

Arbitration set for case

The Walled Lake Board of Education cancelled last week's public tenure hearing for former Community Education Director Robert Duff.

Duff, who was fired from his administrator's post Nov. 1, has requested the charges against him be resolved through arbitration, rather than a tenure hearing.

Duff's attorney, Harvey Wax, said arbitration is a quicker, less expensive method of settling the dispute. Dennis Pollard, board attorney, said both sides have an "agreement in concept" over the procedure.

William Hampton, an attorney and

former Oakland County Circuit Court judge, will be the arbitrator, both attorneys confirmed.

Duff was suspended with pay Oct. 25, on charges related to last year's development of a computer program for the community education department by Regional Coordinator Gerald Beers. Beers was fired in May for allegedly using school district time to market the computer program to other school districts.

SUPERINTENDENT Don Sheldon charged Duff was acting "directly contrary to the proprietary interests of the

school district" by failing to notify his superiors that Beers had decided to market the computer programs in March, 1982. Sheldon accused Duff of personally benefitting from the marketing and sale of the computer program by receiving a "commission."

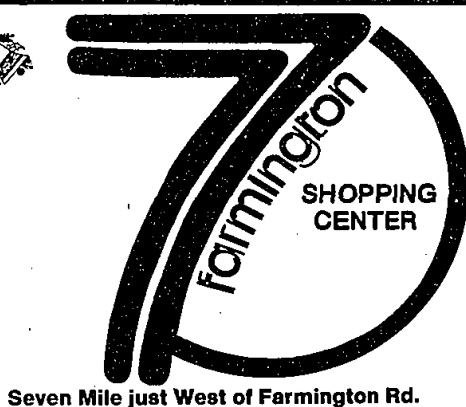
If the board had decided at a tenure hearing to fire Duff as a teacher, he could appeal the decision to the state tenure commission. This process, however, could take years before a resolution is reached, Wax said.

A decision by the arbitrator should come within 30 days of the hearing which has not been scheduled, Wax

said. The decision of the arbitrator will be binding, Wax said. By submitting the matter to arbitration, both sides give up the right to file a lawsuit pertaining to any issues considered by the arbitrator.

On Thursday, Dec. 1, the board passed a resolution (5-2) agreeing to submit the matter to arbitration. Board members Patricia Jackman and Kenneth Tucker voted against the arbitration.

"We were satisfied by the action the board had taken earlier (establishing the tenure hearing)," Jackman said.



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