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UNIVERSITY of DELAWARE

MAY 22 1991

FACULTY SENATE



May 22, 1991

TO: Gordon DiRenzo, Chair  
Faculty Welfare and Privileges Committee

FROM: Jan Blits<sup>JB</sup> and Linda Gottfredson *lg*

RE: Complaint of Continued Harassment by Victor Martuza

We write to file a new complaint with the Faculty Welfare and Privileges Committee against our chair, Victor Martuza, for ideological bias and unfairness in his annual evaluations of our job performance and planning forms, in particular, and, more generally, for his continued harassment of us.

Dr. Martuza (a) reclassified our public-policy work, with which he disagrees, as service; (b) changed Blits's long-standing teaching load over Blits's strong objections; and (c) lowered Gottfredson's ratings in research and teaching enough to reduce her merit raise by one third, and he predicted a drop of similar consequence in her service rating next year. His evaluations (Attachments 1 and 2) provided no justification at all for the reclassification of our research or for the change in Blits's teaching load. He provided only unsupported claims that Gottfredson's job performance has declined in teaching and service as well as in research.

These actions are not just unwarranted; they also reflect a continuing pattern of harassment. Dr. Martuza persists in downgrading our public-policy work because of his ideological objections to it. His latest actions also illustrate his continuing personal animus towards us for our having pursued earlier complaints of bias and unprofessionalism against him.

Although this complaint is related to our previous complaints against Martuza (and others), we hope that it does not delay a decision in those complaints.

A. Reclassification of Research as Service

Last year we published two scholarly pieces on race-norming--one a major, jointly-authored article ("Equality or Lasting Inequality?" Transaction/SOCIETY), and the second a short,

invited commentary by Gottfredson ("Fairness or Bias in Job Testing?" Issues in Science and Technology). In evaluating our job performance last year, Martuza reclassified these public-policy articles as service.

The potential effect of this reclassification of our public-policy articles is grave. For Gottfredson, it is a further step by the administration to force her to change her field of research--a step underscored by the Dean's repeated recent threats of action against Gottfredson unless she immediately resumes her interrupted research program (see Attachments 3a-g, memos between Murray and Gottfredson along with workload policy, Jan. 10, Jan. 9, Jan. 24, Feb. 8, Feb. 8, March 4, April 2, 1991).

For Blits, in addition to being similar pressure not to continue his research on racial policies, it is a further step by Martuza to undermine his chances of promotion by reducing his number of publications. If Blits's "Inequality..." article is reclassified as service, his other highly related publications would no doubt also be declassified for promotion purposes. In fact, when Blits asked Martuza to assess his chances of being recommended by the department for promotion, Martuza spoke, pointedly, of counting only his "philosophy" articles and not any of his public-policy publications ("because they are not research").

In testimony to the fact that the "Inequality..." article is research, it is one of the two research articles that Martuza and the P&T Committee relied upon last year to discredit Gottfredson's entire research record. Having already used these articles to unfairly impugn the quality of Blits's and Gottfredson's research, Martuza now declassifies the work as research to reduce the quantity of their research. As noted above, this worsens Blits's chances for promotion even further and threatens Gottfredson's ability to meet her research workload obligations, let alone to get merit raises.

Martuza's evaluations provide no reason for his declassification of our public-policy articles, except that it is his "judgement" that they are more appropriately classified as service. Upon questioning, Martuza replied that he found the "Inequality..." article to be "unscholarly." But once again, as when he evaluated the work for Gottfredson's promotion, he based his criticisms on his ideological objections to the work's content. He particularly objected to our use of terms such as "race-norming" (although a standard term in the field, he thought it "shouldn't be") and "quasi-Marxist" (even though he conceded that we had used the descriptor accurately and he could not think of a better one). Among other similarly ideological objections, he stated that our article's arguments against race-norming could "set the [civil rights] clock back twenty years."

## B. Change in Blits's Teaching Load

Carrying out his previous threats, Martuza announced a major, permanent change in Blits' normal teaching-load from four to two Honors colloquia a year (See Attachment 4a-d; memos between Martuza and Blits, along with Planning Form; May 10, May 13, May 15, and May 20, 1991). Moreover, going even beyond his previous threats to do so, he also suggested that Blits might not have a claim to teaching any Honors courses at all.

Blits was hired in 1976 as one of the first group of "core" Honors faculty. Since then, his normal teaching-load has been four Honors colloquia a year. Twice, because of genuine Department needs, Blits willingly taught non-Honors courses for the Department; and this semester, under threats from Martuza concerning his promotion, Blits agreed to teach a non-Honors course again.

When Blits' line was transferred from the Honors Program to the Department of Educational Studies in 1979, the Department promised the Honors Program that it would offer at least four Honors courses a year and that Blits would teach at least two of them, with the remainder of his load determined by "Departmental needs" (see Attachment 5: June 10, 1981 memo from Mosberg to Murray and Harward; item #3).

When, at Blits' annual evaluation last month, Martuza announced the change in Blits' teaching load, Blits asked him why it was being made. Martuza at first refused to give a specific reply. All he would say was that he thought "it would be a good idea." When pressed, he said that some members of the Department were jealous of Blits' teaching only Honors courses and that Blits could improve his relations with the Department by giving up his "privileged" load. When Blits pointed out that such considerations should be left to him, Martuza shifted grounds and then (for the first time) said that enrollment pressures in the Elementary Teaching Program made the change necessary. In addition to the tardiness of his justification, Martuza's own explanation of the change belied his claim that the change was a response to a genuine "Departmental need," for, as he explained, Blits was to trade courses with other faculty members. He would teach in the ETE Program so that others could have the chance to teach in the Honors Program.

That is, in fact, exactly what Martuza did this year when he took an Honors course away from Blits, only to give it to another faculty member (Chuck Marler), whose regular course he then assigned to Blits. Despite his claims of enrollment pressures, the only effect of Martuza's action was to change who taught Honors courses, not to reduce enrollment pressures.

When Blits pointed this out to Martuza, Martuza finally defended his announced change by claiming that he can change anyone's teaching load for any reason he likes.

Blits' teaching load was not an issue with Martuza until Blits and Gottfredson filed their complaints with your committee against him and other members of the Department. Shortly after they filed their complaints, he began his threats against Blits' promotion unless he agreed to change his teaching load (see Attachments 6a-e; memos between Martuza and Blits, Jan. 16, Jan. 18, Jan. 23, Feb. 7, and Feb. 23, 1990). It should also be pointed out that Blits will be on sabbatical in the fall, and so there is no need for Martuza to press the issue now. The issue could be left for the new Chair to decide.

### C. Downgrading of Gottfredson's Ratings in All Three Areas

Martuza's comments and ratings of Gottfredson's teaching, research, and service were all positive last year but all highly critical this year. (Compare Attachments 2 and 2a.)

Teaching. Gottfredson taught more sections, had larger classes, and got better ratings this year than last. According to CTE's IDEA evaluation system, her three non-honors sections (one in 90B and two in 91A) ranked, respectively, at the 75th, 91st, and 99th on its key scale ("Progress on Relevant Objectives"). As in the previous evaluation period, she coordinated the Counseling Program for a semester and advised its first-year students. Although she is not a counselor, Gottfredson had agreed to serve as acting coordinator--at Martuza's urging--at a very troubled time for the department: just after it lost all three of its counseling faculty, the program was in disarray, counseling students became anxious about their fates, and constituencies across the state became uncertain and made many inquiries about our department's commitment to counselor training.

Last year Martuza rated Gottfredson's teaching at 8 (also her self-rating) out of a possible 9. This year he rated it 6 (versus her self-rating of 8), which reduced her teaching merit shares from 2 to 1.

Martuza justified this reduction by referring simply to her "reduced activity with respect to the School Counseling Program." When questioned, Martuza could provide no particular evidence for his claim, but he suggested that her pursuit of her grievances was interfering with the performance of her duties.

Research. In 1989 Gottfredson published one article, gave one presentation, and ran the second semester of her College of Education colloquium series; in 1990 she published two scholarly

papers and presented four papers. She submitted a grant proposal each year (the first was funded but the second wasn't because of the University's ban on Pioneer monies). In both years she was unable to proceed with a planned conference due to the Pioneer controversy. As a result she was also unable in either year to proceed with the core of her research program. After an involuntary drop in research activity in 1989, her output picked up but did not fully recover in 1990.

Martuza signed Gottfredson's planning forms this year as well as last. In both years she noted that she could not proceed with past plans because of the Pioneer controversy and that she could not make new ones until it was resolved.

Last year Martuza rated Gottfredson's research at 6 (also her self-rating) out of 9; despite her rise in productivity, he rated her research at 5 this year (versus her self-rating of 7). This kept her research merit share at 1 instead of letting it rise again to its usual 2.

Despite signing Gottfredson's planning documents, which stated that she was unable to proceed with her conference and the core of her research program, he nonetheless criticized her for cancelling the conference and for stating she could not continue with the core of her program. He justified his criticism by implying that her circumstance was strictly voluntary when, among other inappropriate statements, he misstated that she already had funding for the conference (she had only some planning money), and when he stated that she turned down money from the Dean (the now-poisonous atmosphere was more devastating than lack of money, which the Dean offered too late in any case--and then only after Gottfredson filed a grievance against the University).

In short, Martuza not only criticized Gottfredson for failing to do research which the University had made impossible (as he himself agreed in signing the planning documents), but he also reclassified the most important research she had been able to do as non-research.

Service. While agreeing with Gottfredson last year that she be rated 9 out of 9 on service, this year Martuza rated her 7 (versus her self-rating of 8). While this downgrading was not as large as in teaching and research and had no effect on service merit shares (which remain at 2), Martuza ominously commented that if this trend continues it "will almost surely be reflected in a lower rating next year and possibly beyond."

Once again, Martuza provided no evidence to buttress his claim that Gottfredson's service within the University "declined noticeably after the emergence of the Pioneer Fund controversy," especially for her work in coordinating the Counseling Program. When Gottfredson requested evidence, Martuza could provide no

specifics, stating only that the (new) staff member in charge of graduate programs "was doing more of the counseling work."

Once again, Martuza misrepresents Gottfredson's circumstances and transmutes harm by the University into negligence on her part. He disputes Gottfredson's claim that the Pioneer ban has brought her Project for the Study in Intelligence and Society activities to a halt, "since funding prohibited by the University of Delaware can presumably still be channelled to the project through Johns Hopkins University." Martuza seems to be proposing here that Gottfredson continue her Project activities at UD by laundering Pioneer money through Johns Hopkins University. Martuza suggests, in effect, that Gottfredson violate University policy in order avoid being punished for failing to carry out activities that the University has otherwise made impossible.

#### D. Continuing Pattern of Harassment

Our earlier complaint against Martuza outlined how he acted unfairly and unprofessionally towards us in matters relating to Gottfredson's promotion application in 1989. Martuza's lack of professionalism and bias have only worsened in the intervening 18 months, most recently in the yearly evaluations and planning form which are the subject of the present complaint.

These evaluations reflect not only Martuza's dogged adherence to ideological complaints about our joint research, but also his personal animus towards us for pursuing our earlier complaint. While claiming to act on his judgment, as a department chair may, he seldom explains the bases of his actions and never substantiates them with evidence. When challenged to provide evidence, Martuza offers evidence which shifts and evaporates as each piece is revealed to be false, ideological, vindictive, or otherwise inappropriate. Claims of "departmental need" and "lack of scholarly merit" are revealed to be pretextual and his "judgment" purely personal and ideological animus.

cc: George Cicala  
Vic Martuza  
Frank Murray

Attachments

- 1 1990 Faculty Appraisal for Jan Blits
- 2 1990 Faculty Appraisal and Planning Form for Linda Gottfredson
- 2a 1989 Faculty Appraisal and Planning Form for Linda Gottfredson
- 3a 1/10/91 memo to Dean Murray from Gottfredson on follow-up conference
- 3b 1/9/91 memo to Gottfredson from Dean Murray on Pioneer hearing
- 3c 1/24/91 memo to Gottfredson from Dean Murray responding to her 1/10/91 memo
- 3d 2/8/91 memo to Dean Murray from Gottfredson responding to his 1/24/91 memo
- 3e 2/8/91 memo from Dean Murray to Chair Martuza on Gottfredson's faculty load
- 3f 3/4/91 memo from Dean Murray to Gottfredson responding to her 2/8/91 memo
- 3g 4/2/91 memo from Gottfredson to Dean Murray responding to his 3/4/91 memo
- 4a 5/10/91 memo from Martuza to Blits on change in his teaching load
- 4b 5/13/91 memo from Blits to Martuza on document pertaining to Blits' teaching load
- 4c 5/15/91 memo from Blits to Martuza on his request for Blits' Planning Form
- 4d 5/20/91 memo from Blits to Martuza responding to his 5/10/91 memo and Blits' Planning Form
- 5 6/10/81 memo from Mosberg to Murray and Harward concerning transfer of Blits' line to Educational Studies
- 6a 1/16/90 memo from Blits to Martuza on his teaching load
- 6b 1/18/90 memo from Martuza to Blits responding to his 1/16/90 memo
- 6c 1/23/90 memo from Blits to Martuza on Blits' 1/16/90 memo
- 6d 2/7/90 memo from Martuza to Blits responding to his 1/23/90 memo
- 6e 2/23/90 memo from Blits to Martuza responding to his 2/7/90 memo