currently an Assistant Professor at Colgate University who specializes in the field of Social Psychology with a particular focus on prejudice and racism. I received my B.S. in Psychology and B.A. in Spanish from the University of Florida where I graduated with honors. I completed my Masters and Ph.D. in Social Psychology at the University of North Carolina at Chapel Hill. During my six years of doctoral training I conducted research on implicit biases and racial prejudice and taught undergraduate courses in Social Psychology. As an Assistant Professor I have continued my research on prejudice and racism, taught a seminar on prejudice and racism, and taught courses in quantitative methods for behavioral research (i.e., statistics).

Broadly, my research examines the cognitive, affective and physiological components of prejudice and discrimination. I am particularly interested in prejudice that is unintentionally expressed by those who intend to be egalitarian. This dichotomy between wanting to be egalitarian, while also harboring negative implicit biases toward certain racial groups is fundamental to aversive racism—a primary focus of my rebuttal report. I have published research on implicit bias in peer-reviewed, top-ranked journals in the field of Psychology including *Social Psychological and Personality Science* and *Personality and Social Psychology Bulletin*. I have presented my research at professional conferences for Psychology and received awards for its quality. I have provided a copy of my full curriculum vitae with this report.



In preparing my report, I have reviewed the research literature on implicit biases and aversive racism and also have drawn upon my existing knowledge of these topics. To assure that I would come to independent conclusions based on my expertise, I reviewed case documents **before** reviewing the expert witness reports of both Dr. Leslie Zorwick and Dr. Dru Gladney. Within this report, I express my opinions as they relate to the opinions expressed by Dr. Zorwick and Dr. Gladney in their respective expert witness reports. The opinions I express in this report in no way reflect the positions of my employer or any other organizations with which I am affiliated.

## I. Materials Reviewed

To prepare my report, I reviewed the following case documents:

- Jun Yu Accreditation Complaint to APA, dated December 16, 2013.
- Complaint filing with the U. S. District Court for Idaho in the matter of Jun Yu v. Idaho State University, dated September 16, 2015.
- Updated Complaint Management Order by U. S. Magistrate Ronald E. Bush of the U. S. District Court for Idaho in the matter of Jun Yu v. Idaho State University, dated January 26, 2016.
- Document titled: "The Assault on Jun Yu: Multicultural Incompetence in a Clinical Psychology Doctoral Program, Resulting in the Professional Destruction of an International Student," by Jocelyn Eikenburg and Michael D. Dwyer.
- Document titled: "Clinical-Professional Development Points For Consideration By the Graduate Council in the Appeal of Mr. Jun Yu," by Jun Yu.
- Document titled: "Practica Course Sequence" dated 12-26-2015.
- All documents contained in the 659 page defendant's initial disclosures.
- Defendant's answers and response to the Plaintiff's first set of discovery requests dated February 5, 2016.
- All documents contained in pages 660-845, which was shared in the Defendant's answers and response to the Plaintiff's first set of discovery requests.
- Plaintiff's answers and response to the Defendant's first set of discovery requests dated March 16, 2016.
- All documents contained in the 1408 page plaintiff's initial disclosures, including "State Board of Psychology of Ohio – Complaint Against Dr. Leslie Speer and Dr. Thomas Frazier filed by Jun Yu," "APA Ethics Office – Complaint against Dr. Mark Roberts filed by Jun Yu," and "APA Ethics Office – Complaint against Dr. Shannon Lynch filed by Jun Yu."
- The Graduate Record Exam (GRE) Report of Scores for Mr. Jun Yu.
- The Plaintiff's Complete Expert Submission of March 25, 2016.
- The Expert Report of Dr. Leslie Zorwick.
- The Expert Report of Dr. Dru Gladney and the attached "White Paper on Dismissed Chinese Students in the United States."

## II. Basis of Opinions on Aversive Racism

1. *Contemporary manifestations of racism are often less blatant than racism of the past. This makes education about racism and awareness of one's own (and others') biases critical.*
  - a. Racism is a system of advantage based on race that includes the actions and beliefs of individuals as well as broader cultural messages and institutional policies that reinforce racial inequality (Tatum, 2001). Racism can be overt or covert. In the past (e.g., pre-Civil Rights Movement), racism was overt with little public censure for expressing racist beliefs. Contemporary racism is more covert (McConahay, 1986; Sears & Henry, 2003; Dovidio & Gaertner, 2004).
  - b. Over time, it has become less socially acceptable to overtly express racist beliefs. However, this does not mean that racism is fading. Instead, the way that racism manifests has simply changed form, oftentimes becoming more covert (Sears & Henry, 2003; Dovidio & Gaertner, 2004). This has led to the emergence of research on more subtle forms of bias called implicit biases (Greenwald & Krieger, 2006; Payne & Gawronski, 2010). While explicit biases are those that people consciously endorse, implicit attitudes are independent of one's motivations to appear non-prejudiced (Greenwald, McGhee, Schwartz, 1996). This means that even someone who desires to treat all races the same might still harbor negative associations with particular racial groups. These negative associations are often learned through culture and media. For example, in many ways, the media reinforces the idea that Black people are aggressive (Oliver, 2003). Even if these associations are not personally endorsed, mere exposure to these associations can lead them to become learned and contribute to discriminatory behavior. For example, people high in implicit prejudice might show greater discomfort in an interracial interaction than people with low implicit prejudice (Dovidio, Kawakami, & Gaertner, 2002).
  - c. Originally researchers thought that people could not be aware of their implicit biases given that they are often unintended and often formed outside of conscious awareness (Bargh, 1999). However, recent research indicates that people are, in fact, capable of awareness of their implicit biases (Hahn, Judd, Hirsh, & Blair, 2014). This type of awareness is often encouraged by having people consider what their "gut" reactions would be toward people from certain social groups—such as Black people or Asian people. Critically, becoming aware of

one's own implicit biases is the first step to mitigating the influence of those biases on behavior (Monteith & Mark, 2005). Without actively working to become aware of one's own biases it is likely that people with these biases will continue to behave in ways that reinforce racial inequality (Sue et al., 2007).

2. *The theory of aversive racism provides a theoretical framework for understanding contemporary manifestations of racism. In particular, it helps explain the ways in which even well-intentioned people can perpetuate prejudice and discrimination.*
  - a. Aversive racism describes a modern form of racism that combines motivations to appear non-prejudiced with implicit biases. This means that aversive racism can describe the behavior of well-intentioned people who do not want to act in biased or discriminatory ways. In this way, aversive racism is distinct from blatant racism (which also, of course, still occurs but is less socially acceptable). Thus, aversive racists, "sympathize with victims of past injustice, support the principle of racial equality, and regard themselves as nonprejudiced, but, at the same time, possess negative feelings and beliefs...which may be unconscious" (Dovidio & Gaertner, 2004, p. 3).
  - b. Aversive racism involves a conflict between a desire to be egalitarian and negative associations with particular people based on their racial group membership. Because aversive racists desire not to display bias, they often do not recognize their own prejudices (Dovidio & Gaertner, 2004). When a behavior would be clearly interpreted as racial bias, it is unlikely that aversive racists would engage in this behavior (e.g., selecting a less qualified White candidate over a more qualified Black candidate). However, **when the situation is ambiguous, aversive racism becomes more likely** because racial bias can be expressed while maintaining one's sense of oneself as unbiased. As a result, certain types of situations lead aversive racism to be expressed more easily. In particular, aversive racism is most likely "**when the normative structure is weak, when the guidelines for appropriate behavior are unclear, when the basis for social judgment is vague, or when one's actions can be justified or rationalized on the basis of some other factor than race**" (Pearson, Dovidio, & Gaertner, 2009, p.5).
  - c. Because aversive racism involves a conflict between negative beliefs and a desire to be egalitarian, aversive racism can manifest with an **avoidance of discussing race-related topics. This is because talking about race raises the concern among aversive racists that they may say something that could be perceived as racially biased or**

**discriminatory** (Dovidio & Gaertner, 2004; Sue, 2013). This desire to appear egalitarian mixed with negative beliefs about certain races can thus lead to an avoidance of interracial interactions.

- d. So that aversive racists can maintain their view of themselves as unbiased, **aversive racism often involves the use of race-neutral justifications or rationalizations for the expression of prejudice** (Dovidio & Gaertner, 2000; Crandall & Eshelman, 2003). In fact, aversive racism “is hypothesized to characterize the racial attitudes of many whites who endorse egalitarian values, who regard themselves as nonprejudiced, but who discriminate in subtle, rationalizable ways” (Dovidio & Gaertner, 2000, p. 315). These rationalizations are particularly pernicious in that they enable the perpetrator to maintain their view that they are acting in unbiased ways and thus they continue to exhibit bias in the future.
- e. Aversive racism often involves **post-hoc rationalizations** of biased behavior. In particular, when situations are ambiguous, aversive racism can lead people to make biased decisions and then selectively garner evidence for their biased decision (Norton, Vandello, & Darley, 2004) or redefine the criteria for success (Uhlmann & Cohen, 2005). In one study, those participants who were thought to be higher in aversive racism remembered less of an Asian candidate’s positive qualities than those thought to be lower in aversive racism (Son Hing, Chung-Yan, Hamilton, & Zanna, 2008).
- f. Colorblind ideology reinforces aversive racism. Colorblind ideology is the idea that people should be treated as individuals independent of their racial group membership. As such, part of colorblind ideology is the denial differences based on race. Although this perspective may sound as if it reinforces racial equality (Knowles et al., 2009), an increasing amount of research indicates that colorblind practices actually reinforce inequality rather than minimizing it (Neville, Awad, Brooks, Flores, & Bluemel, 2013). In fact, avoiding talking about race can actually lead to the increased expression of subtle forms of prejudice (Apfelbaum, Sommers, & Norton, 2008; Chow & Knowles, 2016) and support institutional racism (Neville et al., 2013). Consistent with this emerging research, the **American Psychological Association described color-blind racial ideology as a symptom of, rather than an antidote to, racial discrimination** (APA, Presidential Task Force on Preventing Discrimination and Promoting Diversity, 2012).

- g. **Aversive racism can lead to the expression of microaggressions. Microaggressions are “brief, everyday exchanges that send denigrating messages to people of color because they belong to a racial minority group”** (Sue et al., 2007, p. 273). Because microaggressions can often be subtle, this means they can be more easily rationalized or justified with race-neutral justifications than overt racial aggressions. Thus, those who express microaggressions can display bias while still maintaining a view of themselves as unbiased. Critically, microaggressions have been shown to create hostile work and social environments and harm both the physical and mental health of those who experience them (Sue, 2010).
- 3. *International students may be at a particularly high risk for experiencing aversive racism.*
  - a. **Research indicates that international students are more likely to experience microaggressions** (Sue et al., 2007) **than non-international students** (Kim & Kim, 2010). In particular, Kim and Kim (2010) noted three common types of microaggressions experienced by international students: classroom ascription of unintelligence, pathologizing communication styles, and invalidating international issues and perspectives.

### **III. Noteworthy Facts of the Case and their Relation to Aversive Racism [My professional opinions are bracketed.]**

The following section highlights events that occurred between the time that Mr. Jun Yu was accepted into Idaho State University's (ISU) Clinical Psychology Ph.D. Program in 2008 to his dismissal (and appeal of his dismissal) from the program in Spring 2013. At the time of dismissal, Mr. Yu had successfully completed all requirements for a Ph.D. in Clinical Psychology except for a clinical internship. As a result of the dismissal, Mr. Yu did not receive his Ph.D. and had to cancel an interview for a job as an Assistant Professor of Psychology with Beijing Normal University.

- 1. In 2008 Mr. Yu was admitted to the Idaho State University (ISU) Clinical Psychology Ph.D. program. In his application materials, Mr. Yu expressed his desire to receive his doctoral training in the United States and ultimately return to practice in China (Plaintiff Documents 000334-000335). **[Opinion: Mr. Yu was a driven individual who was admitted to a Clinical Psychology Ph.D. program in the United States in his non-native language of English. Being admitted to Ph.D. programs in general, and in Clinical Psychology in particular, is very competitive in the United States. Mr. Yu's successful application is consistent with a strong command of the English language. Mr. Yu was also clear in his**

**goals. Throughout his doctoral training, Mr. Yu consistently conveyed his desire to be trained in the United States and return to practice in China.]**

2. To be admitted to the doctoral program at ISU, Mr. Yu needed an 80 on his TOEFL. Mr. Yu exceeded this minimum requirement receiving a 94 (Plaintiff Documents 000066). Mr. Yu also received a 600 on the verbal portion of his GRE. This information was later misreported by his supervisor, Dr. Roberts, in response to a complaint filed by Mr. Yu against the ISU Psychology Department (ISU Documents 0197): "our concerns at admission were his poor GRE Verbal score (410; 34<sup>th</sup> percentile)." In fact, Mr. Yu took the GRE multiple times (as is common) and his highest verbal score was 600 or the 85<sup>th</sup> percentile. **[Opinion: Mr. Yu demonstrated a command of the English language that exceeded the standards for admission into the ISU Clinical Psychology Ph.D. program. In response to Mr. Yu's complaint against the ISU Psychology Department, Dr. Roberts selectively reported Mr. Yu's lower verbal GRE score. As stated by Dr. Leslie Zorwick in the Plaintiff's expert witness report, this type of selective remembering of negative (rather than positive) qualities of minority candidates is consistent with aversive racism.]**
3. In Fall 2008, the Clinical Training Committee (CTC) reported that Dr. Roberts would be Mr. Yu's dissertation chair and academic advisor. During this semester, Mr. Yu also had one-on-one English tutoring sessions to improve his English. **[Opinion: Mr. Yu took advantage of the opportunity to practice his spoken English when this opportunity was made available to him. In the Defendant's expert witness report, Dr. Dru Gladney noted that Mr. Yu "knowingly refused" to take advantage of opportunities given to him in his program. Inconsistent with Dr. Gladney's claim, Mr. Yu took advantage of this opportunity to improve his spoken English.]**
4. In Mr. Yu's first three years in the program (Fall 2008 to Spring 2011), he consistently received evaluations by the CTC stating, "The committee finds Jun's academic and professional progress to be satisfactory." Mr. Yu also received all As and Bs in his classes and was marked as in "Good Standing" on his transcripts from Fall 2008 until his dismissal in Spring 2013 (Plaintiff Documents 000983-000991). **[Opinion: Mr. Yu received the consistent feedback that he was meeting expectations of ISU faculty and the CTC as he progressed through his doctoral training.]**
5. In Spring 2010 the ISU Psychology Department nominated Mr. Yu for an externship at Psychological Assessment Services (PAS) run by Dr. John Christensen. Mr. Yu subsequently interviewed with Dr. Christensen. After the interview, Dr. Christensen raised a concern about degree equivalency for the purposes of billing given that Mr. Yu's Masters was completed in China. Dr.



Roberts and Mr. Yu demonstrated the equivalency of Mr. Yu's Masters from China, resolving this concern. Subsequently, Dr. Christensen denied Mr. Yu the externship due to perceived deficits in language fluency (ISU Documents 0141). **[Opinion: It is unclear why Dr. Christensen raised the billing issue if he didn't think that Mr. Yu had adequate language fluency for the job. Dr. Christensen's expressed concern with billing is consistent with the use of a race-neutral justification to express bias toward Mr. Yu. As described in Dr. Zorwick's expert report, using race-neutral justifications to justify biased behavior is consistent with aversive racism. As a result, Mr. Yu was denied an opportunity. Thus, Dr. Gladney's conclusion that Mr. Yu was afforded "every opportunity to succeed" is not supported.]**

6. In Spring 2010, Dr. Atkins, an adjunct professor for ISU, supervised Mr. Yu in a practicum. Dr. Atkins allowed Mr. Yu to see clients in this practicum and awarded Mr. Yu a B and all "Meets" or "Exceeds" expectations except for 1 "Below" expectations. This "Below" expectations was given for "ability to form a working alliance with patients." In Summer 2010, Mr. Yu completed another practicum with Dr. Atkins and saw clients. Dr. Atkins awarded Mr. Yu an A and awarded Mr. Yu a "Meets" expectations for "ability to form a working alliance with patients." **[Opinion: Dr. Atkins allowed Mr. Yu to see clients in two practicums. Dr. Atkins provided Mr. Yu with the feedback that he was improving in his work with clients. By the end of the Summer 2010 practicum, initial concerns with alliance building were no longer a concern of Dr. Atkins. This was indicated by awarding Mr. Yu an A and all "Meets" and "Exceeds" expectations in the Summer 2010 practicum including for "ability to form a working alliance with patients."]**
7. In Fall 2010, Mr. Yu passed his qualifying exam, advanced to become a doctoral candidate, and taught an undergraduate course in Developmental Psychology. During this time, Dr. Cellucci also supervised Mr. Yu in a practicum. Dr. Cellucci awarded Mr. Yu an A and provided all "Meets" or "Exceeds" expectations including for the item "ability to form a working alliance with patients." In his evaluation he described Mr. Yu in the following way: "related well with both patients...easy to supervise...hungry for feedback" (Plaintiff Documents 000879). **[Opinion: Mr. Yu continued to demonstrate success in his program including an ability to work with clients clinically and form alliances with those clients in English. This was communicated by both Dr. Atkins in Summer 2010 and Dr. Cellucci in Fall 2010. Furthermore, Mr. Yu was entrusted to teach an undergraduate course in English. This indicates that the ISU faculty felt his English fluency was adequate to teach a college-level course. Dr. Cellucci further described Mr. Yu as hungry for feedback. This is inconsistent with Dr. Gladney's claim that "Mr. Yu knowingly refused to take advantage" of the opportunities provided to him by ISU faculty. Instead, Mr. Yu was actively seeking opportunities to improve.]**



8. In Spring 2011, Mr. Yu taught an undergraduate course on Tests and Measurements. He also completed a practicum with Dr. Seikel for which he earned an A. Dr. Seikel gave Mr. Yu all “Meets” or “Exceeds” expectations except for two “Below” expectations. One of these was for “ability to form a working alliance with patients.” However, Dr. Seikel also admitted that the drop-out rate of Mr. Yu’s student clients could have been due to “prejudice on the clients’ side” (ISU Documents 0076). In her evaluation, Dr. Seikel praised Mr. Yu as “diligent, committed, and hard-working...always on time...wrote progress notes in a timely and accurate way...did research to find appropriate intervention options...totally non-defensive in accepting supervisory feedback...conceptualizations were accurate and sophisticated” (ISU Documents 0076). **[Opinion: By allowing Mr. Yu to teach another undergraduate course, ISU faculty again communicated that Mr. Yu’s spoken English was adequate to teach a college-level course. Mr. Yu was described as receptive to feedback and awarded an A in his practicum. Although Dr. Seikel noted a concern with alliance building, she also admitted that this could be linked to clients’ prejudice. The possibility that Mr. Yu might have experienced prejudice from his clients is consistent with research which indicates that international students may face exactly this obstacle (Lee, 2013).]**
  
9. In Mr. Yu’s semi-annual Spring 2011 evaluation by the CTC, the CTC stated that as Mr. Yu searched for internships, he “must identify sites in which his Chinese language is a strength rather than a liability” (ISU Documents 0620). Dr. Roberts reiterated this sentiment in his testimony in front of the graduate student council in 2013 (ISU Documents 0270). **[Opinion: As mentioned in Dr. Zorwick’s report, pathologizing communication styles is a common microaggression experienced by international students. By referencing Chinese as a liability, the CTC and Dr. Roberts pathologize Mr. Yu’s Chinese language.]**
  
10. In Summer 2011, Mr. Yu completed a clinical trial of Behavioral Family Therapy for his dissertation in China. Mr. Yu only needed to recruit 10 families. Mr. Yu recruited 19 families, all of whom completed their sessions with him (Plaintiff document 000295). In addition the families rated their satisfaction with Mr. Yu at 5.4-5.5 out of 6 (Plaintiff Document 000377-000379). Dr. Roberts, in a recommendation for Mr. Yu, praised this success as “a most impressive accomplishment for a pre-intern in a clinical psychology program” (ISU Document 0670). **[Opinion: Mr. Yu demonstrated immense success in a clinical setting in China. All clients returned and evaluated Mr. Yu very highly. It is quite rare to have such a high return rate for a clinical trial. The fact that all families completed the trial, along with providing very high evaluations of Mr. Yu, speaks to the quality of Mr. Yu’s clinical work.]**

11. In Fall 2011, Mr. Yu enrolled in another practicum with Dr. Atkins. Dr. Atkins had supervised Mr. Yu in two previous practicums (Spring 2010; Summer 2010) for which she allowed Mr. Yu to see patients independently and gave him a B and an A respectively – demonstrating improvement. In the Summer 2010 practicum she also awarded Mr. Yu all “Meets” and “Exceeds” expectations in her evaluation of his performance (ISU Documents 0061-0699). In Fall 2011, Dr. Atkins did not give Mr. Yu a syllabus, nor did she allow him to see clients. Her stated reason was that she was not comfortable with his English. **[Opinion: Dr. Atkins either redefined what it meant to be successful with clients or selectively forgot the positive qualities of Mr. Yu’s previous clinical work. These behaviors are arbitrary, capricious, and consistent with aversive racism. Further, the behavior of Dr. Atkins was inconsistent with Dr. Gladney’s claim that ISU faculty provided Mr. Yu “every opportunity to succeed.” In contrast, Dr. Atkins, an adjunct professor for ISU, denied Mr. Yu the opportunity to work with clients in a clinical setting.]**
  
12. In Fall 2011, Dr. Cellucci wrote a recommendation for Mr. Yu that stated “early concerns regarding English pronunciation and fluency did not present problems...Jun was easy to supervise and actually wanted feedback...Jun acquired good assessment skills and competencies and is very familiar with standard testing” (ISU Documents 0069-0702). **[Opinion: Dr. Cellucci’s feedback indicated that Mr. Yu demonstrated psychological competency and linguistic competency. This is in conflict with Dr. Gladney’s comment that the ISU faculty was concerned with Mr. Yu’s psychological competency.]**
  
13. In Fall 2011, Dr. Roberts wrote Mr. Yu a recommendation for the APPIC. In this evaluation, Dr. Roberts stated: “Jun’s professional development has also proceeded well...he has worked for seven different supervisors. All have indicated he met or exceeded expectations for his developmental level on virtually all rated professional skills, with two exceptions. Given his international background and Chinese accent, two supervisors believed his alliance building skills were below expectations...I did not detect that problem...I recommend him to you without reservation” (ISU Document 0670). **[Opinion: In his recommendation, Dr. Roberts indicated that Mr. Yu was prepared to see clients in a clinical setting, and also indicated that any previous concerns with Mr. Yu’s ability to work with clients in English were no longer of concern. This review of Mr. Yu is inconsistent with the ultimate justification given for Mr. Yu’s dismissal from the program, and inconsistent with Dr. Gladney’s claim that the ISU faculty was concerned with Mr. Yu’s psychological competency. The shift from how Mr. Yu is described in this evaluation to how ISU faculty described Mr. Yu after dismissing him from the program is consistent with the creation of post-hoc rationalizations of discriminatory behavior consistent with aversive racism.]**

14. In Fall 2011, Mr. Yu was supervised by Dr. Landers in an externship at the Behavioral Health Center at Eastern Idaho Regional Medical Center. After slightly more than two months, Dr. Landers suddenly dismissed Mr. Yu without discussing his concerns about Mr. Yu's performance with Mr. Yu. During the October 2, 2013 hearing before the graduate council, Dr. Roberts reported, "And for all we knew things were going along swimmingly...So we were surprised when I got a phone call, and then a subsequent documentation from Dr. Landers that Dr. Landers was going to dismiss him and that was not a choice" (ISU Documents 0270). The dismissal letter stated that Mr. Yu was "unable to grasp the communication nuances" (ISU Documents 0035). After dismissing Mr. Yu, Dr. Landers did not write his evaluation of Mr. Yu until ten days later. Dr. Landers noted in his evaluation, "given his desire to return to China and specialize in parent/child training, he is probably right where he needs to be in this regard" (ISU Documents 0039). Dr. Landers ultimately admitted in a phone conversation with Dr. Roberts that "daily feedback may have been too indirect" (ISU Documents 0114-0115). **[Opinion: As mentioned in Dr. Zorwick's report, aversive racism often leads to the avoidance of interracial interactions. Thus, Dr. Landers' lack of direct communication with Mr. Yu about his concerns is consistent with aversive racism. The lack of direct communication also denied Mr. Yu the opportunity to address those concerns. Additionally, Dr. Landers wrote his evaluation of Mr. Yu after dismissing him. This is consistent with the creation of post-hoc rationalizations to justify biased behavior. Such a use of post-hoc rationalizations is consistent with aversive racism. Finally, it is noteworthy that Dr. Landers expressed that Mr. Yu was on track to do clinical work successfully in China. In their reply to Mr. Yu's appeal of his dismissal from the ISU Clinical Psychology Ph.D. program, ISU faculty ultimately rationalized this dismissal by expressing a concern that Mr. Yu might cause harm to clients in China. This stated concern is inconsistent with the feedback of Dr. Landers.]**
15. In Fall 2011 Mr. Yu was enrolled in a practicum with Dr. Lynch. At the end of the semester, Dr. Lynch assigned Mr. Yu an "I" saying that "he has really only truly been directly engaged with clients in the last month of the semester." Dr. Lynch wrote, "If Jun does not carry out additional work, his current efforts reflect performance + skills equivalent to a 'B'" (ISU Documents 0082). Dr. Lynch ultimately gave Mr. Yu an A- for this practicum after Mr. Yu completed the remaining work. Later in her testimony for the graduate council hearing in 2013, Dr. Lynch described concerns about Mr. Yu's way of dealing with a client in crisis during this practicum (ISU Documents 0274). **[Opinion: Dr. Lynch's feedback to Mr. Yu appears arbitrary and capricious. Directly after supervising Mr. Yu, she indicated that Mr. Yu was making positive progress. She indicated this by awarding Mr. Yu an A- rather than the B she was originally going to award him. However, in the graduate council hearing, Dr. Lynch shifted to expressing deep concerns about Mr. Yu's performance during the Fall 2011**

practicum. As noted by Dr. Zorwick's report, this later critique is consistent with misremembering minority candidates as worse than they are – a behavior consistent with aversive racism. It is also consistent with the use of post-hoc rationalizations to justify the dismissal of Mr. Yu. As indicated by Dr. Zorwick in her report, the use of post-hoc rationalizations to justify biased behavior is consistent with aversive racism.]

16. In her evaluation of Mr. Yu for the Fall 2011 practicum, Dr. Lynch claimed that Mr. Yu "seldom offered thoughts or insights without prompting" and noted in her evaluation that Mr. Yu seemed disengaged when he looked at course materials during discussions (ISU Documents 0708). Dr. Lynch later said that she used a colorblind approach as a supervisor. More generally, the ISU faculty reported that they used a colorblind approach when working with Mr. Yu. In particular, ISU faculty stated that they used the same "model for applying for internships, the same external review, and the same process for notification of limitations. Nothing was done that was specific to him" (ISU Document 0272). **[Opinion: As indicated by Dr. Gladney in his report, Chinese students in America are likely to have unique experiences because of their background. Dr. Lynch held Mr. Yu to the standards expected of White, Western, native English speakers and thus failed to acknowledge the ways that Mr. Yu may have had unique experiences due to his race and culture. This was confirmed by Dr. Lynch when she said that she used a colorblind approach when working with Mr. Yu. However, such colorblind approaches often backfire and lead to greater expression of bias (Apfelbaum, Sommers, & Norton, 2008).]**
17. In December 2011, Mr. Yu filed a complaint alleging discrimination based on race and national origin from Dr. Roberts, Dr. Lynch and Dr. Atkins to the Idaho Department of Labor, Human Rights Commission (IHRC). **[Opinion: Dr. Roberts continued to supervise Mr. Yu from this point on. Thus all further events and evaluations should be considered in light of this information.]**
18. In Spring 2012, Dr. Roberts and Dr. Haight (under the supervision of Dr. Roberts) supervised Mr. Yu for a practicum. They compared him to other White students in their evaluation and gave him four "Below" expectations. They did not describe the reason for these "Below" ratings or give a plan to address these concerns. **[Opinion: The ability to provide negative feedback without justification provides an opportunity for aversive racism to occur. Furthermore, the lack of remediation plan or explanation along with "Below" ratings prevented Mr. Yu from improving. The evaluation form states that "Below" ratings will be accompanied by an educational action plan. Thus, the lack of feedback given to Mr. Yu about these "Below" ratings is inconsistent with Dr. Gladney's claim that ISU faculty "bent over backwards" to help Mr. Yu. Instead, ISU faculty failed to give Mr. Yu the basic feedback that the program stipulated should be given to all students.]**

19. In Spring 2012, Mr. Yu did not match through the APPIC. The CTC offered him three possible internship options: to reapply through the APPIC, to create his own APPIC-equivalent internship in the United States or to create an APPIC-equivalent internship in China. The CTC and Dr. Roberts conveyed the preference that Mr. Yu complete his internship in China calling it a “more viable option” (ISU Documents 0198). Although Mr. Yu remained committed to wanting to ultimately practice in China, he wanted to complete his training in the United States. Thus Mr. Yu chose the second option and found two sites who agreed to work with him by July 2012. The department provided no help to Mr. Yu in finding an APPIC-equivalent internship in the United States. **[Opinion: In regard to Mr. Yu’s failure to match through the APPIC, a report by the APA (APA, 2010) stated “summary data of the Association of Psychology Postdoctorate and Internship Centers (APPIC) suggest...an increase in the proportion of unmatched internship applicants who are ethnic minorities.” This is consistent with structural challenges such as racism that may prevent ethnic minorities from matching. Dr. Roberts and the CTC’s advice that Mr. Yu should complete his internship in China contradicted their ultimate justification for dismissal in which they stated a belief that Mr. Yu would harm clients in China. Furthermore, the ISU faculty did not help Mr. Yu find an internship in the United States. This is inconsistent with Dr. Gladney’s claim that ISU faculty gave Mr. Yu “every opportunity to succeed” and “bent over backwards” to help Mr. Yu. Instead, this is evidence that Mr. Yu made his own opportunities.]**
20. In Summer 2012, Mr. Yu successfully defended his dissertation in English. This dissertation involved a clinical trial completed in China. In a letter of recommendation for the APPIC, Dr. Roberts said that Mr. Yu performed “virtually independently in performing a clinical trial” in China which he labeled “a most impressive accomplishment for a pre-intern in a clinical psychology program” (ISU Document 0670). **[Opinion: In his report, Dr. Gladney concludes that the ISU faculty was concerned with Mr. Yu’s psychological competency. Mr. Yu’s successful completion of a clinical trial in China as well as his successful oral defense of his dissertation in English is inconsistent with the claim that Mr. Yu lacks psychological competency. Furthermore, the success of Mr. Yu’s clinical trial in China is inconsistent with ISU faculty’s ultimate justification for Mr. Yu’s dismissal in which they stated a belief that Mr. Yu would harm clients in China. Thus, this justification for Mr. Yu’s dismissal seems to be a post-hoc rationalization of dismissing Mr. Yu rather than a valid concern. The use of post-hoc rationalizations is consistent with aversive racism.]**
21. In Spring 2012, Mr. Yu created an APPIC-equivalent internship with the Cleveland Clinic under the supervision of Dr. Speer and Dr. Frazier. Mr. Yu also



planned to work with Dr. Chase in her private practice. The plan was for Mr. Yu to have one hour of supervision per week with each supervisor. An external evaluator of the contract (Dr. Jill Hedt of Idaho VA) pointed out that the contract was missing due process and grievance procedures. Dr. Roberts and others in ISU's administration did not remedy this. Further, Mr. Yu was not given an opportunity to review and accept the final contract. **[Opinion: ISU faculty not only did not help Mr. Yu find an APPIC-equivalent internship in the United States, but also failed to help him when his contract was missing due process and grievance procedures. This is inconsistent with Dr. Gladney's assessment that ISU faculty "bent over backwards" to help Mr. Yu.]**

22. In Spring 2013, Mr. Yu began his internship with the Cleveland Clinic and Dr. Chase in her private practice. This delay between when Mr. Yu established the internship (July 2012) and when he started (Spring 2013) was due to the CTC not meeting to review the internship application in time for Mr. Yu to begin earlier (despite Mr. Yu's request). Only two weeks into the internship, Dr. Frazier stopped supervising Mr. Yu. Around the same time, Dr. Speer began communicating concerns about Mr. Yu to Dr. Roberts telling him that Mr. Yu "was not as far along as expected." These concerns were not conveyed directly to Mr. Yu. In response to her concerns, Dr. Roberts recommended that Dr. Speer do a baseline evaluation. Dr. Speer did a baseline evaluation. However, Dr. Speer still did not convey her concerns to Mr. Yu. Then Dr. Speer decreased her one hour supervision time to 30 minutes. Dr. Speer ultimately dismissed Mr. Yu from the internship. Dr. Speer did not write her evaluation of Mr. Yu until after the dismissal. In this justification she noted both that Mr. Yu "accepts feedback well" and also that he is "unaware of own limitations." Later, Dr. Speer admitted to Mr. Yu that "she could have been clearer about her expectations" (Plaintiff Documents 000307). **[Opinion: The delay in approving Mr. Yu's internship by the CTC was inconsistent with the graduate studies manual which states that the CTC will meet as needed. Failing to meet in a timely fashion to approve Mr. Yu's internship, and thus delaying his start date, is consistent with using race-neutral justifications for expressing racial animus. Additionally, Dr. Speer did not directly communicate with Mr. Yu about her concerns with his progress. This lack of communication is consistent with aversive racism. The combination of not providing clear feedback to Mr. Yu and then saying he was unaware of his own limitations set Mr. Yu up to fail. Additionally, the act of dismissing Mr. Yu and writing an evaluation of Mr. Yu after the dismissal is consistent with creating post-hoc rationalizations of biased behavior. This is consistent with aversive racism. Consistent with Dr. Zorwick's report, Mr. Yu was placed in a position where standards of success were not communicated with him and were thus unclear. This is the type of situation that increases the chances that aversive racism will be expressed. Inconsistent with Dr. Gladney's report, ISU faculty did not "bend over backwards" to help Mr. Yu. Instead ISU faculty provided little help to Mr. Yu when he was setting up his**

**internship, delayed the approval of his internship arbitrarily, and failed to help him when Dr. Speer expressed concerns about his performance.]**

23. In Spring 2013, Dr. Chase gave a positive evaluation of Mr. Yu's work in her private practice, which included seeing clients clinically (ISU Documents 0530). Dr. Roberts did not consult with Dr. Chase when investigating Mr. Yu's dismissal from the Cleveland Clinic. The Psychology Department justified not considering Dr. Chase's evaluation of Mr. Yu by saying that Dr. Chase had not seen Mr. Yu in "face-to-face service provision with clients" (ISU Document 0641). However Dr. Chase referenced working directly with Mr. Yu and clients. **[Opinion: More weight was given to negative evaluations of Mr. Yu than positive evaluations of Mr. Yu. The greater weight given to information which justified Mr. Yu's dismissal from the Cleveland Clinic is consistent with rationalizing biased behavior. These types of rationalizations are consistent with aversive racism.]**
24. In Spring 2013 after his dismissal from the Cleveland Clinic, Mr. Yu arranged an opportunity for an internship in China, which he presented to Dr. Roberts and the CTC. **[Opinion: Inconsistent with Dr. Gladney's claim that Mr. Yu "knowingly refused" to take advantage of opportunities, Mr. Yu created his own opportunity for another internship. Of note, this internship was arranged to be in China as the CTC and Dr. Roberts had originally wanted.]**
25. In Spring 2013, Mr. Yu was denied the opportunity to complete the internship in China and was dismissed from the ISU Clinical Psychology program. The dismissal was based on the criterion that two-thirds of the ISU faculty voted that Mr. Yu was not making "satisfactory progress" in the program (ISU Documents 0804). At the time of dismissal, Mr. Yu had applied for graduation and had completed all requirements for a Ph.D. in Clinical Psychology except for his internship. ISU faculty provided the following rationale for the dismissal: "It is the opinion of the Clinical Training Committee, based on Mr. Yu's objective record and the qualitative reports of multiple supervisors in multiple sites, that his poor performance is not simply a matter of poor linguistic communication with English-speaking patients and supervisors, it appears that Mr. Yu lacks sufficient perspective-taking skills and conceptual abilities to become a clinical psychologist. Specifically, he seems unaware of the impact of his behavior on patients and supervisors alike, failing to appreciate the perspectives of those critical audiences. Second, he appears unable to conceptualize a patient's current bio-psycho-social functions through the normal professional processes of integrating information obtained from interviewing, psychometric testing, direct observation, intervention trials, and individual and cultural differences. Third, he appears unable to adjust a professional course of action in response to patient needs, e.g., unable to notice and respond to patient distress in the moment.



Finally, he seems to lack insight into his own shortcomings, resulting in ineffectual problem solving and unsuccessful conflict negotiation” (ISU Documents 0625-0626). **[Opinion: Mr. Yu received positive feedback from 2008-2012 on his progress in the Clinical Psychology Ph.D. program as reviewed above. Mr. Yu received all As and Bs in his courses. Multiple advisors indicated that Mr. Yu demonstrated competence in his ability to communicate with supervisors in English and work with clients clinically in English. In fact, this was overtly stated by Dr. Roberts in the APPIC recommendation he wrote for Mr. Yu. Dr. Roberts also stated in the APPIC recommendation that any concerns with Mr. Yu’s ability to build alliances with patients were no longer of concern. There was also evidence that Mr. Yu was easy to supervise and even “hungry” for feedback. The selective use of negative feedback (in the face of overwhelmingly positive feedback) in justifying Mr. Yu’s dismissal from the ISU Clinical Psychology Ph.D. program is consistent with aversive racism. Additionally, the fact that neither the ISU graduate school catalog nor the ISU clinical psychology handbook states clearly what “satisfactory progress” is, provides a situation with ambiguous standards. This is exactly the type of situation in which aversive racism is most likely to emerge.]**

26. Mr. Yu appealed his dismissal from the ISU Clinical Psychology Ph.D. program. In their rejection of his appeal, the faculty provided the following as part of their justification: “The Graduate Faculty is convinced that a fourth “chance” (i.e., an Internship in China) is unwarranted and might put Chinese patients at risk of harm” (ISU Documents 0300). **[Opinion: ISU faculty’s claim that Mr. Yu could cause harm to patients in China is a post-hoc rationalization of his dismissal from the program. This rationalization is inconsistent with any other feedback that Mr. Yu received about his ability to practice in China. Instead, Mr. Yu consistently received the feedback that he would excel working with clients in China. This was evidenced by Mr. Yu’s success completing a clinical trial in China for his dissertation; by Dr. Roberts’ praise for Mr. Yu’s success completing a clinical trial in China; by Dr. Landers’ statements that Mr. Yu is “right where he needs to be” in order to successfully work with clients in China; and by the CTC and Dr. Roberts’ push for Mr. Yu to complete his internship in China. Furthermore, Mr. Yu was never told that the Cleveland Clinic internship would be his last chance for an internship before being dismissed. Mr. Yu was also never placed on probation. Thus, there is both no evidence that Mr. Yu would cause harm to patients in China and no reason to deny him the opportunity to complete his internship in China. In fact, all evidence indicates that Mr. Yu would be quite successful practicing clinically in China. The post-hoc rationale that Mr. Yu could harm patients in China does not fit with any of the other feedback given to Mr. Yu. The use of this post-hoc rationalization for his dismissal is consistent with aversive racism.]**

#### IV. Summary of Opinions as They Relate to the Defendant's Expert Witness Report and the Attached "White Paper on Dismissed Chinese Students in the United States."

1. In his report, Dr. Gladney claims that the conduct of ISU faculty was not "aversively racist." Dr. Zorwick, in her report, concludes that the behaviors of ISU faculty and other supervisors toward Mr. Yu suggest that aversive racism may have been present. In my opinion, the facts of the case indicate that ISU faculty and other supervisors of Mr. Yu behaved in ways consistent with aversive racism as summarized below.
  - a. The several times that ISU faculty and other supervisors of Mr. Yu awarded Mr. Yu ratings of "Below" expectations, they often did not explain these "Below" ratings and did not provide specific strategies for Mr. Yu to improve on these concerns. The evaluation form indicates that "Below" ratings will be explained and educational action plans will be made. Mr. Yu was not given clear educational action plans for any "Below" ratings. Consistent with Dr. Zorwick's report, the resulting **ambiguity in standards of success** is consistent with the type of situation that makes aversive racism more likely.
  - b. ISU faculty's **arbitrary and capricious shifts in evaluations** of Mr. Yu are consistent with aversive racism.
  - c. Dr. Lynch admitted to using a colorblind strategy in working with Mr. Yu. ISU faculty more generally also communicated that they used a colorblind strategy in working with Mr. Yu. As reviewed in Dr. Zorwick's report, **the use of colorblind ideology** is consistent with aversive racism.
  - d. Despite being described as "hungry for feedback," Mr. Yu was not given direct feedback from supervisors, including Dr. Landers and Dr. Speer who dismissed him. Both of these supervisors admitted they were not as direct as they could have been with Mr. Yu. Without providing Mr. Yu feedback, he was not given the opportunity to address concerns. As reported by Dr. Zorwick, **a lack of direct communication of expectations and a general avoidance of interracial interactions** are both consistent with aversive racism.
  - e. When dismissed from the externship with Dr. Landers and the internship at the Cleveland Clinic, evaluations of Mr. Yu's performance were created after, rather than before, his dismissal. This is consistent with the creation of **post-hoc rationalizations** of biased behavior. Likewise, the claim by ISU faculty that Mr. Yu might cause

harm to clients in China in their denial of Mr. Yu's appeal of his dismissal from the ISU Clinical Psychology Ph.D. program is inconsistent with any other feedback Mr. Yu received up until that point. Thus, this claim is consistent with the use of a post-hoc rationalization for his dismissal. As discussed by Dr. Zorwick in her report, the use of post-hoc rationalizations is consistent with aversive racism.

- f. In justifying his dismissal from both the internship and the ISU Clinical Psychology Ph.D. program, ISU faculty **selectively referenced negative evaluations of Mr. Yu (despite the majority of his evaluations being positive)**. They even overtly refused to consider positive evaluations given by Dr. Chase while giving substantial weight to the negative evaluations of Dr. Speer. As indicated in Dr. Zorwick's report, **both misremembering minority candidates as worse than they actually are and rationalizing biased behaviors** are behaviors consistent with aversive racism.

Thus, evidence from Mr. Yu's case is **inconsistent** with Dr. Gladney's claims that ISU faculty did not behave in a way that was "aversively racist." Instead, consistent with Dr. Zorwick's report, there was evidence of aversive racism by ISU faculty and other supervisors of Mr. Yu. This was evidenced through ambiguous standards of success, arbitrary and capricious shifts in evaluations, a lack of direct communication with Mr. Yu, the use of rationalizations for biased behavior, the use of a colorblind ideology, and the selective remembering of negative evaluations of Mr. Yu.

2. Dr. Gladney claims that ISU faculty "bent over backwards to assist Mr. Yu" and that "Mr. Yu knowingly refused to take advantage" of the opportunities provided to him by ISU faculty. In fact, ISU faculty often created barriers to Mr. Yu's success. Furthermore, Mr. Yu took advantage of the opportunities he was given and demonstrated a consistent desire and effort to improve. In direct opposition to Dr. Gladney's claim, Mr. Yu independently created opportunities for himself when they were not provided by ISU faculty.
  - a. When given the opportunity to practice English one-on-one in Fall 2008, Mr. Yu took advantage of this opportunity.
  - b. In multiple evaluations by supervisors, Mr. Yu is described as eager and receptive to feedback. For example, Dr. Cellucci described Mr. Yu as "easy to supervise and actually was [sic] wanted feedback." Dr. Cellucci also described Mr. Yu as "hungry for feedback." Dr. Seikel described Mr. Yu as "non-defensive." Dr. Speer described Mr. Yu as

“...eager to learn and accepts feedback.” Dr. Chase described him as “...easy to work with” (Plaintiff Documents 000879-000880). Thus, Mr. Yu did take advantage of opportunities to improve.

- c. Mr. Yu created his own opportunity by successfully orchestrating and completing a clinical trial for his dissertation in China.
- d. When Mr. Yu wanted to create an APPIC-equivalent internship in the United States, he was not provided with support from the ISU faculty. Instead, despite the fact that the ISU Psychology Department’s graduate studies manual says that the CTC will meet as needed, the CTC did not meet in a timely fashion to review Mr. Yu’s internship application. This delayed Mr. Yu’s start date. This is inconsistent with ISU faculty providing “every opportunity” to Mr. Yu. Instead, Mr. Yu created his own opportunity and was hindered by the CTC in beginning this internship.
- e. When Dr. Roberts learned that Dr. Speer was dissatisfied with Mr. Yu’s performance, Dr. Roberts did not communicate this feedback to Mr. Yu. This behavior is inconsistent with “bending over backwards” for Mr. Yu.
- f. When Dr. Roberts learned that Mr. Yu’s APPIC-equivalent internship contract lacked due process and grievance procedures, he did not help Mr. Yu set up these protections. This behavior is inconsistent with “bending over backwards” for Mr. Yu.
- g. Mr. Yu created his own opportunity by setting up an internship opportunity with Shanghai Mental Health Center in China. ISU faculty denied Mr. Yu the opportunity to complete this internship by dismissing him from the ISU Clinical Psychology Ph.D. program.
- h. Mr. Yu created his own opportunity by obtaining a job interview for a position as an Assistant Professor in Psychology with Beijing Normal University. ISU faculty denied Mr. Yu the opportunity for this interview by dismissing him from the ISU Clinical Psychology Ph.D. program.

Thus, the problem was not that Mr. Yu did not take advantage of opportunities given to him. Instead he was denied opportunities by ISU faculty and supervisors. In fact, Mr. Yu also actively created his own opportunities for success.

3. Dr. Gladney claims that ISU faculty was concerned with “psychological competency” not “linguistic competency.” However, Mr. Yu, throughout his training, received feedback endorsing his psychological competency. Mr. Yu demonstrated psychological competency both in the United States and in China.

a. **Psychological competency in the United States.** Mr. Yu received the consistent message that he was succeeding in his program. He received all As and Bs in his courses. Additionally, only 3.8% of ratings across his entire time in the program were “Below” expectations (Points for Consideration for the Graduate Council in the Appeal of Mr. Jun Yu, p.14). The main concern initially expressed by practicum supervisors was with Mr. Yu’s alliance building with clients. However, Dr. Seikel admitted that clients may not continue to work with Mr. Yu due to “prejudice on the clients’ side.” Moreover, supervisors who did express concerns with Mr. Yu’s clinical work ultimately expressed that Mr. Yu overcame this concern. For example, Dr. Atkins, after awarding Mr. Yu a “Below” expectations for alliance building in Spring 2010, gave him a “Meets” expectations for Summer 2010. Both Dr. Cellucci and Dr. Roberts noted in letters of recommendation that any concerns about alliance building or English fluency were “no longer a concern.” Thus, using a lack of psychological competency as justification for Mr. Yu’s dismissal from the ISU Clinical Psychology Ph.D. program is consistent with the following indicators of aversive racism as reported by Dr. Zorwick: post-hoc rationalizations, remembering the negative (rather than positive) qualities of minority candidates, and capricious standards of what defines success. As reported by Dr. Zorwick, all of these factors are consistent with aversive racism.

b. **Psychological competency in China.** Mr. Yu’s psychological competency when working with clients in China was never questioned throughout his time in the ISU Clinical Psychology Ph.D. program. Conversely, Mr. Yu both demonstrated success working with clients in China by completing a clinical trial in China as his dissertation work and received consistent feedback that he would excel working with clients in China. In fact, Dr. Landers, Dr. Cellucci, and Dr. Roberts all conveyed confidence in Mr. Yu’s ability to provide clinical services in China. Furthermore, both Dr. Roberts and the CTC encouraged Mr. Yu to complete his internship in China. It was only **after** Mr. Yu’s dismissal from the ISU Clinical Psychology Ph.D. program that any concern about Mr. Yu’s ability to work with clients in China was raised. Thus, the comment that Mr. Yu might harm patients in China (as stated in ISU faculty’s denial of Mr. Yu’s appeal of his dismissal

from the graduate program) is strong evidence of an arbitrary and capricious post-hoc rationalization of his dismissal. This behavior is consistent with aversive racism.

4. Dr. Gladney used his credentials in the “study of Chinese linguistic competence and Chinese ethnicity” as adding validity to his opinion that ISU faculty were not “aversively racist.” This credential is not relevant to aversive racism. Given that Dr. Gladney states that Mr. Yu’s dismissal was due to concerns with “psychological competency” rather than “linguistic competency,” it is unclear how these credentials relate to the case.
5. Dr. Gladney states that “statistical studies have shown, however, a relatively high rate of failure for Chinese international students studying in the United States, and a high number of dismissals of Chinese students from both graduate and undergraduate programs.” The fact that other Chinese students have struggled in American schools does not refute the possibility that Mr. Yu was a victim of aversive racism. In fact, the systematic struggle of Chinese international students studying in the United States, as described by Dr. Gladney, is consistent with the way that racism manifests. Racism is a system of oppression that can (oftentimes unknowingly) affect the behavior of individuals (Tatum, 2001; Dovidio & Gaertner, 2004).
6. Dr. Gladney attached a white paper entitled “White Paper on Dismissed Chinese Students in the United States” to his expert report. This white paper summarizes data that WholeRen Education, LLC Research Center collected. This data addresses the reasons that Chinese students are dismissed from American schools. The white paper also suggests ways to prevent dismissal. Overall the white paper bears no relation to the specifics of Mr. Yu’s case and cannot address whether Mr. Yu experienced discrimination consistent with aversive racism. In fact, by presenting data on the systematic ways that Chinese students experience dismissals in American schools, the white paper is consistent with the presence of aversive racism in American schools. Finally, the document is riddled with typos and perpetuates stereotypes and biases through statements that are not grounded in data.
  - a. The study presented in the white paper correlates personal information of Chinese students with reasons for their dismissal from American schools. This data indicates that low GPA accounts for more than half (62.1%) of the dismissals of Chinese students in the United States. This is irrelevant to the case of Mr. Yu. Mr. Yu demonstrated a consistently successful academic record achieving all As and Bs during his time at ISU. The remaining reasons listed for dismissal were low attendance (10.9%), breaking laws (1.9%), misbehavior (2.9%),



academic dishonesty (21.4%) and psychological problems (.7%). None of these factors are related to Mr. Yu's dismissal from ISU. The study did not address whether Chinese students felt that they experienced racism in American schools. Thus, the study is irrelevant to Mr. Yu's case.

- b. The white paper draws conclusions that move beyond what the data actually indicate. In fact, the conclusions at times demonstrate racial prejudice. Unfounded and perhaps prejudicial comments include the following statements: "most Chinese students in the United States...are also lacking sufficient skills or experience to live alone" (p. 4); "After coming to America and living by themselves, they [Chinese students] cannot control themselves but spend too much time on entertainment" (p. 11); "...it may be that males low self-restraint that contributes to the above high dismissal rate" (p. 11); "Chinese parents help their children choose popular major but do not consider their interests, traits, etc." (p. 15). The paper concludes with the opinion that teenagers misbehave because of "lack of self-discipline," "not good at acclimating to new environment," and "being too shy to communicate with Foreigners" (p. 13). None of these comments are supported by the data presented. They are extrapolations that are consistent with racial bias. For example, comments about Asian people being "shy" reinforces stereotypes of the unsociability of Asian people (Lin, Kwan, Cheung, & Fiske, 2005) and lack any relevance to the data presented in the white paper. Together these statements are not only irrelevant to Mr. Yu's case, but they also perpetuate stereotypes and exemplify the systematic ways that racism – specifically against Asian international students -- exists within American schools.
- c. The data presented in the white paper are consistent with the proposition that there are systematic biases against Chinese students in American schools. This type of systematic, institutionalized bias is consistent with the presence of racism (Tatum, 2001).
- d. The white paper's recommendations for how to improve the experience of Chinese students in the United States' education system puts the onus on Chinese students to find ways to tackle systematic injustice rather than questioning the ways in which our education system is failing these students. This is in direct contrast to research cited by Dr. Zorwick in her expert report that argues "because of the ways in which Asian international students routinely experience racial invalidation and insults on campus, the onus of acculturation and integration cannot be placed solely on international students"

(Houshmand, Spanierman, & Tafarodi, 2014; p. 385). The ISU faculty reported that when working with Mr. Yu they used the same “model for applying for internships, the same external review, and the same process for notification of limitations. Nothing was done that was specific to him” (ISU Document 0272). This “colorblind” behavior does not acknowledge the unique challenges faced by Chinese students and reflects an antiquated understanding of how to work with people from marginalized groups. It is also **inconsistent** with Dr. Gladney’s claim that the faculty “bent over backwards” to help Mr. Yu.

7. Finally, Dr. Gladney did not cite any specific details of the case to support his opinion that aversive racism cannot be used to describe any discrimination experienced by Mr. Yu. Dr. Gladney also failed to reply to any of the 22 specific examples of behavior consistent with aversive racism discussed by Dr. Zorwick in her expert report.

## V. Conclusion

In his expert witness report, Dr. Gladney indicates that he is “familiar with the theory of ‘aversive racism,’” but that he does not agree with Dr. Zorwick’s conclusion “that the theory can be used to describe any discrimination by Idaho State University or its faculty with respect to Jun Yu.” However, in reaching this opinion, Dr. Gladney does not address any of the 22 examples of behaviors consistent with aversive racism described in Dr. Zorwick’s report. In fact, Dr. Gladney does not mention any specific examples of behavior to support his claims that ISU “bent over backwards to assist Mr. Yu in his academic endeavors” or that Mr. Yu “knowingly refused” to take advantage of opportunities given to him. Thus, the claims made by Dr. Gladney in his expert witness report are unfounded.

In contrast, Dr. Zorwick, in her expert witness report, provides specific examples of behaviors by ISU and ISU faculty that are consistent with aversive racism. Based on these specific behaviors, Dr. Zorwick concludes that the evidence “strongly suggests that the behavior of the ISU Psychology Department was influenced by Mr. Yu’s race and international status.” Based on my own review of the case, as well as my review of Dr. Zorwick’s report and Dr. Gladney’s report, I agree whole-heartedly that the evidence strongly supports the conclusion that Mr. Yu experienced discrimination based on his race and international status.

In sum, based on my review of the case and the review of both expert witness reports, it is clear that ISU faculty’s evaluations and treatment of Mr. Yu involved arbitrary and capricious shifts from positive feedback indicating satisfactory progress to the ultimate claim that Mr. Yu was making “unsatisfactory progress” as justification for his dismissal from the ISU Clinical Psychology Ph.D. program. Furthermore, the behavior

of ISU and ISU faculty is consistent with the types of behavior that would be observed when aversive racism is influencing individuals' behaviors. As stated herein, the actions of ISU toward Mr. Yu were arbitrary and capricious. Further, ISU's treatment of Mr. Yu was a substantial departure from academic norms.

#### **VI. Previous Work as an Expert Witness**

I have no previous work as an expert witness.

#### **V. Compensation**

My rate for the work on this case is [REDACTED]/hour. This fee includes case review, literature review, report writing, and communication with the legal team. I charge [REDACTED]/hour, plus travel expenses, up to a maximum of [REDACTED]/day for travel and testimony.

Sincerely,



Dr. Erin Cooley  
Assistant Professor of Psychology  
Colgate University

## References

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## Erin Cooley, Ph.D.

Colgate University, Hamilton, NY • 55 University Avenue • Hamilton, NY, 13346 •  
[ecooley@colgate.edu](mailto:ecooley@colgate.edu) • (315) 228-7328

### Academic Position

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Assistant Professor of Psychology, Colgate University (July 2015-present)

### Education

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- 2015 Ph.D. in Social Psychology, University of North Carolina at Chapel Hill  
Formal concentration: Quantitative Psychology  
Advisor: Dr. B. Keith Payne  
*Dissertation Thesis: More People But Less Mind: How Number Affects Mind Perception and Decisions to Harm*
- 2011 M.A. in Social Psychology, University of North Carolina at Chapel Hill  
Advisors: Dr. B. Keith Payne & Dr. Chester A. Insko  
*Master's Thesis: Groups as Justification for Blatant Race Stereotyping*
- 2009 B.S. in Psychology, *Magna cum laude*, University of Florida  
*Honors Thesis: Intergroup Differentiation and Identity*
- 2009 B.A. in Spanish, University of Florida

### Research Interests

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My research examines the cognitive, affective, and physiological mechanisms behind intergroup conflict and discrimination. I am particularly passionate about understanding factors that lead people who are motivated to be egalitarian to discriminate and the consequences of subtle forms of discrimination (e.g., nonverbal behavior) on the targets of bias.

### Honors and Awards

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Recipient of Two Colgate Torch Medals, 2016: "The 2016 Torch Medal is engraved with the Colgate seal, bearing the distinguished symbol of a flaming torch. As a guide, a source of light and inspiration, it represents the best of student learning and discovery. The Torch Medal is personally presented to a deserving member of the Colgate community by individual members of the senior class."

Colgate University Discretionary Grant (1500), 2015

Society for Personality and Social Psychology Teacher/Scholar Travel Award, 2015

Nominated for the Boka W. Hadzija Award for Distinguished Scholarship, Leadership, and University Service by a Graduate or Professional Student, Spring, 2015

Future Faculty Fellowship Program (450), Fall 2014

UNC Chester A. Insko Best Publication Award, 2014

UNC Earl and Barbara Baughman Dissertation Research Award (6,000), 2014

UNC Dissertation Completion Fellowship (16,000), 2014-2015

UNC Psychology Department Nominee for American Psychological Foundation COGDOP Fellowship, 2013

Positive Psychology Science Fund Award (750), 2013

Best Graduate Student Poster Award (Society for Southeastern Social Psychologists), 2011

National Science Foundation Graduate Research Fellowship Honorable Mention, 2010

UNC Doctoral Merit Assistantship (18,000), 2009-2010

Honors for Psychology Undergraduate Thesis, 2009

Four Year Outstanding Scholar, 2009

UF CLAS Valedictorian: 4.0 graduating GPA, 2009

Phi Beta Kappa (awarded as Junior), 2008

Florida Bright Futures Scholarship (4-year college scholarship), 2005-2009

## **Peer-Reviewed Manuscripts**

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\* Indicates student co-author

Lai, C. K., Skinner, A. L., **Cooley, E.**, Murrar, S., Brauer, M., Devos, T., Calanchini, J., Xiao, Y. J., Pedram, C., Marshburn, C. K., Simon, S., Blanchar, J. C., Joy-Gaba, J. A., Conway, J., Redford, L., Klein, R. A., Roussos, G., Schellhaas, F. M. H., Burns, M., Hu, X., McLean, M. C., Axt, J. R., Asgari, S., Schmidt, K., Rubinstein, R., Marini, M., Rubichi, S., Shin, J. L., & Nosek, B. A. (in press). Reducing implicit racial preferences: II. Intervention effectiveness across time. *Journal of Experimental Psychology: General*.

**Cooley, E., Payne, B.K., Phillips, J. K.\*** (2014). Implicit bias and the illusion of conscious ill will. *Social Psychological and Personality Science*, 5, 500-507.

**Cooley, E., Payne, B.K., Loersch, C., Lei, R.** (2014). Who owns implicit attitudes? Testing a meta-cognitive perspective. *Personality and Social Psychology Bulletin*.

**Cooley, E., Rea, A. J., Insko, C. A., Payne, B. K.** (2013). Perceived relevance of honesty and agreeableness to situations with non-correspondent and correspondent outcomes: an interdependence perspective. *European Journal of Social Psychology*, 43, 593-599.

Payne, B.K., Brown-Iannuzzi, J., Burkley, M., Arbuckle, N., **Cooley, E.**, Cameron, C.D., & Lundberg, K.B. (2013). Intention invention and the affect misattribution procedure: Reply to Bar-Anan and Nosek (2012). *Personality and Social Psychology Bulletin*, 39, 375-386.

## Manuscripts Under Review

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**Cooley, E., & Payne, B.K.** (revised & resubmitted). Using groups to measure intergroup prejudice. Target Journal: *Personality and Social Psychology Bulletin*.

Brown-Iannuzzi, J., Dotsch, R., **Cooley, E.**, Payne, B. K. (revision invited) The racial undertones of welfare attitudes: investigating the relationship between mental representations of welfare recipients and attitudes toward welfare. Target Journal: *Psychological Science*.

**Cooley, E., & Brown-Iannuzzi, J.**, Brown, C.S. (submitted). Groups accentuate biases in racial perception and stereotyping of Black-White biracial individuals. Target Journal: *Social Psychological and Personality Science*.

## Invited Talks

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**Cooley, E.** (2016) "Putting the 'group' back in inter-group bias: The importance of groups to racial categorization, stereotyping, and implicit prejudice. Presentation given at Syracuse University, Syracuse, NY.

## Conference Presentations

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**Cooley, E.** (2016). *The company biracial individuals keep may alter their perceived race: why perceiving groups may increase the tendency to categorize Black-White biracial individuals as Black.* Poster presented at GPIR Preconference at the Society for Personality and Social Psychology, San Diego, CA.

**Cooley, E.** (2014). *Groups are integral to measuring prejudice.* Poster presented at the GPIR Preconference at the Society for Personality and Social Psychology, Austin, TX.

**Cooley, E.** (2014). *Groups both enhance and reduce stereotyping.* Poster presented at the Society for Personality and Social Psychology, Austin, TX.

**Cooley, E.** (2013). *Groups both reduce and elicit stereotypes and prejudice*. Presentation given at the UNC Social Psychology Seminar.

**Cooley, E.** (2013) *When outgroups reduce stereotyping*. Presentation given at the Duke, Virginia, and Carolina Conference, Durham, NC

**Cooley, E., Payne, B.K., Insko, C.A.** (2013). *Groups serve as a perceptual cue for implicit race bias and a justification for blatant explicit race bias*. Poster presented at the Society for Personality and Social Psychology, New Orleans, LA.

**Cooley, E.** (2012). *Implicit bias and the illusion of conscious will*. Presentation in the symposium (**Erin Cooley**, Chair), "Awareness of implicit attitudes and implications for thoughts and behavior," at the 34<sup>th</sup> annual meeting of the Society for Southeastern Social Psychologists, Gainesville, FL.

**Cooley, E.** (2011). *Groups as justification for blatant race stereotyping*. Presentation given at the symposium "The Dynamics of Moral Judgment at the Individual, Dyadic, and Group Levels," at the 2011 meeting of the Society for Southeastern Social Psychologists, Johnson City, TN.

**Cooley, E., Payne, B.K., Lei, R.** (2011). *Who owns implicit attitudes? Testing a meta-cognitive perspective*. Poster presented at the Society for Southeastern Social Psychologists, Johnson City, TN.

**Cooley, E., Payne, B.K., Insko, C.A.** (2011). *Groups as justification for blatant race stereotyping*. Poster presented at the Society for Personality and Social Psychology, San Diego, CA.

**Cooley, E., Payne, B.K., Lei, R.** (2011). *Who owns implicit attitudes? Testing a meta-cognitive perspective*. Poster presented at the Duke, Virginia, and Carolina Conference (DVAC), Durham, NC.

## Chaired Symposia

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**Cooley, E.** (2012). *Awareness of implicit attitudes and implications for thoughts and behaviors*. Symposium presented at the annual meeting of the Society for Southeastern Social Psychologists, Gainesville, FL. (Speakers: Erin Cooley, Dr. Kate Ratliff, Steve Newell, & Kent Lee)

## Related Work Experience/Specialized Training

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Summer 2013, 2014	Training in the measurement of facial electromyography, electrocardiograms, respiration, blood pressure, respiratory sinus arrhythmia, and finger pulse
Fall 2013	Semester-long course in Multi-Level Modeling
Spring/Fall 2011	Two semester-long courses in Structural Equation Modeling
Fall 2010	Semester-long course in Factor Analysis

## Teaching Experience

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Honors Thesis Mentor (Jean Phillips), 2011-2012

*Thesis: Intentionality of Implicit Attitudes: How Metacognition Shapes our Explicit Thoughts.*

Assistant Professor for Psychology 498 (Senior Research), Spring 2016

Assistant Professor for Psychology 368 (Prejudice and Racism), Spring 2016

Assistant Professor for Psychology 309 (Quantitative Methods in Behavioral Research), Spring 2016

Assistant Professor for Psychology 498 (Senior Research), Fall 2015

Assistant Professor for Psychology 309 (Quantitative Methods in Behavioral Research), Fall 2015

Graduate Supervisor for Psychology 395 (Independent Research), 2011- 2015.

Teaching Fellow for Psychology 260 (Social Psychology), Fall 2013\*

Teaching Fellow for Psychology 260 (Social Psychology), Summer I 2013\*

Teaching Fellow for Psychology 260 (Social Psychology), Spring 2013

Teaching Fellow for Psychology 260 (Social Psychology), Fall 2012\*

Teaching Fellow for Psychology 260 (Social Psychology), Summer II 2012\*

Teaching Fellow for Psychology 260 (Social Psychology), Spring 2012\*

Teaching Assistant for Psychology 101 (Introduction to Psychology), Fall 2011

Teaching Assistant for Psychology 101 (Introduction to Psychology), Spring 2011

Teaching Assistant for Psychology 101 (Introduction to Psychology), Fall 2010

Guest lecturer for Psychology 260, on Group Processes, Fall 2011

Guest lecturer for Psychology 101, on Groups and Stereotyping, Fall 2011

Guest lecturer for Psychology 895, on Mediation in Structural Equations Modeling (SEM), Spring 2011

Guest Lecturer for Psychology 101 (Introduction to Psychology), on Levels of Consciousness and Sleep, Spring 2011

Guest lecturer for Psychology 250 (Developmental Psychology), on Moral Development, Spring 2011

Guest lecturer for Psychology 101 (Introduction to Psychology), on Consciousness, Fall 2010

\* Indicates Departmental Commendation for Exemplary Teaching Evaluations as a Teaching Fellow

## Professional Affiliations

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Society for Personality and Social Psychology

Association for Psychological Science

American Psychological Association

## Service

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Society for Personality and Social Psychology Student Poster Award Reviewer, 2013

Principles Project at UNC: Developing Principles of Exemplary Scientific Practice, 2013

Faculty Mentor for Colgate University Psychology and Neuroscience Student Representatives, 2015-2016

Exhibit “G”  
Nadya A. Fouad, Ph.D.  
Expert Report June 30, 2016



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**Nadya A. Fouad, Ph.D.**

4100 N. Prospect, Shorewood, WI 53211

Telephone: (414) 332-0419

Email: [Nadya@icloud.com](mailto:Nadya@icloud.com)

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R. A. Coulter  
776 E. Riverside Drive  
Suite 240 Eagle  
Idaho 83616

Re: Jun Yu v. Idaho State University Case  
No. 4:15-CV00430-REB  
United States District Court  
For the District of Idaho

June 30, 2016

Dear Attorney Coulter:

At your request, I have prepared this report regarding my professional opinions in the matter of Case No. 4:15-CV00430-REB, Jun Yu v. Idaho State University (ISU).

**Background and Materials Reviewed**

**Professional Background:** I am a University of Wisconsin-Milwaukee (UWM) Distinguished Professor and the Mary and Ted Kellner Endowed Chair of Educational Psychology at UWM. I am by training a counseling psychologist, with a PhD from the Department of Psychology at the University of Minnesota (1984). I am a licensed psychologist in the State of Wisconsin (#1130), and am board certified in counseling psychology by the American Board of Professional Psychology (ABPP). I have served in leadership roles for many committees for the American Psychological Association, including as the Co-Chair of the Multicultural Guidelines Writing Team (published in 2003), Chair of the Board of Educational Affairs, Chair of the 2006 Competencies Workgroup, and Chair of the Ethics Committee. I have served as an accreditation site visitor for APA and for the Master's in Counseling Accreditation Council. I currently

serve as the Chair of the Masters in Counseling Accreditation Council.

In my 30 years at UWM, I have been involved with the training of psychologists, teaching Doctoral Practicum and Vocational Psychology. I was the founding Training Director for the PhD program in Counseling Psychology, a post I held for 15 years. I have had several international students as mentees, including students from China, Taiwan, Korea, Turkey, and Indonesia. All students have successfully graduated; some have returned to work in their home countries as psychologists while others have chosen to work in the United States.

As Chair of the Department, I have administrative responsibility for the Department of Educational Psychology and its four Ph.D. areas, including APA-accredited programs in Counseling Psychology and School Psychology. The programs have a significant multicultural focus and attract many international students. The department's excellence in recruiting and retaining international students was recognized by being awarded the 2013 American Psychological Association's Bersoff Presidential Cultural Award for successfully recruiting and graduating doctoral students who are U.S.-born ethnic minorities as well as U. S. residents born outside of the U. S.

The opinions cited in this letter are my own and do not represent official positions of organizations that employ or have affiliations with me.

**Materials Reviewed:** In preparing my report, I have reviewed the literature on competency based education, trainees who have competence problems, and cultural competence. I also based my evaluation in the context of the American Psychological Association's *Ethical Principles of Psychologists and Code of Conduct* (APA, 2010), The American Psychological Association's Commission on Accreditation's *Guidelines and Principles for Accreditation and Implementing Regulations of Programs in Professional Psychology* (APA, 2012), the American Psychological Association's *Guidelines on Multicultural Education, Training, Research, Practice and Organizational Change for Psychologists* (APA, 2003); *The Competency Benchmarks: A Model for Understanding and Measuring Competence in Professional Psychology Across Training Levels* (Fouad, et al, 2009); the *Competency Assessment Toolkit for Professional Psychology* (Kaslow, 2009), and the American Psychological Association's *Guidelines for Clinical Supervision in Health Service Psychology* (APA, 2014).

I also have reviewed the documents provided by you, including:

- Jun Yu Accreditation Complaint to the American Psychological Association's Commission on Accreditation (CoA), December 2013, with exhibits
- Letter from CoA Director Dr. Susan F. Zlotlow, May, 2014, confirming that his complaint triggered a request for additional information from ISU.
- Complaint filing with the U. S. District Court for Idaho in the matter of Jun Yu v. Idaho State University (ISU) et al, filed by plaintiff September 16, 2015.

- Amended Answer and Demand filing with the U. S. District Court for Idaho in the matter of Jun Yu v. Idaho State University (ISU) et al, filed by defendants October 16, 2015.
- Complaint Management Order by U. S. Magistrate Ronald E. Bush of the U. S. District Court for Idaho in the matter of Jun Yu v. Idaho State University (ISU) et al, filed November 6, 2015.
- Letter from Lindsay Childress-Beatty of the APA Ethics Office dated August 14, 2015 confirming that ethics complaints against Drs. Shannon Lynch and Mark Roberts were under review.
- Article titled: “International student sues his university for discrimination after dismissal,” published in *Insider Higher Ed* online by Elizabeth Redden on October 28, 2015.
- Manuscript titled: “The Assault on Jun Yu: Multicultural Incompetence in a Clinical Psychology Doctoral Program, Resulting in the Professional Destruction of an International Student,” by Jocelyn Eikenburg and Michael D. Dwyer, 44 pages undated.
- Ohio State Board of Psychology complaint against Drs. Frazier II and Speer and disposition letters on complaints.
- Practica Course Sequence Evaluator Ratings, Comments, and Clinical Training Committee Educational Action Plan (Semi-Annual Student Evaluation).
- All documents contained in the six hundred fifty-nine (659) page defendant’s initial disclosures.
- Defendant’s answers and responses to the Plaintiff’s first set of discovery requests dated February 5, 2016.
- All documents in pages 660-845, which was shared in the Defendant’s answers and response to Plaintiff’s first set of discovery requests.
- Plaintiff’s answers and responses to the Defendant’s first set of discovery requests dated March 16, 2016.
- Plaintiff’s complete expert submission of March 25, 2016.
- Expert report of Dr. Chavez-Korell.
- Expert report of Dr. Dru Gladney and the attached “White Paper on Dismissed Chinese Students in the United States.”

### **Basis of Opinions on Competency-Based Education and Cultural Competence**

Competency-based training in professional psychology focuses on ensuring that students develop specific competencies in their doctoral education, rather than accruing a set number of hours or completing particular coursework. Thus, the focus of training is on the student (or learner) and demonstrating how he or she has achieved competencies in various domains that have been deemed essential to be a psychologist, rather than on what the training program provides. Competency based education has been most critically developed within medical training. The most instrumental report was the Institute of Medicine's 2003 report on Health Professions Education: A Bridge to Quality (IOM, 2003), which identified five competencies for all healthcare disciplines, linking the development of competencies to patient care and outcomes. Within psychology, a similar need to hold psychologists accountable to "do no harm" led licensing boards to hold doctoral programs accountable to ensure that their students are competent to be independent psychologists by the end of the doctorate.

Over the past 15 years, the development of competency based education in psychology first focused on which critical competencies were needed to be a psychologist. This was the purpose of the Competencies Conference in 2002. Over 120 psychologists came together to come to consensus about the core competency areas: scientific foundations, ethics, supervision, assessment, individual and cultural diversity, intervention, consultation and professional development (Kaslow, et al. 2004). Further reflection and discussion culminated in 12 competency areas: 6 are considered to be foundational to the work of a psychologist (i.e., reflective practice/self-assessment, scientific knowledge and methods, relationships, ethics and legal standards/policy issues, individual and cultural diversity, and interdisciplinary systems) and 6 are the domains in which psychologists work (assessment/diagnosis/conceptualization, interventions, consultations, research/evaluation, supervision/teaching and management/administration) (Rodolfa et al., 2005).

The consensus about the core areas of competence was a signal development for a field that has many different training models and settings. However, as a training tool, it was still critical to identify the key markers that would indicate the development of competence. In other words, what behaviors would signal readiness to begin to work with patients/clients? What behaviors would indicate readiness to begin a year of intensive clinical work (internship)? And, finally, what behaviors would indicate that a trainee was ready to being independent practice? This was the task undertaken by the Benchmarks Work Group (Fouad, et al 2009). Keeping in mind the key clinical points for students, 36 psychologists broke into groups to identify key elements of each competence and the behavioral examples for readiness for each clinical stage. The resulting document was published in 2009 after vetting from the training community and provides a template for assessing trainee's behaviors in 15 competency domains.

This table indicates the essential elements for Individual and Cultural Diversity for the key clinical points of beginning practicum (first seeing clients), beginning internship (a year of intensive clinical work) and entry to independent practice.

<b>INDIVIDUAL AND CULTURAL DIVERSITY:</b> Awareness, sensitivity and skills in working professionally with diverse individuals, groups and communities who represent various cultural and personal background and characteristics defined broadly and consistent with APA policy		
<b>READINESS FOR PRACTICUM</b>	<b>READINESS FOR INTERNSHIP</b>	<b>READINESS FOR ENTRY TO PRACTICE</b>
<b>2A. Self as Shaped by Individual and Cultural Diversity</b> (e.g., cultural, individual, and role differences, including those based on age, gender, gender identity, race, ethnicity, culture, national origin, religion, sexual orientation, disability, language, and socioeconomic status ) and Context		
Demonstrates knowledge, awareness, and understanding of one's own dimensions of diversity and attitudes towards diverse others	Monitors and applies knowledge of self as a cultural being in assessment, treatment, and consultation	Independently monitors and applies knowledge of self as a cultural being in assessment, treatment, and consultation
<b>2B. Others as Shaped by Individual and Cultural Diversity and Context</b>		
Demonstrates knowledge, awareness, and understanding of other individuals as cultural beings	Applies knowledge of others as cultural beings in assessment, treatment, and consultation	Independently monitors and applies knowledge of others as cultural beings in assessment, treatment, and consultation
<b>2C. Interaction of Self and Others as Shaped by Individual and Cultural Diversity and Context</b>		
Demonstrates knowledge, awareness, and understanding of interactions between self and diverse others	Applies knowledge of the role of culture in interactions in assessment, treatment, and consultation of diverse others	Independently monitors and applies knowledge of diversity in others as cultural beings in assessment, treatment, and consultation
<b>2D. Applications based on Individual and Cultural Context</b>		
Demonstrates basic knowledge of and sensitivity to the scientific, theoretical, and contextual issues related to ICD (as defined by APA policy) as they apply to professional psychology. Understands the need to consider ICD issues in all aspects of professional	Applies knowledge, sensitivity, and understanding regarding ICD issues to work effectively with diverse others in assessment, treatment, and consultation	Applies knowledge, skills, and attitudes regarding dimensions of diversity to professional work

psychology work (e.g., assessment, treatment, research, relationships with colleagues)		
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Competence in cultural and individual diversity is a foundational competence, expected of all psychologists. In order to be able to be competent psychologist, one must have awareness and knowledge of self as a cultural being, awareness of others that are shaped by cultural diversity (e.g., other groups), how self and others interact (particularly in treatment) and how to apply this awareness and knowledge in practice.

There are several implications of a Competency-based Training Model for training programs (Fouad, et al, 2009):

1. Faculty must be competent, themselves, to train students; this is an ethical obligation (APA, 2010) Ethics Code 2.01a: “Psychologists provide services, teach and conduct research with populations and in areas only within the boundaries of their competence, based on their education, training, supervised experience, consultation, study or professional experience.”).
2. Faculty must assess competencies frequently (at least each year, if not twice a year),
3. Faculty must identify the best ways to assess various competencies (e.g., grades, papers, supervisor evaluation, self-assessment) (Kaslow, et al, 2009)
4. Faculty must provide feedback to students frequently on the progress of their competence development, both formatively and summatively (e.g., informally during the semester as well as formal letters of evaluation once a year).
5. Faculty must identify and address training problems with competence, including developing remediation plans as early in the process. There is a remediation template on the APA website that is a useful framework and pulls together the suggested best practices for dealing with competence problems. It identifies the competency domains and behaviors of concern, what behavior is expected, the responsibility of both the trainee and the faculty/supervisor, dates and what consequences would occur if remediation is not successful.
6. Competency based evaluation is codified as part of the accreditation process by the APA Commission on Accreditation: “E.4: *Students receive, at least annually, written feedback on the extent to which they are meeting the program’s requirements and performance expectations. Such feedback should include:*
  - (a) *Timely, written notification of all problems that have been noted and the opportunity to discuss them;*
  - (b) *Guidance regarding steps to remediate all problems (if remediable); and*
  - (c) *Substantive, written feedback on the extent to which corrective actions are or are not successful in addressing the issues of concern.” (p. 20).*



7. The responsibility of the faculty to provide regular feedback on competency development is also an ethical obligation:
  - “ 7.06 Assessing Student and Supervisee Performance
    - (a) In academic and supervisory relationships, psychologists establish a timely and specific process for providing feedback to students and supervisees. Information regarding the process is provided to the student at the beginning of supervision.
    - (b) Psychologists evaluate students and supervisees on the basis of their actual performance on relevant and established program requirements.”

**Noteworthy Facts of the Case and their Relation to Cultural Competency and Competency based Training. [My professional opinions are bracketed in bold]**

1. Mr. Yu was a student in the doctoral program in Clinical Psychology at Idaho State University (ISU) from Fall 2008 to Spring 2013. The Clinical Psychology program has been APA accredited since 2001. The mission of the program is to “train competent clinical psychologists who can apply and adapt general conceptual and technical skills in diverse regional and professional settings”. The Handbook sets out several goals and competencies for training, including “Goal 5: Appreciation of individual differences, cultural differences and diversity of practice”.
2. Mr. Yu was evaluated semiannually by his practicum supervisors, with faculty evaluations of his clinical work as well as of his assistantship and coursework. The Handbook notes that all evaluations are ‘stage’ appropriate, noting that each student will be evaluated against where they are expected to be at that stage of their training. Thus evaluations of skills are “Below Expectations, Meets Expectations or Exceeds Expectations”
  - a. Fall 2008 transcript indicated grades of A, A-, A, professional skills averaged 3.9, and the Clinical Training Committee finding his progress to be satisfactory (January 15, 2009). **[Mr. Yu was making satisfactory progress in developing competence]**
  - b. Spring 2009 transcript indicated grades of A, B, B, professional skills averaged 4.0 (out of 4), and the Clinical Training Committee finding his progress to be satisfactory (June 5, 2009). **[Mr. Yu was making satisfactory progress in developing competence]**
  - c. Fall 2009 transcript indicated grades of A-, A-, A-, and his practicum supervisor (Roberts) was “pleased with his progress”. The Clinical Training Committee found his progress to be satisfactory (January 14, 2010). **[Mr. Yu was making satisfactory progress in developing competence]**

- d. Spring 2010 grades were A, A, B. His practicum supervisor (Atkins) notes “I would be doing Jun a disservice if I did not give him feedback regarding the impact of his language skills on his clinical work...his conversational skills are still subpar for doctoral level training experiences in both assessment and treatment”. His formal ratings include 1 Below Expectation on “forming a working alliance”. The Clinical Training Committee found his progress to be satisfactory, (May 21, 2010), although they encouraged Jun ‘to immerse himself in English-speaking contexts whenever possible” **[Developing a working alliance is a critical foundation to psychotherapy. It is unclear from the evaluation if the inability to form a working alliance is related to Mr. Yu’s ability to speak English or some other competence area, but recommending that he immerse himself in an English speaking context seems disconnected from remediating this concern. This seems to reflect a cultural incompetence on the part of the faculty, who did not apply knowledge of cultural differences between Mr. Yu and the supervisor, Mr. Yu and the clients, and differences between perceptions of a working alliance across cultures. It is also clearly a missed opportunity to provide a meaningful remediation plan for Mr. Yu.]**
  
- e. Fall 2010 grades included his Summer class (A) and Fall classes (B+, A, and S). His summer supervisor was Atkins and his fall supervisor was Cellucci. He received no evaluation of skills below expectations. Atkins noted that “fluent English is still a concern, especially when testing younger children”. Cellucci was “pleased with his effort and his progress, but Jun simply needs more practice counseling patients”. The Clinical Training Committee found his progress to be satisfactory (January 14, 2011). **[The Clinical Training Committee again failed to take the opportunity to consider the ramifications of a supervisor who twice made a comment about Mr Yu’s fluency. There is no evidence that they sought consultation about appropriate interventions or remediation for a Chinese student working with a primarily White client population and/or supervisor. This is evidence of cultural incompetence on the part of the faculty. There is also no evidence that the Clinical Training Committee began to consider that Mr. Yu had a significantly low number of direct service hours. By the end of his fourth semester in practicum, he had 111 hours of direct service. The Handbook notes that the “CTC has established 35 hours of direct client contact per semester as a formal guideline”. Thus, he should have had at least 140 hours. The shortfall in direct hours, highlighted in Dr. Cellucci’s comment about needing more practice, would have significant implications in being competitive for an internship in another year. In Mr. Yu’s case, each semester he was well below this guideline, yet the CTC did not mention it as part of any of his semi-annual evaluations nor did they recommend more practicum hours.]**

- f. The Spring 2011 grades were A, A, A. He had 27 hours of direct service, under the supervision of Drs. Seikel and Roberts. He received two “Below Expectations” for working alliance and for ability to adjust treatment. Dr. Seikel also highlighted Mr. Yu’s diligence, timeliness, willingness to do research on interventions, and accurate and sophisticated conceptualizations. She highlighted the drop-out rate of his clients, attributing this to “prejudice on the client’s side”. The Clinical Training Committee found his progress to be satisfactory (May 24, 2011). They also noted concern about his hours, comparing his hours unfavorably to their other students. They also note “Language barriers have been a continuous issue in obtaining sufficient supervised professional practice for Jun. ... If Jun is going to apply this November to APPIC sites he must identify sites in which his Chinese language is a strength rather than a liability” **[The CTC is blaming Mr. Yu for prejudice on the clients’ part, for not accruing enough hours, and for choosing to study in a setting where being Chinese is seen as a liability. They did not alert Mr. Yu to the low number of direct service hours at a point when he could work to increase his hours, nor did they provide a remediation plan for him to work on forming a working alliance with American clients. They did not address the discrimination he might be facing from his clients, his supervisors, his faculty or his peers. This reflects clear cultural incompetence on the part of the faculty.]**
- g. Fall 2011, Mr. Yu passed all of his required classes. ISU assigned Mr. Yu a U for a non-required externship from which he was abruptly dismissed by Dr. Landers. Dr. Landers’ evaluation of Mr. Yu was dated November 14, 2011, 10 days after the dismissal letter, and Dr. Landers alleged “this site could not afford to engage in remediation.” Dr. Landers’ dismissal letter (November 4, 2011) notes that Mr. Yu is “unable to grasp the communication nuances that are required to build rapport with difficult patients, ...conceptualize clients from a broad perspective and coherent psychological theory, and provide feedback to patients ...regarding the outcome of psychological assessment”. Dr. Roberts sends a letter to Mr. Yu on November 21, 2011 with suggestions of actions after dismissal from the externship. The final statement is that the CTC “believes that this plan should help address performance concerns raised by Dr. Landers and provide you with more intensive professional practice opportunities to facilitate success during your internship year”. The CTC evaluated Mr. Yu’s academic progress as satisfactory in Fall 2011, but professional progress as unsatisfactory. Mr. Yu complained that the abrupt dismissal was due to his national origin and race and gave Dr. Landers a negative evaluation as a supervisor. Dr. Roberts investigated the negative evaluation, concluding that Mr. Yu had been adequately supervised. **[Dr. Landers failed in his responsibility as a supervisor to provide timely and specific feedback and remediation before dismissal. All of the proposed courses of action in the November 21 letter are focused on**

clinical opportunities; none are focused on identifying the potential cultural differences between Mr. Yu and his clients and supervisors. As noted earlier, a goal of the program was for students to develop an “Appreciation of individual differences, cultural differences and diversity of practice” but this was not addressed when there was a potential cultural clash for one of their students. This is evidence of cultural incompetence on the part of the faculty, and their collective failure to provide remediation for their student. Dr. Roberts’ investigation consisted of talking to other students, but there appears to have been no consideration that the other students were White, and that cultural differences may have played a role in Dr. Landers’ dismissal. There is also no evidence that they applied a cultural lens in understanding the discrepancy between one supervisor’s evaluation that Mr. Yu had an accurate and sophisticated conceptualization of client problems and another supervisor’s evaluation that he could not conceptualize problems broadly. There is no evidence that the CTC considered this discrepancy from a cultural perspective. The CTC indicated in its Spring 2011 evaluation that they wanted to make sure the internship site was one where being Chinese would be a strength. However, Dr. Roberts reviewed the list of APPIC sites Mr. Yu was applying to on October 22, 2011 and there is no evidence that Dr. Roberts commented on the list. It is also noteworthy that Dr. Roberts mentioned Mr. Yu’s English skills in his recommendation letter deeming Mr. Yu ready to move on to internship.]

- h. Mr. Yu did not secure an internship for 2012, and developed his own internship with the Cleveland Clinic Center for Autism to begin in January 2013. He also defended his dissertation in June 2012, which had included clinical interventions with 19 families in China. The ISU Training Program asked a psychologist to review the contract between the student and the Cleveland site. The psychologist highlighted the lack of due process in the contract, but Dr. Roberts noted his November 12, 2012 letter to Dr. Speer that “The proposal does charge Mr. Yu and his supervisors to address any professional failures to meet goals by constructing a “...joint written remedial plan...with specific dates indicated for completion.” The Cleveland Clinic informed Mr. Yu and the ISU program that they were not obligated to provide a grievance procedure, and that the student would need to use the due process steps within the Clinical Psychology program, although, Dr. Speer indicated on November 26, 2012, that she would “work closely with him to adequately and fairly address any concerns he may have during his time with us at the clinic”. The internship proposal, otherwise, adhered to the general principle that an internship is a partnership between a clinical site and the training program for the purpose of providing training to interns. Mr. Yu began his internship with three supervisors: Drs. Frazier, Speer and Chase. Each was to provide weekly supervision. Dr. Frazier stopped supervising

in January; also in January, Dr. Speer called Dr. Roberts to express concern about Mr. Yu. **[Drs. Frazier and Speer never expressed any specific concern or provided feedback to Mr. Yu, violating their ethical obligation to provide timely and specific feedback. Dr. Roberts did not tell Mr. Yu that his supervisor had voiced concerns, violating his obligations as a faculty mentor, nor did he help to develop a remediation plan. In not giving Mr. Yu a remediation plan as per the proposal and ethical practice in supervision, ISU and the internship supervisors denied Mr. Yu due process. Dr. Roberts did not appear to discuss that Mr. Yu was in a cross-cultural setting in the Cleveland Clinic. He did not raise concerns about a supervisor quitting at the beginning of an internship placement.]**

- i. Mr. Yu was dismissed from the program in May 2013, and the program recommended, but has not awarded him, a master's degree. **[Mr. Yu was dismissed from the program with the recommendation of a master's degree, despite the fact that he was evaluated at every semester as making satisfactory progress and that he had successfully defended his doctoral dissertation. He had demonstrated competencies expected of students in every semester until the last, and the CTC evaluated him as ready for internship. The only remaining requirement was the completion of an internship. It would appear that refusal of awarding a general doctorate in psychology is a result of vindictiveness, rather than a careful consideration of the competencies developed during the program.]**

### **Responses to Dr. Gladney and White Paper**

Dr. Gladney makes several comments in his expert report with which I disagree:

1. Dr. Gladney notes, on page 2 of his report "Clinical psychology is a field of study that can be more challenging to a second-language learner. In such a field, rapport between the practitioner and patient must be established, and language, linguistic nuances and nonverbal clues are absolutely critical to not only the success of the practitioner, but also to the safety and well-being of the patient. Therefore, linguistic issues and nuances, and differences in nonverbal cues from culture to culture, can pose heightened difficulties and barriers to success."

He also says, on page 3, "the Idaho State University faculty was concerned with psychological competency, not linguistic competency"

But as noted earlier, cultural competence is a foundational competency. The faculty could not be concerned with psychological competency without also being concerned about linguistic competency. In fact, I agree with Dr. Gladney's initial comments about the critical importance of language,

linguistic nuances and nonverbal interpretation in the formation of a working alliance between a client and therapist. Once they admitted him, the faculty had a responsibility to ensure that Mr. Yu had the tools to understand those cultural and linguistic differences *in order* to develop psychological competence.

2. Dr. Gladney makes three comments alluding to the efforts of the faculty with which I disagree. He suggests that they “bent over backwards” (p. 3); that “they were extraordinarily lenient in assisting Mr. Yu to succeed” (p. 3); and that they gave him “every opportunity to succeed” (p. 3). I completely disagree. They never provided him with a concrete remediation plan, they never directly discussed cultural competence for a Chinese student working within the context of a relatively homogeneous Idaho context, and they did not award him a PhD in general psychology. They did not alert him to the relatively few hours he was accruing in practicum, which was sure to keep him from being successful in gaining an internship. There is evidence that, in fact, they were, themselves, not culturally competent to help an international student succeed to be a clinical psychologist in the US or China.
3. Dr. Gladney’s attached White Paper identifies several reasons that younger Chinese students (those seeking a baccalaureate degree) fail or are dismissed. The reasons cited in the paper do not apply to Mr. Yu: he is not young, he did not have a low GPA, he was not seeking a bachelor’s degree, and he was not in a STEM major. The reasons for dismissal in the paper do not apply to Mr. Yu’s case.

### **Summary and Conclusions**

1. Mr. Yu came to the United States to study with Dr. Roberts at Idaho State University, hoping to develop expertise in working with children that he could then take back to begin a career as a clinical psychologist in China. Dr. Roberts supported and encouraged Mr. Yu’s research expertise.
2. There is no evidence that the Clinical Training Committee anticipated the need to develop mechanisms to adjust training for a Chinese student attending a program in Idaho and working with clients who had limited encounters with someone speaking with a foreign accent. On the contrary, the program assigned Mr. Yu to teach college level classes -- in English -- and assigned him to the ‘regular’ practicum sites. It would appear that they assumed he spoke English well enough to teach and to provide clinical services.
3. When concerns arose about Mr. Yu’s ability to develop a working alliance with clients, the CTC did not address it directly and did not develop a remediation plan, despite the critical importance of a working alliance to therapeutic outcomes. Rather they told him to immerse himself in English speaking contexts. How this relates to the working alliance is unclear, and demonstrates the cultural



- incompetence of the faculty. It also demonstrates the abrogation of their responsibility to develop the competence of Mr. Yu to work with culturally different clients.
4. There is no evidence that cultural competence was regularly assessed, nor how it was assessed. Despite being a goal of the program, it was not included in the semi-annual CTC evaluations.
  5. There is no evidence of the critically important obligation of supervisors to keep supervisees apprised of their progress. This is first evident in Dr. Landers' abrupt dismissal of Mr. Yu from the externship without apparent consultation with Mr. Yu, and it is even more evident in the treatment Mr. Yu received from the Cleveland Clinic internship. Dr. Speer did not address her concerns with Mr. Yu directly at any point in the internship: in January when she reached out to Dr. Roberts, nor in March or April when she finally dismissed him. In fact, she refused to provide him with a copy of his letter of dismissal in April. There is no evidence that Dr. Roberts encouraged Dr. Speer to have a conversation about competencies with Mr. Yu, although he encouraged her to do a "baseline" assessment. He also did not have a conversation alerting Mr. Yu to those concerns. Both are obligated to have those conversations by virtue of their commitment to training. Dr. Roberts also did not intervene when he learned that one of the supervisors completely stopped supervising.
  6. The accreditation guidelines (APA, 2012) stipulate that programs need to provide timely feedback to students. The Supervision Guidelines (APA, 2014) note the need to do this as well, "Supervisors aspire to provide feedback that is direct, clear, and timely, behaviorally anchored, responsive to supervisees' reactions, and mindful of the impact on the supervisory relationship." Although the Guidelines were published in 2014, the elements have been established as "best practices" for many years. It is clear that timely feedback was not afforded to Mr. Yu.
  7. In Spring of 2012, when it was evident that Mr. Yu had not successfully matched with an APPIC site, the faculty gave him several options, including finding an internship in China, based on his successful clinical research for his dissertation. Mr. Yu had a variety of reasons for not choosing this option, including wanting to complete his goal of finishing his degree and training in the United States. However, a year later, after he was terminated from the internship, the possibility of an internship in China was rescinded. This is unfathomable. He had demonstrated competencies as a trainee ready for internship, he had finished a research study with 19 families in China, and he had defended his dissertation. He had demonstrated many of the competencies of a beginning psychologist. There is no evidence of a catastrophic event that would have caused him to regress in his demonstration of competence. Yet, the CTC did not allow him to return to China and finish his clinical training. I would argue they did very little to help him successfully complete his clinical training in Idaho. And they

recommended a master's degree for Mr. Yu rather than the PhD that he had earned.

In summary, it is my opinion that Mr. Yu has clearly suffered serious harm due to the cultural incompetence of the faculty in the clinical psychology program at Idaho State University. The faculty were not following their own procedures in developing competence in their students; and it is my opinion that they abrogated their obligation to help Mr. Yu (a Chinese national) to develop cultural competencies. It is my opinion that the dismissal of Mr. Yu from ISU's Clinical Psychology Ph.D. Program was excessive (especially when considering that no appropriate clinically relevant remediation plans were developed), unjustified, and objectively unreasonable. In my opinion, the actions of the faculty at ISU in dismissing Mr. Yu as they did were a substantial departure from accepted academic norms.

**Compensation** My rate for work on this case is [REDACTED]/hour, plus travel expenses, and up to a maximum of [REDACTED]/day for travel and testimony. My work on this case includes reviewing case documents, report writing, communication with the legal team, and all required testimony.

Sincerely,

A handwritten signature in black ink, appearing to read "Nadya A. Fouad". The signature is fluid and cursive, with a large, stylized initial "N" and a long, sweeping underline.

Nadya A. Fouad, Ph.D.  
University Distinguished Professor and  
Mary and Ted Kellner Endowed Chair in Educational Psychology

## **Curriculum Vita**

Nadya A. Fouad  
Department of Educational Psychology  
PO 413  
University of Wisconsin-Milwaukee  
Milwaukee, WI 53201-0413

Telephone Numbers - (414) 229-6830  
(414) 229-4939 (fax) email: Nadya@uwm.edu

### **Formal Education**

Ph.D. University of Minnesota,  
Minneapolis, MN  
Counseling Psychology (Department of Psychology), 1984

B.S. Iowa State University, Ames, IA, Phi Beta Kappa  
(Psychology), 1977.

### **Positions Held**

Mary and Ted Kellner Endowed Chair in Educational Psychology (2016-)

Special Assistant to the Provost for Conflict Resolution (2014-present)

Chair, Department of Educational Psychology 2010-present (co-chair 2009-2010)

University Distinguished Professor, 2008- present

Visiting Professor, Colorado State University (2001-2)

Associate Dean, School of Education,  
University of Wisconsin-Milwaukee (1996- 1998)

Professor, Department of Educational Psychology (Counseling Area),  
University of Wisconsin-Milwaukee, Milwaukee, WI. 1995-present

Associate Professor, Department of Educational Psychology (Counseling Area),  
University of Wisconsin-Milwaukee, Milwaukee, WI. 1989-1995

Assistant Professor, Department of Educational Psychology (Counseling Area)  
University of Wisconsin-Milwaukee, Milwaukee, WI. 1984-1989

### **License**

Psychologist, State of Wisconsin, 1984-present (#1130).

Board Certified In Counseling Psychology, American Board of Professional Psychology.  
(February 2010 - Present).

### **Awards**

University of Wisconsin-Milwaukee Faculty Distinguished Service Award, 2014

Society of Vocational Psychology, Distinguished Achievement Award, 2014.

Council of Counseling Psychology Training Program Lifetime Contributions Award,  
2013

Outstanding Professional Contribution Award (Milwaukee Area Psychological  
Association) 2012

Best Paper Award (National Career Development Association) 2011

Paul Nelson Award (Council of Chairs of Training Councils) 2010

Distinguished Contributions to Education and Training in Psychology (American  
Psychological Association) 2009

19th Annual Janet E. Helms Award for Mentoring and Scholarship 2009

School of Education Faculty Research Award, 2007

APA Division 17 John Holland Award for Outstanding Achievement in Career and  
Personality Research, 2003

Distinguished Service Award, Academy of Counseling Psychology, 2001.

APA Presidential Citation for leadership on APA School to Work Task Force, 2000.

Professional Writing Award, Wisconsin Association for Counseling and Development,  
1996.

Ralph F. Berdie Research Award, American Association for Counseling and  
Development 1991

### **Research, Scholarly and Professional Activities**

Articles published, accepted or submitted for publication

- Fouad, N.A., Kim, S., Ghosh, A., Chang, W., & Figueirdo, C. (in press). Family influence on career decision making: Validation in India and the US. *Journal of Career Assessment*, doi:10.1177/1069072714565782.
- Ghosh, A., & Fouad, N.A. (in press). Career transitions of student veterans. *Journal of Career Assessment*, doi:10.1177/1069072714568752.
- Ghosh, A., & Fouad, N.A. (in press). Family influence on careers among Asian parent-child dyads. *Journal of Career Assessment*. doi:10.1177/1069072715580417.
- Tate, K. A., Fouad, N. A., Marks, L. R., Young, G., Guzman, E., & Williams, E. G. (2015). Underrepresented first-generation, low-income college students' pursuit of a graduate education: Investigating the influence of self-efficacy, coping efficacy, and family influence. *Journal of Career Assessment*, 23(3), 427-441. <http://dx.doi.org/10.1177/1069072714547498>
- Chen, Y.-L., & Fouad, N. A. (2015). Bicultural work motivation scale for asian american college students. *International Journal for Educational and Vocational Guidance*. Advance online publication. <http://dx.doi.org/10.1007/s10775-015-9305-7>
- Byars-Winston, A., Fouad, N., & Wen, Y. (2015). Race/ethnicity and sex in U.S. Occupations, 1970–2010: Implications for research, practice, and policy. *Journal of Vocational Behavior*, 87, 54-70. <http://dx.doi.org/10.1016/j.jvb.2014.12.003>
- Hussain, S., Jones, L. K., Fouad, N., Ismail, I. M., Munaf, S., & Khan, M. A. (2014). Adaptation of The Career Key into Urdu. *Pakistan Journal of Psychological Research*, 29(2), 187-201.
- Fouad, N. A., Liu, J. P., Cotter, E. W., & Gray-Schmiedlin, I. (2014). The impact of economic perceptions on work-related decisions. *Journal of Career Assessment*, 22(2), 355-370. doi:[10.1177/1069072713484559](http://dx.doi.org/10.1177/1069072713484559)
- Fouad, N. A. (2014). Future of counseling psychology research. *Counselling Psychology Quarterly*, 26, 227-237.
- Fouad, N. A. & Singh, R. (in press). National Research Council. Career Outcomes of Female Engineers: Leaning In or Creating Their own Path? Summary of a Workshop. Washington, DC: The National Academies Press.
- Singh, R., Fouad, N. A., Fitzpatrick, M. E., Liu, J. P., Cappart, K. J. & Figueireido, C. (2013). Stemming the tide: Predicting women engineers' intention to leave. *Journal of Vocational Behavior*, 83, 281-294.

- Schaeffer, J. B., Rodolfa, E. R., Hatcher, R. L. & Fouad, N. A. (2013). Professional Psychology Competency Initiatives: Reflections, Contrasts, and Recommendations for the Next Steps. *Training and Education in Professional Psychology*, 7, 92-98.
- Hatcher, R. L., Fouad, N.A., Grus, C.L., Campbell, L., & McCutcheon, S. (2013). Competency Benchmarks: Practical Steps toward a Culture of Competence. *Training and Education in Professional Psychology*, 7, 84-91.
- Cotter, E. W. & Fouad, N. A. (In press). Examining Burnout and Engagement in Layoff Survivors: The Role of Personal Strengths. *Journal of Career Development*, 40, 424-444.
- Novakovic, A. & Fouad, N. A. (in press). Background, Personal, and Environmental Influences on the Career Planning of Adolescent Girls. *Journal of Career Development*, 40, 223-244.
- Kantamneni, N., & Fouad, N. A. (2013). Contextual factors and vocational interests in South Asian Americans' vocational development. *Journal of Career Assessment*, 21(1), 57-72.
- Christianson, H. F., Weis, J. M., & Fouad, N. A. (2013). Cognitive adaptation theory and quality of life in late-stage cancer patients. *Journal of Psychosocial Oncology*, 31(3), 266-281. doi:[10.1080/07347332.2013.778936](https://doi.org/10.1080/07347332.2013.778936)
- Chen, Y. L. & Fouad, N. A. (2013). Asian American Educational Goals: Racial Barriers and Cultural Factors. *Journal of Career Assessment*, 21, 73-90
- Fouad, N. A., Cotter, E. W., Carter, L., Bernfeld, S., Gray, I., & Liu, J. P. (2012). A qualitative study of the dislocated working class. *Journal of Career Development*, 39, 287-310. doi:[10.1177/0894845310389466](https://doi.org/10.1177/0894845310389466)
- Fitzpatrick, M. E., Cotter, E. W., Bernfeld, S. J., Carter, L. M., Kies, A., & Fouad, N. A. (2011). The importance of workplace bullying to vocational psychology: Implications for research and practice. *Journal of Career Development*, 38(6), 479-499. doi:[10.1177/0894845310390035](https://doi.org/10.1177/0894845310390035)
- Cotter, E. W., & Fouad, N. A. (2011). The relationship between subjective well-being and vocational personality type. *Journal of Career Assessment*, 19(1), 51-60. doi:[10.1177/1069072710382614](https://doi.org/10.1177/1069072710382614)
- Kantamneni, N. & Fouad, N.A. (2011) Vocational Interests: Differences in the Newly Revised Strong Interest Inventory. *Journal of Vocational Behavior*, 193-201.



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- Vespia, K. M., Fitzpatrick, M. E., Fouad, N. A., Kantamneni, N., & Chen, Y.L. (2010) Multicultural career counseling: A national survey of competencies and practices, *Career Development Quarterly*, 59, 54-71. **\*(Awarded best paper for National Career Development Association)**
- Armstrong, P. I., Fouad, N. A., Rounds, J., & Hubert, L. (2010). Quantifying and interpreting group differences in interest profiles. *Journal of Career Assessment*, 18, 115-132.
- Hartung, P., Fouad, N. A., Leong, F. T. L., Hardin, E. (2010) Appraising individualism-collectivism in career assessment. *Journal of Career Assessment*, 18, 34-45.
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- Fouad, N. A., Cotter E & Kantamneni, N. (2009). The effectiveness of a career course on career decision-making. *Journal of Career Assessment*, 17, 338-347.
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- Hansen, N. D., & Fouad, N. A. (2001). Service, scholarship, serendipity, and students: Their role in the lives of three prominent counseling psychologists. *The Counseling Psychologist*, 29, 331-335.
- Fouad, N.A. (2001) The future of vocational psychology: Aiming high. *Journal of Vocational Behavior*, 59, 183-191.
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- Fouad, N. A. (1995). Career linking: An intervention to promote math/science career awareness. *Journal of Counseling and Development*, 73, 527-534.
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- Hains, A. A., & Fouad, N. A. (1994). The best laid plans: Assessment in an inner city high school. *Measurement and Evaluation in Counseling and Development*, 27, 116-124.
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- Fouad, N. A. (1992). Comment on Super's theory and C-DAC Model. *Journal of Counseling and Development*, 71, 81-82.
- Hains, A. A., Fouad, N. A., & Davis J. L. (1992). Personal growth experiences: Perceptions of need and curricular requirements. *Journal of Counseling and Human Services Professions*, 6, 18-24.
- Fouad, N. A., & Dancer, L. S. (1992). Comments on the universality of Holland's theory. *Journal of Vocational Behavior*, 40, 220-228.
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- Fouad, N. A., & Keeley, T. (1992). Attitudinal and behavioral aspects of career maturity and their relationship to performance. *Career Development Quarterly*, 40, 257-270.
- Fouad, N. A., & Carter, R. T. (1992). Gender and racial issues for new counseling psychologists in academia. *The Counseling Psychologist*, 20, 123-140.
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- Fouad, N. A. (1991). Counseling international students: Are we ready? *The Counseling Psychologist*, 19, 66-71.
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- Fouad, N. A., & Post Kammer, P. (1989). Work values of women with differing sex-role orientations. *Journal of Career Development*, 15, 188-198.
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- Fouad, N. A., & Hansen, J. C. (1987). Cross-cultural predictive accuracy of the Strong-Campbell Interest Inventory: An example of psychotechnological transfer. *Measurement and Evaluation in Counseling and Development*, 10, 3-10.
- Fouad, N. A., & Bracken, B. A. (1987). Cross-cultural validation of two U.S. psychoeducational instruments. *School Psychology International*, 7, 167-172.
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- Hansen, J. C., & Fouad, N. A. (1984). Validation of the Spanish translation of the Strong-Campbell Interest Inventory. *Measurement and Evaluation in Guidance*, 16, 192-197.
- Fouad, N. A., Cudeck, R. A., & Hansen, J. C. (1984). Convergent validity of the Spanish and English forms of the Strong-Campbell Interest Inventory for Hispanic bilingual high school students. *Journal of Counseling Psychology*, 31, 339-348.

#### Editorial Experience

- Editor-elect, *Journal of Vocational Behavior*, 2015, (Editorial term begins January 2016)
- Editor, *The Counseling Psychologist* (2008-2013)
- Associate Editor, *Journal of Vocational Behavior* (1995-1997)
- Guest Co-Editor, Special Section on Implementation of the Multicultural Guidelines: *Professional Psychology: Research and Practice*. (2005).
- Guest Editor, Special Section on Vocational Guidelines for Psychologists: *Professional Psychology: Research and Practice*. (2006).
- Series Co-Editor, Legacies and Traditions, *The Counseling Psychologist*. (1994-2001).
- Editorial Boards:
- Career Development Quarterly* (1988-1995; 1999-2006)
  - Journal of Vocational Behavior* (1989-present)
  - Journal of Career Assessment*, (1995- present)

*Journal of Counseling Psychology* (1998-2006)  
*Psychology of Women Quarterly* (1998-2004)  
*The Counseling Psychologist* (1990-1993)  
*Training and Education in Professional Psychology* (2013 -present)

Ad Hoc Reviewer:

*Measurement and Evaluation in Counseling and Development; Sex Roles, Developmental Psychology, Counseling Psychologist, Child Development, Professional Psychology: Research and Practice, American Psychologist.*

### Books

- Swanson, J.L., & Fouad, N.A. (2015) *Career theory and practice: Learning through cases*. Thousand Oaks, CA: Sage (3rd ed). Thousand Oaks, CA: Sage.
- Fouad, N. A., & Subich, L. M., (Eds) (2012) *APA Handbook of Counseling Psychology: Volume 1. Theories and Research*. Washington DC: APA.
- Fouad, N. A., & Carter, J. (Eds) (2012) *APA Handbook of Counseling Psychology: Volume 2. Applications*. Washington DC: APA.
- Swanson, J.L., & Fouad, N.A. (2010) *Career theory and practice: Learning through cases*. Thousand Oaks, CA: Sage (2<sup>nd</sup> ed). Thousand Oaks, CA: Sage.
- Hasan, N., Fouad, N. A. & Williams-Nickelson, C. (Eds). (2008). *International Student Resource Book*. American Psychological Association. Washington, D. C..
- Toporek, R L., Gerstein, L., Fouad, N.A., Roysircar, G., & Israel, T. (Eds.) (2006) *Handbook for social justice in counseling psychology: Leadership, vision, and action*. Thousand Oaks, CA.: Sage.
- Fouad, N. A., & Arredondo, P. A. (2006). *Becoming culturally oriented: Practical advice for psychologists*. Washington, DC: APA.
- Heppner, P. P., Fouad, N. A., & Hansen, N. D. (2003). *Pioneers in Counseling and Development, 2<sup>nd</sup> ed*. Columbia, MO: University of Missouri.
- Swanson, J.L., & Fouad, N.A. (1999) *Career theory and practice: Learning through cases*. Thousand Oaks, CA: Sage (2<sup>nd</sup> edition due out in 2009).
- Sue, D. W., Carter, R. T., Casas, J.M., Fouad, N.A., Ivey, A.E., Jensen, M. , La Fromboise, T., Manese, J., Ponterotto, J.G., Vasquez, E.N. (1998). *Multicultural counseling competencies: Individual, professional and organizational development*. Thousand Oaks, CA: Sage.

### Chapters in books

- Fouad, N. A., Whiston, S. C., & Feldwisch, R. (2016). Men and men's careers. In Y. J. Wong & S. R. Wester (Eds.), *APA handbooks in psychology series. APA handbook of men and masculinities* (pp. 503-524).  
<http://dx.doi.org/10.1037/14594-023>
- Kantamneni, N., & Fouad, N. A. (2014). Qualitative approaches to studying cultural values. In M. Pope, L. Y. Flores, & P. J. Rottinghaus (Eds.), *The role of values in careers* (pp. 87-99). Charlotte, NC: IAP Information Age Publishing.
- Fouad, N. A. & Jackson, M. (2013). Professional issues in Vocational Psychology. In W. B. Walsh & M. L. Savickas (Eds). *Handbook of Vocational Psychology*, 3<sup>rd</sup> ed., (pp. 305-320) Mahweh, NJ: Lawrence Erlbaum.
- Fouad, N.A. & Kantamneni, N. (2013). The role of race and ethnicity in career choice, development and adjustment. In S. D. Brown & R.W. Lent (Eds). *Career development and counseling: Putting theory and research to work*. (2<sup>nd</sup> ed., pp. 215-244). New York: Wiley.
- Fouad, N. A. & Grus, C. L. (2014) Competency based education and training in professional psychology. In B. Johnson & N. Kaslow (Eds). *The Oxford Handbook of Education and Training in Professional Psychology*. New York: Oxford.
- Fouad, N. A. & Prince, J. D. (2012). Social justice in Counseling Psychology. In E. Altmaier & J. C. Hansen (Eds). *Handbook of Counseling Psychology*, New York: Oxford.
- Lent, R. W. & Fouad, N. A. (2011). The self as agent in Social Cognitive Career Theory. In P. J. Hartung & L. M. Subich (Eds.), *Constructing Self in Work and Career*. Washington, DC: American Psychological Association.
- Fouad, N. A. & Korell, S. C. (2014). Considering Social Class and Socio-Economic Status in the Context of Multiple Identities: An Integrative Clinical Supervision Approach. In C. A. Falender, & E. P. Shafranske & C. Falicov (Eds),. *Diversity and Multiculturalism in Clinical Supervision: Foundation and Praxis--A Guide to Clinical Practice*. Washington, D.C.: American Psychological Association.
- Fouad, N. A. & Kantamneni, N., (2009) Cultural validity of Holland's theory. In J. G. Ponterotto, J. M. Casas, L. A. Suzuki & C. A. Alexander (Eds.) *Handbook of multicultural counseling* (3<sup>rd</sup> ed.). Thousand Oaks, CA: Sage.

- Blustein, D. L. & Fouad, N.A. (2008). Changing face of vocational psychology: The transforming world of work. In W. B. Walsh (Ed.) *Biennial Review of Counseling Psychology, Volume 1*. Mahweh, NJ: Lawrence Erlbaum.
- Fouad, N. A. & Kantamneni, N., (2008). Contextual factors in Vocational Psychology: Intersections of Individual, group, and societal dimensions. S.D. Brown and R. W. Lent, (Eds). *Handbook of Counseling Psychology 4<sup>th</sup> ed.*. New York: Wiley.
- Fouad, N. A., Smothers, M. K., Kantamneni, N., Guillen, A. (2008). Vocational Inventories. In R. Parker (Ed.). *Handbook of Evaluation and Measurement in Rehabilitation (4<sup>th</sup> ed)*. Giathersburg, MD: Aspen.
- Fouad, N.A. (2006). Culture and careers. In J. Greenhaus & G. Callanan (Eds). *Encyclopedia of Career Development*. Thousand Oaks, CA: Sage.
- Henry, C., & Fouad, N.A. (2007). International students from the Middle East. In H. D. Singaravelu & M. L. Pope (Eds.) *Counseling International students*. Alexandria, VA: American Counseling Association.
- Fouad, N. A., & Byars, A. M. (2004) Work: Cultural perspectives on career choices and decision-making. In R. T. Carter (Ed). *Handbook of racial/cultural psychology* (pp. 232-255). New York: Wiley.
- Helledy, K. I., Fouad, N. A., et al. (2004). The impact of cultural variables on vocational psychology: Examination of the Fouad and Bingham (1995) Culturally Appropriate Career Counseling Model. In R. T. Carter (Ed). *Handbook of racial/cultural psychology* (pp. 262-285). New York: Wiley.
- Fouad, N. A., Helledy, K. I. & Metz, A. J. (2003). Effective strategies for career counseling with women. In M Kopala & M. Keitel (Eds.) *Handbook of Counseling Women* (pp. 131-151). Newbury Park, CA: Sage.
- Fouad, N.A. (2001). Reflections of a nonvisible racial/ethnic minority. In J. G. Ponterotto, J. M. Casas, L. A. Suzuki & C. A. Alexander (Eds.) *Handbook of multicultural counseling* (2<sup>nd</sup> ed., pp. 55-63). Thousand Oaks, CA: Sage.
- Fouad, N.A., & Tang, M. (2000). Vocational interests. *Handbook of Measurement and Evaluation in Rehabilitation* (pp. 169-194). Giathersburg, MD: Aspen.

- Fouad, N.A., & Brown, M. (2000). Race, ethnicity, culture, class and human development. In S.D. Brown & R.W. Lent (Eds.) *Handbook of Counseling Psychology* (3rd ed., pp. 379-410). New York: Wiley.
- Tang, M., & Fouad, N.A. (1999). The magnitude of acculturation and its impact on Asian American career development. In D. Sandhu (Ed.) *Asian and Pacific Islander Americans: Issues and concerns for counseling and psychotherapy* (pp.123-136). Commack, NJ: Nova
- Fouad, N.A. (1999). Validity evidence for interest inventories. In A. Spokane & M.L. Savickas (Eds.) *Vocational interests* (pp. 193-210). Palo Alto, CA: Davies-Black.
- Fouad, N.A., & Meyer Chan, P. (1999). Gender and ethnicity: Their influence on test interpretation and reception. In R.K. Goodyear & J.W. Lichtenburg (Eds.) *Scientist-practitioner perspectives on test interpretation* (pp. 31-58). Boston: Allyn & Bacon.
- Fouad, N. A., & Bingham, R. (1995). Career counseling with racial/ethnic minorities. In B. Walsh & S. Osipow, *Handbook of vocational psychology* (2nd ed., pp. 331-366). Mahwah, NJ: Lawrence Erlbaum.
- Fouad, N. A. (1995). Cross-cultural vocational assessment of Hispanic- Americans. In F. L. Leong (Ed.), *Career development and vocational behavior of racial and ethnic minorities* (pp. 165-192). Hillsdale, NJ: Lawrence Erlbaum.
- Vondracek, F. W., & Fouad, N. A. (1994). Developmental contextualism: An integrative framework for theory and practice. In M. L. Savickas & R. W. Lent (Eds.), *Convergence in career choice and development* (pp. 207-214). Palo Alto, CA: Consulting Psychologists.
- Fouad, N.A. & Harmon, L. (1994). Cross-cultural use of the Strong Interest Inventory. In L. Harmon, J.C. Hansen, F. Borgen, & A. Hammer *Strong Interest Inventory Manual* (5th ed. (pp. 255-288). Consulting Psychologists Press: Palo Alto, CA

#### Other Publications

- Fouad, N. A. & Singh, R. (2011). Stemming the tide: Why women leave engineering. Available at <http://studyofwork.com> (Supported by the National Science Foundation, award Number 0827553)
- Fouad, N. A. (2002). Book review: Women, work, and family: Balancing and weaving by Angela Hattery. *Psychology of Women Quarterly*, 26, 94-95.
- Fouad, N. A. (1992). Work values. In L. K. Jones (Ed.), *Encyclopedia of career decisions and work issues*. Phoenix, AZ: Oryx.

Fouad, N. A. Career Education. (1988). In R. A. Gorton and G. Schneider (Eds.) *Encyclopedia of School Administration and Supervision* (pp. 46-47), Phoenix, AZ: Oryx.

Meyer, A. B., Fouad, N. A., & Klein, M. (1986). Vocational inventories. In B. Bolton (Ed.) *Handbook of Measurement and Evaluation in Rehabilitation* (2nd Ed.) (pp. 119-140), Baltimore, MD: Brookes.

### Technical Reports

*Multicultural Guidelines on Education. Training, Research, Practice, and Organizational Development for Psychologists* (2002, *American Psychologist*, 2003).

*Psychology's role in the school to work opportunities movement: Report of the School to Work Task Force*, Nadya Fouad, Chair. American Psychological Association.

*Women Psychologists in Academe: Celebrating Successes and confronting challenges.* Report of the Task Force on Women in Academe. Nadya Fouad, chair, American Psychological Association.

Fouad, N.A. *Career Linking. An evaluation of Career Linking 1988-1991.* Submitted to the Edna McConnell Clark Foundation, December 1991.

Fouad, N.A. *Career Linking. Final Report.* Submitted to Carnegie Foundation, 1989.

Fouad, N.A. *Career Connections: Interim Report: 1990.* Submitted to the National Science Foundation.

Fouad, N.A. *Career Connections: Interim Report: 1991.* Submitted to the National Science Foundation.

Fouad, N.A. *Career Connections: Final Report: 1994* Submitted to the National Science Foundation.

### Grants received or in preparation

Fouad, N. A. (Co-Principal), "ADVANCE BUILD," Sponsored by National Science Foundation, , \$3,656,798.00. (submitted November, 2013) Not funded

*Gender Differences in Retention/Turnover of Engineers.* (2012-2014) National Science Foundation. \$522,000. Funded. Co-principal investigator with Romila Singh.

*Women in Engineering Career: Persistence or Not?* (2008-2011) National Science Foundation. \$499, 000. Funded. Co-principal investigator with Romila Singh. Funded

*Barriers for Women in STEM Careers (2007).* Principal Investigator. Research Growth Initiative at the University of Wisconsin-Milwaukee. \$76,000. Funded

*Barriers to entry: Women in engineering environments.* (2004-6) Co-Principal Investigator with P. Smith, G. Hackett (Arizona State). National Science Foundation Gender in Science and Engineering, \$499,000

*Culturally competent Counseling psychologists: community linkages.* (2003; not funded) Principal Investigator. Graduate Psychology in Education Program, Department of Health and Human Services (\$92,000)

*African American males in special education.* (1998) Principal investigator (1999) Helen Bader Foundation \$70000.

*Mentoring of junior faculty women.* (1994) Coordinator/author, UW System and UW-Milwaukee, \$16,500.

*Career connections.* Principal investigator/author. (1989-1992). National Science Foundation, \$352,435.

*Wisdot composite.* Co-principal investigator/co-author (1987). Funded by Wisconsin Department of Transportation, \$30,000.

*Career linking: A model for middle school intervention* (1988). Principal author/investigator. Awarded by Carnegie Foundation. \$20,000.

Refereed and Invited Papers presented at professional meetings.

Fouad, N.A. (2015). Integrating career counseling and psychotherapy with different populations. Symposium conducted at the American Psychological Association, Toronto Canada

Fouad, N.A., Santana, M., Ramos, E. (2015). Bilingual counseling and supervision: Multicultural competence and culture. Symposium conducted at the American Psychological Association, Toronto Canada

Fouad, N.A. & Swanson, J.L. (2015). Career transitions in midlife. Symposium conducted at the American Psychological Association, Toronto Canada

Cheng, W. & Fouad, N. A. (2014). International Students' Acculturation Experience With Career Decision Making and Transition, poster presented at the American Psychological Association, Washington, DC.



- Fouad, N. A. (2014) Where are we heading? Gaining wisdom from counseling psychology changemakers. Symposium conducted at the American Psychological Association, Washington, DC.
- Fouad, N.A. (2014) Leaning in but getting pushed back (and out). Invited plenary presented at the American Psychological Association Annual Conference, Washington, DC.
- Fouad, N. A. (2014). Future of counseling psychology research. Symposium conducted at the American Psychological Association, Washington, DC.
- Fouad, N. A. & Singh, R. (2013) Stemming the Tide: Why women leave engineering and what we can do about it. Symposium presented to the Committee on Women in Science, Engineering and Medicine, National Academies of Science and Engineering, Washington, DC.
- Kies, A. & Fouad, N. A. (2012). *Forty years after Title IX: The Insidious effects of sexism on athletic leadership and a call for change*. Poster session presented at the American Psychological Association Annual Conference, Orlando, FL
- Ghosh, A. & Fouad, N.A. (2012). *Factors Influencing the Career Choices of Student Veterans* Poster session presented at the American Psychological Association Annual Conference, Orlando, FL
- Fouad, N.A., (2012). Discussant, Symposium: [\*Does It Work For Us---Ethnic Minority Psychological Associations Comment on the APA Ethics Code\*](#). presented at the American Psychological Association Annual Conference, Orlando, FL
- Fouad, N. A. (2012). Participant, Symposium: Ethics Hot Topics. presented at the American Psychological Association Annual Conference, Orlando, FL
- Fouad, N. A., Kies, A., Parisot, M. (2012). [\*Consultation and Implementation of Social Justice With a Community-Based Organization\*](#) Conversation hour presented at the American Psychological Association Annual Conference, Orlando, FL
- Hatcher, R. L., Fouad, N.A., Grus, C.L., Campbell, L., & McCutcheon, S. (2012). [\*Competencies Benchmarks for Everyday Use by Supervisors and Faculty\*](#) Symposium conducted at the American Psychological Association, Orlando, FL.
- Fouad, N A. (2011). *Contextual Factors in Unemployment* Symposium conducted at the American Psychological Association, San Diego, CA.
- Fouad, N. A. (2011). Participant, Symposium: Ethics Hot Topics. presented at the American Psychological Association Annual Conference, San Diego, CA

Fouad, N A.; Singh, R. Fitzpatrick, M.; Liu, J.P.; Parisot, M.; Figueiredo, C. M. .  
*Women's persistence in engineering careers* Symposium conducted at the  
American Psychological Association, San Diego, CA.

Kantamneni, N & Fouad, N. A. (2010). *Vocational Interests and Contextual Influences  
in South Asians' Vocational Development*. Poster session presented at the  
American Psychological Association Annual Conference, San Diego, CA.

Christianson, H. Weiss, J., & Fouad, N.A. (2009).

Fouad, N. A. (2010). Unemployment and mental health. Presented at the Education  
Leadership Conference, Washington DC.

Fouad, N. A. (2010). Participant, Symposium: Ethics Hot Topics. presented at the  
American Psychological Association Annual Conference, Washington, DC.

Fouad, N.A. (2010). *Science and Math Careers: Gender and Grade Level Differences in  
Barriers and Supports*, University of Minnesota Lecture Series, Minneapolis, MN

Fouad, N. A., Kies, A., Thomas, R., Liu, J., Fitzpatrick, M. E. (2010). *Perceptions of Career  
Transitions Among Division I Collegiate Student-Athletes*. Poster session  
presented at the American Psychological Association Annual Conference, San  
Diego, CA

Fouad, N. A., Liu, J., Gray, I., Fitzpatrick, M. E. (2010). *Perceptions of economy and work  
related decisions*. Poster session presented at the American Psychological  
Association Annual Conference, San Diego, CA

Gray, I., Boswell, T., Fouad, N., (2009, August) *Contextual Factors Predicting Career Choice Traditionality For African Americans*. Poster session presented at the American Psychological Association Annual Conference, Toronto, Canada

Gray, I., Boswell, T., Fouad, N., (2009) *The effects of Stereotype threat on the Career Choice Traditionality of African Americans*, Poster session presented at the Winter Roundtable Conference, Teacher's College, New York

Boswell, T., Gray, I., Fouad, N., (2009) *The Effects of Racial Identity Attitudes on the Career choice/Interest Congruency of African Americans*, Poster session presented at the Winter Roundtable Conference, Teacher's College, New York

Gray, I., Boswell, T., Fouad, N., (2009) *Practical Application of a Culturally Appropriate Career Counseling Model*, Round Table Discussion, at the Great Lakes Regional Counseling Psychology Conference, Ball State University, Muncie IN

Cotter, E. W. & Fouad, N. A. (2009, August). Subjective well-being and vocational personality type. Poster presented at the American Psychological Association Annual Convention in Toronto, Ontario.

Fouad, N. A., Cotter, E. W., Bernfeld, S. J., Carter, L., Gray, I. & Liu, J. P. (2009, August).

Voices of the dislocated worker: How socioeconomic status may influence work decisions. Poster presented at the American Psychological Association Annual Convention in Toronto, Ontario.

Fouad, N. A., Liu, J., Gray, I., & Cotter, E. W. (2009, June). Perceptions of the Economy and Individual Work Decisions. Poster presented at the Society for Vocational Psychology Biennial Conference in St. Louis, MO.

Fitzpatrick, M. E., Cotter, E. W., Bernfeld, S., Carter, L., Kies, A., and Fouad, N. A. (2009, June). Importance of Workplace Bullying to Vocational Psychology: A Research Agenda. Poster presented at the Society for Vocational Psychology Biennial Conference in St. Louis, MO.

Fouad, N.A. (2009) Contextual influences on work and career decisions. Invited presentation to Wisconsin Consortium of College Career Counselors.

Fouad, N. A. (2009). Math and science barriers and supports. Invited presentation to Milwaukee School of Engineering

Fouad, N. A. (2009). Math and science barriers and supports. Invited presentation to School of Education, Lehman College, New York.

Fouad, N. A. (2009) Multicultural Guidelines. Invited presentation, Diversity Scholar, University of Missouri- Columbia.

Fouad, N. A. (2009) Mentoring for multicultural competencies, Invited presentation, Diversity Scholar, University of Missouri- Columbia.

Fouad, N. A. (2009) Mentoring for multicultural and advocacy competencies. Invited presentation for Helms Award, Cross-cultural Roundtable, Teachers College, New York.

Fouad, N. A., Chen, Y. L., Altman, B. A., Bernfeld, S., Carter, L. M., Cotter, E.W., Fitzpatrick, M. E., Gray, I., Kantamneni, N., Liu, J.P. (2008, August). Family influence on career decision making: Instrument validation. Symposium conducted at the American Psychological Association, Boston, MA.

Fitzpatrick, M. E., Fouad, N.A., & Liu, J.P. (2008, August). Accomplishments and challenges for women in STEM careers. Symposium conducted at the American Psychological Association, Boston, MA.

Fouad, N.A., Hackett, G., Smith, P., Kantamneni, N., Fitzpatrick, M., Haag, S. (2007, August).

[Career Choice Barriers: Differences at Three Developmental Stages](#). Symposium conducted at the American Psychological Association, San Francisco, CA.

Fouad, N.A., Fitzpatrick, M. E., Vespia, K., Kantamneni, N., Chen, Y.P., & Terry, S. (2007, August). Multicultural Career Counseling Competencies: The Current State of Practice. Poster session presented at the meeting of the American Psychological Association, San Francisco, CA.

Fouad, N. A. (2007, August). [Women Supporting Women---Mentoring Between APAGS and Eminent Psychologists](#). Symposium conducted at the American Psychological Association, San Francisco, CA.

Fouad, N. A. (2007, March). Multicultural Challenges and Practices in Therapy. Presentation to the New Jersey Psychological Association Executive Board.

Fouad, N. A., Hackett, G., Kantamneni, N., Fitzpatrick, M. (2006, August). Career choice barriers: Environmental influences on women's STEM career choices. Symposium conducted at the American Psychological Association, Washington, D.C.

Wester, S. R., Fowell, H., Fouad, N.A., Santiago-Rivera, A. (2006, August). Information-processing model for faculty dealing with problematic students. Symposium conducted at the American Psychological Association, Washington, D.C.

Fouad, N. A., Kantamneni, N., Smothers, M.K., Chen, Y. L., Guillen, A., & Terry, S., (2006, August). Asian-American Career Development: A qualitative analysis. Poster session presented at the meeting of the American Psychological Association, Washington,

Fouad, N. A. (April, 2006). Multicultural Guidelines: Practices and challenges in Therapy. Keynote address to the Wisconsin Psychological Association.

Fouad, N.A. (2005, August). Discussant in R. W. Lent (Chair), *Work--family conflict: Exploring the role of self-efficacy*. Symposium conducted at the American Psychological Association, Washington, D.C.

Fouad, N.A. (2005, August). Discussant in D. L. Blustein (Chair), *Adolescents' constructions of work and school: An international perspective*. Symposium conducted at the American Psychological Association, Washington, D.C.



Fouad, N. A., Guillen, A., Harris-Hodge, E., Henry, C., Novakovic, A. & Terry, S. (2005, August). *Need, awareness, and use of career services for college students*. Poster session presented at the meeting of the American Psychological Association, Washington, D.C.

Metz, A.J., Fouad, N. A., Ihle-Helledy, K. (2005, August). *Career aspirations and expectations of college students: Demographic and labor market influences*. Poster session presented at the meeting of the American Psychological Association, Washington, D.C.

Fouad, N. A., Chen, Y. L., Guillen, A., Henry, C., Kantamneni, N., Novakovic, A., & Terry, S. (2005, August) *Role induction in career counseling*. Poster session presented at the meeting of the American Psychological Association, Washington, D.C.

Fouad, N. A. (2005, June). *Incorporating cultural context into career counseling: What we know to be more effective*. Invited paper presented at the meeting of the National Career Development Association, Orlando, FL.

Fouad, N. A. (2005, April). *The scientifically-minded Psychologist and the role of work in psychological health: Core and specific competencies for counseling psychologists*. Invited paper presented at the meeting of the Great Lakes Regional Counseling Psychology conference, Bloomington, IN.

Fouad, N. A. (2005, April). *APA Guidelines on Multicultural Education, Training, Research, Practice and Organizational Change*. Invited paper presented to the meeting of the Wisconsin Psychological Association, Madison, WI.

Fouad, N. A. & Blustein, D. L. (2005, February). *The role of work in psychological health.*

Invited paper presented at the meeting of the Council of Counseling Psychology Training Programs, Palm Springs, CA.

Fouad, N. A. (2005, January). *Incorporating cultural context into career counseling.*

Invited paper presented at the meeting of the Wisconsin Careers Association.

Fouad, N. A. (2004, July). Multicultural Guidelines: Implementation in an urban counseling psychology program. In P. Arredondo (Chair), *Implementation of the Multicultural Guidelines*. Symposium conducted at the American Psychological Association, Honolulu, HA.

Fouad, N. A. (2004, July). Training Counseling Psychologists in 2004: Issues and Challenges in Enhancing Distinctiveness. In W.B. Walsh (Chair), *Enhancing the distinctiveness of counseling psychology*. Symposium conducted at the American Psychological Association, Honolulu, HA.

Fouad, N. A. (2004, June). *Connecting to school to work*. Presentation to teachers as part of NSF-funded project, Oregon State University. Portland, OR,

Fouad, N. A.(2004, April). *Invited Keynote Address. Vocational Interests: Gender and Race Differences and Implications for Career Counseling*. Paper presented to the University of Illinois Symposium on Race. Champaign, IL.

Fouad, N.A (2004 March). *Invited Address: Multicultural Guidelines*. Seton Hall University,

Fouad, N. A. (2003, August) *Discussant, Symposium: Counseling psychology in 2025*. American Psychological Association, Toronto, Canada.

Fouad, N. A. (2003, July) *Keynote address: Involuntary transitions. A culture-centered approach*. Paper presented to the meeting of the Society for Vocational Psychology, 6<sup>th</sup> biannual conference, Coimbra, Portugal.

Fouad, N. A (2003, August). *Multicultural Counseling Competencies- what have we done and where do we go from here?* Paper presented to the meeting of the American Psychological Association, Toronto, Canada.

Fouad, N. A. (2003, February). *Multicultural Guidelines: Best Practices for Counseling Psychology Training*. Invited address presented to the meeting of the Council of Counseling Psychology Training Programs Conference, Tampa, FL.

Fouad, N. A. (2003, January). *Multicultural Guidelines: Implications for Educators, Researchers and Practitioners*. Invited Address to School of Education, University of Missouri-Kansas City.

Fouad, N. A. (2002, November). *Landscape issues*. Invited address to Association for Predoctoral and Postdoctoral Internship Centers (APPIC) Competencies Conference, Phoenix, AZ,

Fouad, N. A. (2002, August). Discussant, *Values for the future of counseling psychology*. W. B. Walsh (Chair), Symposium conducted at the meeting of the American Psychological Association, Chicago, IL,

Hartung, P. J., Fouad, N. A., Leong, F. T. L. & Hardin, E. (2002, August). *Cultural value orientation, family expectations, and career development*. Poster presented at the meeting of the American Psychological Association, Chicago, IL.

Fouad, N. A. (2002, August). (Discussant) *Differential status identity: Construct, measurement, and initial validation*. American Psychological Association, Chicago, IL, 2002

Fouad, N. A. (2002, August). (Discussant) *Bridging the multicultural counseling competencies gap-suggestions for addressing diversity issues*. Symposium presented at the meeting of the American Psychological Association, Chicago, IL,

Fouad, N.A. (2002, February). *Multicultural guidelines*. Invited presentation to the meeting of the Council of Counseling Psychology Training Programs, Phoenix, AZ,

Fouad, N. A. (2002, May). *Keynote address*, School of Education Research Conference, University of Denver, Denver, CO.

Fouad, N.A. (2001, August). (Co-chair symposium). *National conference—hopes dreams, and opportunities*. Paper presented at the meeting of the American Psychological Association, San Francisco, CA,

Fouad, N.A. & Swanson, J.L. (2001, August). *Expanding the sex and culture relevance of interest inventory items*. Paper presented at the meeting of the American Psychological Association, San Francisco, CA,

Spokane, A.R., Fouad, N.A. & Swanson, J.L.(2001, August). *Culture centered career intervention*. Paper presented at the meeting of the American Psychological Association, San Francisco, CA,

Helledy, K.I, Zytowski, D. & Fouad, N.A.(2001, August). *Kuder Career Search: Consequential validity and test-retest reliability*. Poster presented at the meeting of the American Psychological Association, San Francisco, CA,

Stead, G., Els, & Fouad, N.A. (2001, August). *Perceived career barriers and interventions in South Africa*. Poster presented at the meeting of the American Psychological Association, San Francisco, CA,

Fouad, N.A.(2001, August). *Alternative futures for vocational psychology: SWOT analysis*. M.L. Savickas (Chair), Symposium conducted at the meeting of the American Psychological Association, San Francisco, CA,

Fouad, N.A.(2001, August). *Dreams of 2010: Making a Difference Division 17 2001 Presidential Address*. American Psychological Association, San Francisco, CA,

Gibson, P.W., Fouad, N.A., Anders, K.A., Harris-Hodge, E., Helledy, K.L. (2001, August). *Differential status identity: operational definition and measurement*. Poster

presented at the meeting of the American Psychological Association, San Francisco, CA,

Fouad, N. A. & Zao, K. E. (2000, August). *Meeting the revolution: Future trends in vocational assessment*. W. B. Walsh (Chair). Symposium conducted at the meeting of the American Psychological Association, Washington, D.C,

Gibson, P. W., Fouad, N.A. & Smith, P. L (2000, August). . *Family influences on women's career goals in math and science*. Poster presented at the meeting of the American Psychological Association, Washington, D.C,

Fouad, N. A (2000, August). (Co-chair). *Creating successful strategies for promoting diversity in APA Divisions and state and provincial associations*. Symposium conducted at the meeting of the American Psychological Association, Washington, D.C,

Fouad, N. A. (2000, August). (Chair). *Roundtable discussion: Applying theoretical innovations in vocational psychology*. American Psychological Association, Washington, D.C.



Fouad, N. A. (2000, August). (Chair). *Building the next stage of career development-new theoretical innovations*. Symposium conducted at the meeting of the American Psychological Association, Washington, D.C.,

Byars, A. M. & Fouad, N. A. (2000, August). *Math and science-related social cognitive variables in college students*. Poster presented at the meeting of the American Psychological Association, Washington, D.C,

Fouad, N.A. (1999, August). Methodological diversity in vocational psychology. In G. Hackett & J. Lichtenburg (Chairs). *Issues related to methodological diversity in counseling psychology research*. Symposium conducted at the meeting of the American Psychological Association, Boston, MA,

Fouad, N.A. (1999, August). (Chair). *Critical issues for women in the new millenium: Women in academe*. Symposium conducted at the meeting of the American Psychological Association, Boston, MA,

Fouad, N.A. (1999, August). (Chair). *Roundtable: Legacy of Frank Parsons-social advocacy*. American Psychological Association, Boston, MA,

Fouad, N.A. (1999, August). (chair). *Symposium: Frank Parsons-contributions to vocational psychology 90 years later*. Symposium conducted at the meeting of the American Psychological Association, Boston, MA,

Fouad, N.A. (1999, August). *Discussion: Report of the findings of the multidivisional school-to-work task force-determinations of psychology's role in the school to work effort*. Session conducted at the meeting of the American Psychological Association, Boston, MA.

Fouad, N.A. Stark, R., Harris-Hodge, E. & Smith, P. (1999, August). *Parental role modeling among Black college students*. Poster presented at the meeting of the American Psychological Association, Boston, MA.

Fouad, N.A., Zao, K., & Smith, P. (1999, August). *Prestige and parental influence on aspired career choice*. Poster presented at the meeting of the American Psychological Association, Boston, MA.

Fouad, N.A., Stead, G., & Els, C. (1999, August). *Perceived barriers questionnaire: Construct validity among South African students*. Poster presented at the meeting of the American Psychological Association, Boston, MA.

Fouad, N.A., & Stead, G. (1999, August). *School to work transition: Barriers and interventions among disadvantaged students*. Poster presented at the meeting of the American Psychological Association, Boston, MA.

Chartrand, J., Fouad, N.A. & Prince, J. (1998, August). *Interest measurement and assessment: Multicultural diversity and the Strong Interest Inventory*. Poster

presented at the meeting of the American Counseling Association, Indianapolis, IN.

- Fouad, N.A., Stark, R., & Zukerman, D. (1998, August). *Career counseling with racial/ethnic minority clients: Applying the Culturally Appropriate Career Counseling Model*. Paper presented at the meeting of the Great Lakes Regional Conference, Bloomington, IN.
- Fouad, N.A. & Westefeld, J.W. (1998, August). *The relationship between career indecision, depression and suicidal risk among college students: An exploratory study*. Poster presented at the meeting of the American Psychological Association, San Francisco, CA.
- Fouad, N.A. (1998, August). (Chair) *Sections of Division 17 Mentoring Roundtables*. Presented at the meeting of the American Psychological Association, San Francisco, CA,
- Fouad, N.A. (1998, August). (Discussant) *Present and Future of Career Assessment: Validating models and measures*. Symposium conducted at the meeting of the American Psychological Association, San Francisco, CA.
- Ferry, T. R., Fouad, N.A., & Smith, P.L. (1998, August). *Women's career development: A math and science social cognitive model*. Poster presented at the meeting of the American Psychological Association, San Francisco, CA,
- Fouad, N.A. (1997, August). *Misshapen polygons*. Symposium conducted at the meeting of the American Psychological Association, Chicago, IL.
- Spreda, S., Fouad, N.A., & Rhyner, P.A. (1997, August). *Effectiveness of a university mentoring program*. Poster presented at the meeting of the American Psychological Association, Chicago, IL.
- Tang, M. & Fouad, N.A. (1997, August). *Asian Americans Career choice: a path model*. Poster presented at the meeting of the American Psychological Association, Chicago, IL.
- Fouad, N.A. (1996, August). *Culturally Appropriate Career Counseling Model applied to Hispanics*, Symposium conducted at the meeting of the American Psychological Association, Toronto, Canada.
- Betsworth, D. & Fouad, N.A. (1996, August). *Vocational Interests: a glance at 70 years*. Symposium conducted at the meeting of the American Psychological Association, Toronto, Canada.
- Fouad, N.A. (1995, August). *Multicultural career counseling. Cross-cultural roundtable*, Presented at the meeting of the American Psychological Association, New York.

- Fouad, N.A. & Spreda, S. L. (1995, August). *Career self-efficacy of middle school students*. Poster presented at the meeting of the American Psychological Association, New York,
- Fouad, N.A. & Tang, M. (1995, August). *Path model for Asian American career choices*. Poster presented at the meeting of the American Psychological Association, New York.
- Fouad, N.A. (1995, August). *Special groups and the beneficial use of interest inventories*. Symposium conducted at the American Psychological Association, New York.
- Fouad, N.A. (1994, August). *Reflections on cultural contexts (Fellows Symposium)*. N. E. Betz (Chair), Symposium conducted at the meeting of the American Psychological Association, Los Angeles, CA.
- Fouad, N.A., Davis, J.D., & Post, P. (1994, August). *Personal growth activities for counselors in training*. Symposium conducted at the meeting of the American Counseling Association, Minneapolis, MN.
- Leitheiser, R.L. & Fouad, N.A. (1993, December). *Cultural determinants in requirements determination*. Paper presented at the meeting of the International Conference on Information Systems, Orlando, FL.
- Fouad, N.A. (1994, January). *Career assessment and intervention with Hispanics*. Paper presented at the meeting of the National Career Development Association, Albuquerque, NM,
- Fouad, N.A. (1994, August). *Career assessment with Latinos/Hispanics*. Paper presented at the meeting of the American Psychological Association, Los Angeles, CA,
- Fouad, N. A., & Ellmann, S. (1993, August). *Career connections*. Paper presented at the meeting of the American Psychological Association, Toronto, CA,
- Dancer, L.S. & Fouad, N.A (1993, June). *Homogeneity of interests*. Paper presented at the meeting of the American Psychological Society. Chicago, IL,
- Fouad, N. A. (1992, August). *Cross-cultural vocational assessment*. Paper presented at the meeting of the American Psychological Association, Washington, DC,
- Fouad, N. A. (1992, August)..*Curricular approaches to training in multicultural counseling*. Paper presented at the meeting of the American Psychological Association. Washington, DC,
- Fouad, N. A. (1991, August). *Multicultural career counseling*. Paper presented at the meeting of the American Psychological Association, Montreal, Canada.

- Fouad, N. A. (1991, March). *Career linking*. Paper presented at the meeting of the American Association for Counseling and Development. Reno, Nevada.
- Fouad, N. A., & Puzia, M. (1990, May). Career connections. Paper presented at the meeting of the National Association for Partnerships in Education. Washington, DC,
- Fouad, N. A. (1990, August). *Challenges of vocational psychology*. Paper presented at the meeting of the American Psychological Association. Boston, MA.
- Fouad, N. A. (1990, August). Discussant. *Towards a model of multicultural career development*. Paper presented at the meeting of the American Psychological Association. Boston, MA.
- Fouad, N. A. (1989, August). Chair and discussant, *Cross-cultural research*. Symposium conducted at the meeting of the American Psychological Association, New Orleans, LA.
- Fouad, N. A., & Chartrand, J. (1989, Symposium). *Balancing work and family in career development*. Paper presented at the meeting of the American Psychological Association, New Orleans, LA,
- Fouad, N. A., Hains, A., & Davis, J. L. (1989, March). Counseling students' perceived need for therapy. Paper presented at the meeting of the American Association of Counseling and Development, Boston, MA,
- Fouad, N.A. (1989, July). *Invited participant: Cross-cultural interest measurement*. Symposium on the Strong-Campbell Interest Inventory, Palo Alto, CA,
- Fouad, N. A. (1988, August). .Invited participant: Symposium: *New professionals in counseling psychology: Gender, racial, and ethnic issues*. Paper presented at the meeting of the American Psychological Association, Atlanta, GA.
- Fouad, N. A., Ellickson, J., Griffin-Pierson, S., (1988, May). What do we need as women professionals? Paper presented at the meeting of the APA Division 17 Central Midwestern Regional Conference, Allerton, IL,
- Fouad, N. A. (1987, August). Cross-cultural similarity of vocational interests of professional engineers. J. C. Hansen (Chair), Symposium *Interest Measurement: New Perspectives* conducted at the American Psychological Association, New York.
- Fouad, N. A. (1987, April). *Impact of relationships on the career development of women*. Paper presented at the meeting of the American Association of Counseling and Development, New Orleans,

- Fouad, N. A. (1986, August). *Construct of career maturity in U.S. and Israel*. Poster presented at the meeting of the American Psychological Association, Washington, DC,
- Fouad, N. A. (1986, August). Discussant, *Measuring vocational interests: New findings for research and practice*. American Psychological Association, Washington, DC.
- Fouad, N. A. & Post-Kammer, P. (1986, April). *Work values and sex-role orientation of women*. Paper presented at the meeting of the American Association for Counseling and Development; Los Angeles, CA.
- Fouad, N. A. & Bracken, B. (1985, November). *Cross-cultural translation and validation of the BBCS*. Paper presented at the meeting of the 2nd Conference on Minority Assessment; Tucson, AZ,
- Fouad, N. A. & Bracken, B. (1985, June). Cross-cultural translation and validation of two U.S. psychoeducational assessment instrument. Paper presented at the XX Interamerican Congress of Psychology; Caracas, Venezuela..
- Fouad, N. A. (1984, August). *Cross-cultural differences in predictive accuracy of the Stong-Campbell Interest Inventory*. Paper presented at the meeting of the American Psychological Association, Toronto, Canada.
- Fouad, N. A., Stewart, E., & Konrads, S. (1984, August). *Use of the flexibility construct in counseling prediction*. Poster presented at the meeting of the American Psychological Association; Toronto, Canada.
- Fouad, N. A. (1983, August). Comparison of the structure of interests for Hispanic bilingual high school students. J. C. Hansen, (Chair), Symposium conducted at the meeting of the American Psychological Association; Anaheim, CA
- Fouad, N. A. (1982, August). *Cross-cultural interest measurement: Preliminary findings*. J. C. Hansen, (Chair), Symposium conducted at the meeting of the American Psychological Association; Washington, DC,

### **Teaching: Courses Taught**

#### **Master's Program:**

Ed Psy 720 Techniques of Educational and Psychological Measurement  
 Couns 710 Counseling: Theories and Issues  
 Couns 711 Foundations of Career Development  
 Couns 714 Essentials of Counseling Practice  
 Couns 715 Multicultural Counseling  
 Couns 775/970 Supervised Practicum 1/2 in Community Counseling

**Doctoral Program:**

Educ 901 Advanced Seminar in Urban Education

803 Vocational Psychology. 3 cr. G. ( \* Taught similar course at Colorado State University)

841 Proseminar 4: Vocational Psychology; Social Justice. 3 cr. G.

814 Professional, Ethical and Legal Issues in Counseling Psychology.

815 Advanced Multicultural Counseling. 3 cr. G.

819 Group Assessment for Adults. 3 cr. G.

**Professional Service**American Psychological Association

Fellow - Divisions 17, 35 and 45

Board Member, Masters in Counseling Accreditation Council (2014-)

Board Member Masters in Counseling and Psychology Accreditation Council (2015-)

Member, Master's Guidelines Task Force (2014)

Co-chair, Multicultural Guidelines Revision Task Group 2012- present

Member, 2010, APA Ethics Committee, Vice Chair, 2011 and Chair 2012

Competency Benchmarks Workgroup (2006-present).

Chair, Board of Educational Affairs, American Psychological Association (2006- 2007)

Member, Assessment Portfolio Task Group, (2007-present)

Member, Board of Educational Affairs, American Psychological Association (2004-2007)

BEA liaison to Council of Chairs of Training Councils.

Member, Special Task Force on Implementation of the Multicultural Guidelines, American Psychological Association (2006- 2009).

Member, Committee on Division- APA Relations, American Psychological Association, (1999-2001) Co-Chair, 2000-2001

Co-chair, Multicultural Guidelines Writing Team (Joint Divisions 17 & 45) (Culminated in Multicultural Guidelines adopted as APA Policy, August, 2002).



Chair, Task Force on Women in Academe, American Psychological Association (1999-2000).

Chair, Task Force on School to Work Transition, American Psychological Association (1999-2000).

Advisory Board Member, Center for Psychology in the Schools and Education, American Psychological Association (1998- 2001)

Site Visitor, American Psychological Association Accreditation Team (1993- Present: not conducting visits while member of BEA).

Member -Division 35 - Psychology of Women

Division 45-Psychology study of Ethnic Minority Psychology

Society of Counseling Psychology

Member, Vocational Psychology Section, Section Advancement for Women

Co-Vice President Communications (with Jean Carter) (2006-7).

Past President's Advisory Council (2001-present).

Social Justice Award Special Task Group (2005).

Communications Special Task Group (2005- present).

Chair, Biennial Special Task Group (2005- present).

President, Division 17, American Psychological Association (2000-2001)

Past President, (2001-2002)

Cluster Representative, Division 17, (2002-2003) Chair, Cluster E

Vice President, Diversity and Public Interest, Division 17, American Psychological Association (1996- 1999)

Chair, Society for Vocational Psychology, (1996-1998), Chair-elect (1994-1996), Past Chair (1998-2000)

Newsletter editor (1993-1996)

Member, Steering Committee, Regional Conference (1988)

Standing Committee on Ethnic and Cultural Diversity (1990-1993)

Member, Award and Recognition Committee, (1995-1997)

Chair, Special Interest Group for Cross-cultural Counseling (1987-1989)

Member, Program Committee, (1991-1993)

Member, Committee on Women, 1991-1993

Council of Counseling Psychology Training Programs

Chair (2005-2006) (Term 2003-2007).

Member, Executive Council, (1996-1999- Survey Coordinator)

Other Professional Service

Member, National Academy of Engineering Work group on Engineering Career Pathways (2014-present)

Member, Master's in Counseling Accrediting Council Executive Board (2014-present)

Member, Board of Directors, Family Services of Milwaukee. (2006-7)

Member, Exemplary Cultural Counseling Practices Task Force, American Counseling Association.

Chair, Strong Research Advisory Board (1996-1999).

Member, Strong Research Advisory Board (1992-1999).

Member, American Association for Counseling and Development Committee on International Relations

Chair, Committee on Multicultural Assessment, Association for Measurement and Evaluation in Counseling and Development (1989-1991)

Executive Council (1990-91), Exhibit Chair (1988), Association for Measurement and Evaluation in Counseling

Member, National Career Development Association

## University Service

### University-wide

Vice Chair, Dean Search, Graduate School (2013)  
 Member, Director Search, Career Development Center  
 Chancellor's Advisory Committee on Mental Health  
 Chair, Campus Resources Subcommittee of Chancellor's Advisory Committee on Mental Health  
 Member, Provost's Committee on Retention  
 Divisional Committee (Chair, Subcommittee of Full Professors) (2011-12) (Substitute, 2013-present)  
 Chair, Dean Search, College of Health Sciences 2009  
 Ombuds Council Faculty Member (2007-)  
 Chair, Graduate Faculty Council (2006-7)  
 Member, Graduate Faculty Council (2003-7)  
 Chair, Research Grants Committee (2006-7)  
 Member, Academic Planning and Budget Committee (2006-7)  
 Chair, Graduate Curriculum Committee (2005-6)  
 Member, Graduate Curriculum Committee  
 UWM Mentoring Program Advisory Board (1996-2001)  
 Chair, Library and Technology Center Planning Committee (1999- )  
 Wisconsin Women in Higher Education Leadership Institutional Representative, and member of the Steering Committee (1998-2002)  
 Chair, Task Force on Climate for Women (2001-2 and following activities)  
 Career counseling, Career Development Center, UWM (spend 3-4 hours a week, seeing clients at CDC and consulting with staff and interns) (2002-2005)  
 Chair, Milwaukee Committee Advisory Panel (2003-4)  
 Co-chair, Faculty Appeals and Grievances Committee (1993-1996)  
 Member, Graduate School Committee on Reviews (1987-1989)  
 Chair, Mentoring Program (1993-1996)  
 Member, Graduate School Research Committee (1993-1996)  
 Task Force on Gender Equity (1992-1994)

### School of Education

Chair, Associate Deans' Searches, May 2012  
 Member, Urban Education Doctoral Program Committee (1991-2004)  
 Member, Academic Planning and Budget Committee (served 3 terms since 1984)  
 Vice Chair, School of Education Dean Search (1994)  
 Member, Task Force on Future of School of Education (1984-1987; 1992-4)  
 Member, Faculty Assembly (served 4 terms since 1984)  
 Out of State Travel (served 2 times since 1984)  
 Member, Scholastic Appeals (1986-1988)  
 Member, Alumni Scholarship Committee (1986-1988)

Department of Educational Psychology

Chair (2010-present)

Co-chair (2009)

Search committee chair (served on 12 search committees since 1985)

Personnel Committee (served 4 times since 1989)

Training Director, Counseling Psychology Doctoral Program (1990- present)

Chair, Counseling Area, Department of Educational Psychology (1993-1996; 2002-2006)

Administrative Committee, Department of Educational Psychology (1993-1996; 2002-2006)

## Exhibit “H”

Dr. Mark Roberts, the Director of Clinical  
Training at ISU (October 2, 2013  
Psychology Department Response to  
question raised at ISU Graduate Counsel  
Hearing, page 7 line 13 and Exhibit “H”  
to the addendum to this analysis.)

1 where his Chinese background would be a strength  
2 and not a liability. We really said that. Now,  
3 he did not obey me with that, and once we allow  
4 the student to apply, we have no control over  
5 where they actually apply.

6           It turns out -- I can't remember the  
7 exact number -- but I think two of the sites he  
8 applied to that was the case, and the other nine  
9 he was competing with the typical graduate  
10 student at that point, who is basically a  
11 sophisticated fourth-year student or fifth-year  
12 student.

13           So we were surprised when I got a phone  
14 call, and then a subsequent documentation from  
15 Dr. Landers that Dr. Landers was going to  
16 dismiss him, and that that was not a choice.  
17 Dr. Landers made that real clear, that he was  
18 going to dismiss. And they do have the power to  
19 do that based on the affiliation agreements. We  
20 have affiliation agreements with many  
21 organizations that can provide supervised  
22 experience for our doctoral students, and they  
23 are very critical to the program's success. But  
24 none of them have the due process. The due

Exhibit “I”  
Excerpt From 2015-2016  
ISU Clinical Student Handbook  
Regarding Remediation Policy



**Department of Psychology**

**Idaho State University**

**Clinical Student Handbook**  
2015-2016

Prepared by  
The Clinical Training Committee  
August 2015

Students typically progress through the program in a way that demonstrates a progression of skills that indicate readiness for internship training. However, in some instances, a student's readiness for internship may be in question. The CTC reserves the right to construct a formal Plan of Remediation to address potential challenges that may make a student currently unready for internship training. In such instances, a formal Plan of Remediation will be constructed by the Clinical Training Committee. These steps would be triggered by one of three events: 1) a student dismissal from an external training site; 2) an Unsatisfactory (U) grade in any professional course (PSYC 7724, Community Practicum; PSYC 7725, Clinic Practicum; PSYC 7726 Supervision Practicum; PSYC 7727, Psycho-educational Evaluation; or PSYC 7748, Clinical Externship), or 3) any other concern regarding professional development that leads the Clinical Training Committee to believe that a formal remediation plan is warranted. A written Plan of Remediation will include the following six elements:

1. Problem identification
2. Course of action to remediate the problem
3. Measureable objectives
4. Method and specific time to determine if objectives have been met
5. Consequences if objectives are not met
6. Process of appeal

The Clinical Training Committee will review the student's progress at the time specified in the Plan. All processes of appeal are found in Section XIV of the Clinical Student Handbook and the ISU Graduate Catalog sections on Appeals and Dismissals.

**The MATCH System.** APPIC internships use a national matching service to assign internships to applicants. Only matches that are mutually acceptable to both the site and the student are made. Students (and sites), however, will not always be granted first choices, and a significant percentage of registered applicants nationwide will not be matched at all (18.5% in 2014). Through 2014, 93% (68/73) of ISU applicants have been placed via the match during their first year of application.

It is the policy of the Council of University Directors of Clinical Psychology (CUDCP; our national organization) that students who sign an agreement with the APPIC National Matching Service are expected to abide by the rules of the system. This agreement includes the stipulation that the student will accept and will attend the internship program to which the student is matched. Failure to abide by the APPIC match policies is considered serious misconduct by the CTC. If this failure is determined to be evidence of unprofessional conduct and/or unethical behavior without mitigating circumstances, the student may be subject to disciplinary action, up to and including dismissal from the clinical training program at Idaho State University.

All students must enroll in 1-credit of Clinical Internship, PSYC 7749, during the fall, spring, and summer semesters of their internship year. To meet the Graduate School's requirement for continuous enrollment, students register for one credit of dissertation or professional activity (clinic practicum, community practicum, or externship) during the summer preceding the internship, even though the internship may commence as early as July 1. The ISU Registrar requires that each intern registers for the required 1 internship credit per semester during each of 3 consecutive semesters commencing with fall semester. The student's internship

Exhibit “J”  
Linda F. Campbell, Ph.D.  
Expert Disclosure  
July 7, 2016

**Idaho Office**  
776 E. Riverside Drive  
Suite 240  
Eagle, ID 83616  
Telephone: 208.672.6112  
Fax: 208.672.6114  
[www.idahoels.com](http://www.idahoels.com)



**R. A.(Ron) Coulter LtCol  
USMC (Ret), ID**

**ISB #3850**

July 7, 2016

Mr. Michael E. Kelly  
380 E. Parkcenter Blvd., Suite 200  
Post Office Box 856  
Boise, ID 83701

Re: Jun Yu v. Idaho State University, et al. 4:15-cv-00430-REB  
Case No.: 4:15 –cv-00430-REB  
Our File No.: 1171-001

Subject: ***Identification of Expert Witness Who Will Testify but Not  
required to provide a Written Report per F.R.C.P  
26(a)(2)(C)***<sup>1</sup>

Dear Mr. Kelly,

Per the Amended Case Management Order (Dkt. 19) the Defendants were provided with the required expert reports pursuant to District of Idaho Local Civil Rule 26.2(b) and Federal Rule of Civil Procedure (F.R.C.P.) 26(a)(2)(B). The identified experts were Dr. Gerald P. Koocher Ph.D. ABPP, Dean of the College of Science and Health at DePaul University, Chicago, Illinois, Dr. Leslie W. Zorwick Ph.D, Associate

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<sup>1</sup> F.R.C.P. 26(a)(2)(C) reads as follows:

(C) Witnesses Who Do Not Provide a Written Report. Unless otherwise stipulated or ordered by the court, if the witness is not required to provide a written report, this disclosure must state:

- (i) the subject matter on which the witness is expected to present evidence under Federal Rule of Evidence 702, 703, or 705; and
- (ii) a summary of the facts and opinions to which the witness is expected to testify.

Disclosure of Expert Per F.R.C.P. 26(a)(2)(C)

Dr. Linda F. Campbell, Ph.D.

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Professor, Hendrix College, Conway, Arkansas, and Dr. Shannon Chavez-Korell Ph.D. N.C.C, Associate Professor, University of Wisconsin-Milwaukee. These professionals have provided expert reports on ethics, aversive racism, and cultural competency respectively.

On May 31, 2016, you disclosed to me that Dr. Dru Gladney Ph.D, a professor of anthropology at Pomona College, Claremont CA would be serving as an expert witness on the issue of minority affairs, ethnicity and the Chinese culture within the educational system. On June 7, 2016, you provided Dr. Gladney's expert report per F.R.C.P. 26(a)(2)(B), Dkt.30 and an agreement between the parties. In reviewing this document, it was noticed that although Dr. Gladney had addressed the topics of aversive racism and cultural competency, he did not address the issue of ethics. As you are aware, an important aspect of Mr. Yu's allegations is that the Defendant had failed to adhere to the American Psychological Association's (APA) Ethical Principles of Psychologists and the Code of Conduct (Ethics Code). However, Dr. Gladney did not address Dr. Koocher's conclusion that the Defendant "suffered serious harm because of several significant ethically questionable behaviors at the hands of ISU faculty."

Should this case go to trial, there is no doubt that the Defendant's will assert that they were not in violation of any ethical codes, Idaho statutes or regulations to include requirements of the Idaho State Board of Education, and Idaho State Board of Psychologist Examiners in the treatment of Mr. Yu. Therefore, per F.R.C.P. 26(a)(2)(C) you are advised that Dr. Linda F. Campbell, Ph.D. will be appearing as a rebuttal expert witness on APA's Ethics Code and the APA's accreditation standards. Dr. Campbell is a

Disclosure of Expert Per F.R.C.P. 26(a)(2)(C)

Dr. Linda F. Campbell, Ph.D.

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July 7, 2016

tenured Full Professor, in the Department of Counseling and Human Development Services at the University of Georgia, Athens Georgia. Dr. Campbell serves as the Director, Center for Counseling and Personal Evaluation. Dr. Campbell is a co-author and first author of the *APA Ethics Code Commentary and Case Illustrations* (2010). Dr. Campbell has served as a member, Vice-Chair, and Chair of the APA Ethics committee. Dr. Campbell has also served as Chair and Advisory Consultant for the Georgia Psychological Association's Ethics Committee. Dr. Campbell has served as a member and Chair of the Board of Educational Affairs of the American Psychological Association. Dr. Campbell serves as a Member at Large, APA Board of Directors and is a Council of Representatives Member representing the APA Board of Directors. Dr. Campbell also serves as the Vice-President of the Georgia Board of Examiners of Psychology.

Dr. Campbell has taught for twenty years and currently teaches several courses that directly relate to clinical and practicum training and professional development at the doctoral level in psychology. The courses include ECHD 6020 (Counseling and Psychotherapy Skills), ECHD 9760 (Doctoral Practicum), ECHD 9710 (Ethics and Professional Development), ECHD 9720 (Introduction to Assessment), ECHD 9770 (Advanced Assessment). As Director of the within department training clinic, Dr. Campbell oversees the direct clinical services of the doctoral students who provide services to individuals in the northeast Georgia community as well as university students. Dr. Campbell is directly involved in the supervision and training of the doctoral students.

Disclosure of Expert Per F.R.C.P. 26(a)(2)(C)

Dr. Linda F. Campbell, Ph.D.

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Dr. Campbell's curriculum vitae is attached. It is anticipated that there will be no problem qualifying Dr. Campbell as an expert in ethics relating to the instruction and practice in Psychology per F.R.C.P. 702.<sup>2</sup>

The summary of facts and opinions that Dr. Campbell will rely upon besides actual testimony she will hear at trial appear in the following documents<sup>3</sup>:

- Jun Yu Accreditation Complaint to APA, dated December 16, 2013.
- Complaint filing with the U. S. District Court for Idaho in the matter of Jun Yu v. Idaho State University, dated September 16, 2015.
- Updated Complaint Management Order by U. S. Magistrate Ronald E. Bush of the U. S. District Court for Idaho in the matter of Jun Yu v. Idaho State University, dated January 26, 2016.
- Document titled: "The Assault on Jun Yu: Multicultural Incompetence in clinical Psychology Doctoral Program, Resulting in the Professional Destruction of an International Student," by Jocelyn Eikenburg and Michael D. Dwyer.
- Document titled: "Clinical–Professional Development Points For Consideration By the Graduate Council in the Appeal of Mr. Jun Yu," by Jun Yu.
- All documents contained in the 659-page defendant's initial disclosures.
- Defendant's answers and response to the Plaintiff's first set of discovery requests dated February 5, 2016.

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<sup>2</sup> F.R.C.P. 702 reads as follows:

A witness who is qualified as an expert by knowledge, skill, experience, training, or education may testify in the form of an opinion or otherwise if:

- (a) the expert's scientific, technical, or other specialized knowledge will help the trier of fact to understand the evidence or to determine a fact in issue;
- (b) the testimony is based on sufficient facts or data;
- (c) the testimony is the product of reliable principles and methods; and
- (d) the expert has reliably applied the principles and methods to the facts of the case.

<sup>3</sup> F.R.C.P. 703 reads in relevant part as follows:

An expert may base an opinion on facts or data in the case that the expert has been made aware of or personally observed. If experts in the particular field would reasonably rely on those kinds of facts or data in forming an opinion on the subject, they need not be admissible for the opinion to be admitted.



Disclosure of Expert Per F.R.C.P. 26(a)(2)(C)

Dr. Linda F. Campbell, Ph.D.

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July 7, 2016

- All documents contained in pages 660-845, which was shared in the Defendant's answers and response to the Plaintiff's first set of discovery requests.
- Plaintiff's answers and response to the Defendant's first set of discovery requests dated March 16, 2016.
- All documents contained in the 1,408 page plaintiff's initial disclosures, including "State Board of Psychology of Ohio – Complaint Against Dr. Leslie Speer and Dr. Thomas Frazier filed by Jun Yu,"
- "APA Ethics Office – Complaint against Dr. Mark Roberts" filed by Jun Yu, and "APA Ethics Office – Complaint against Dr. Shannon Lynch" filed by Jun Yu.
- The Graduate Record Exam (GRE) Report of Scores for Mr. Jun Yu.
- Letter from Susan F. Zlotlow of APA' Commission on Accreditation (CoA) dated May 6, 2014 confirming that his complaint triggered a request for additional information from ISU.
- Letter from Lindsay Childress-Beatty of the APA Ethics Office dated August 14, 2015 confirming that ethics complaints against Drs. Shannon Lynch and Mark Roberts were under review.
- The Expert Reports of Dr. Gerald Koocher, Dr. Leslie W. Zorwick, Dr. Shannon Chavez-Korell and Dr. Dru Gladney

Sincerely,

R. A.(Ron) Coulter