



United States Department of the Interior

Bureau of Indian Education

Human Resources

1011 Indian School Rd. NW, Suite 150

Albuquerque, New Mexico 87104

May 07, 2021

Ronald Graham
President
Haskell Indian Nations University

Subject: Termination during Probation

Upon appointment in the Federal service, an employee is required to serve a one-year probationary period or a two-year trial period. On May 11, 2020, you were appointed to an initial appointment in the excepted service pending conversion to the competitive service; therefore, your first two years of service is on a trial basis. The trial period is intended to give an Agency an opportunity to assess an employee's overall fitness and qualifications for continued employment. An employee is subject to termination without appeal rights for any performance or conduct deficiencies during this trial period, at the supervisor's discretion.

The purpose of this document is to advise you that you will be terminated from your position of President, Haskell Indian Nations University, and the Federal Service. This action will be affected during your trial period and will be effective at 2:00 pm (Central Standard Time) on May 07, 2021.

Your termination is necessary because of issues relating to your failure to properly perform your duties and/or failure to follow procedures as the President of the University. A few examples are that you failed to implement and/or follow safety protocols for Covid19. You failed to follow current policy and/or process for getting approval of the Dual Enrollment Program. You did not perform your duties properly when you failed to interact with Faculty regarding ideas and/or plans related to the education programs.

You *may* have the right to appeal this action to the Merit Systems Protection Board (MSPB or Board) at the following address:

Regional Administrator
Merit Systems Protection Board,
Denver Regional Office
165 South Union Boulevard, Suite 318
Lakewood, Colorado 80228-2211

However, you may *only* appeal to the Board if you allege that this action was based in whole or in part on your marital status or political affiliation.

I have enclosed a copy of the MSPB regulations and an appeal form or you can access this information at www.mspb.gov. Section 1201.24(a) of the regulations prescribes the information that must be included in a written appeal to the Board. You may use an appeal form, although it is not required that you file your appeal using the form. However, since completion of the form would constitute compliance with the requirements of §1201.24, you are encouraged to use the form. To be timely, an appeal must be filed within thirty (30) days following the effective date of this action. Filing can be accomplished through personal delivery during normal business hours to the Board Field office indicated above, in which case the date of receipt in the Board's office is the date of filing, or filing can be by mail to that office, in which case the date of mailing constitutes the date of filing. Filing may also be accomplished electronically using the MSPB's e-filing system at <https://e-appeal.mspb.gov/>

If you do not submit an appeal within the time set by statute, regulation, or order of a judge, it will be dismissed as untimely filed unless a good reason for the delay is shown. The judge *may* provide you an opportunity to show cause why the appeal should not be dismissed as untimely.

Should you allege that the action taken against you was based in whole or in part on discrimination because of race, color, religion, sex, age, national origin, physical or mental handicap, or prior EEO activity, you may appeal the discrimination allegation through the Bureau's discrimination complaint process pursuant to part 1614 of the Equal Employment Opportunity Commission Regulations. To appeal under part 1614, the allegation must be brought to the attention of the Equal Opportunity (EEO) officer or an EEO counselor within forty-five (45) days of the effective date of this action. For information concerning these EEO rights you may contact:

BIA Office of Equal Employment Opportunity and Civil Rights Programs
2051 Mercator Drive
Reston VA 20191

You may not appeal an allegation of discrimination because of race, color, religion, sex, age, national origin, or physical or mental handicap to the MSPB unless you also allege that the action was based in whole or in part on your marital status or political affiliation. In that event, you may appeal all allegations of discrimination to the Merit Systems Protection Board.

Information about appeal rights and procedures may be obtained from Mr. Bennett Tuchawena, at (703) 517-3735 and/or your Equal Employment Opportunity Counselor by calling (703) 390-6401.

A Standard Form 50, Notification of Personnel Action, effecting your termination will be forwarded to your address of record when available. You will be placed on administrative leave status until the effective date and time of your termination.

TAMARAH
PFEIFFER

Digitally signed by
TAMARAH PFEIFFER
Date: 2021.05.07

05/07/2021

Dr. Tamarah Pfeiffer
Chief Academic Officer

Date

Delivery methods:

Hand delivered

Enclosures:

MSPB Regulations (53 pages)

MPSB Appeal Form (10 pages)

Distribution list:

Employee

Employee & Labor Relations – B. Tuchawena

BIE Human Resources Officer – J. Shamblin

File

Acknowledgement Copy

I acknowledge receipt of this notice.

(b) (6)

Signature

Date