

IN THE COURT OF APPEALS OF IOWA

No. 8-314 / 07-0771
Filed December 17, 2008

DR. JOHN CARR,
Petitioner-Appellant,

vs.

BOARD OF REGENTS, STATE OF IOWA,
Respondent-Appellee.

Appeal from the Iowa District Court for Polk County, Robert A. Hutchison,
Judge.

Iowa State University professor appeals his two-year suspension for
harassment and sexual harassment. **AFFIRMED.**

David H. Goldman of Babich, Goldman, Cashatt & Renzo, P.C., Des
Moines, for appellant.

Thomas J. Miller, Attorney General and George A. Carroll, Assistant
Attorney General, for appellee.

Considered by Sackett, C.J., and Eisenhauer and Doyle, JJ.

EISENHAUER, J.

On April 21, 2005, the Iowa State University (ISU) provost called for a major sanction committee and issued four charges against Dr. John Carr, an ISU professor. On April 28, 2005, John elected to have his case heard by an administrative law judge (ALJ) rather than the major sanctions committee. The parties stipulated to a resolution of two charges and in November 2005, the remaining two charges were tried in a multi-day hearing before an ALJ. The ALJ concluded John's conduct constituted both harassment and sexual harassment under the ISU Faculty Handbook and suspended John for one year without pay.

Both ISU and John appealed to the ISU president. On March 17, 2006, the president affirmed the ALJ decision with the exception of increasing the sanction to suspension for two years. John then appealed to the Iowa Board of Regents, which affirmed the president.

John petitioned the district court for judicial review of the agency action. At the district court hearing, John "stated he did not contest the findings of fact of the agency and conceded there is substantial evidence to support those findings." The district court upheld the agency decision.

On appeal, John raises the identical issues thoroughly discussed and resolved by the district court. Because we agree with the district court's reasoning, its conclusions utilizing the unchallenged facts found by the ALJ, and its application of the law, we affirm pursuant to Iowa Court Rule 21.29(1)(d) and (e).

AFFIRMED.