



University of Delaware

PROVOST AND VICE PRESIDENT FOR ACADEMIC AFFAIRS
104 HULLIHEN HALL
NEWARK, DELAWARE 19716

(302) 451-2101

June 21, 1991

MEMORANDUM

TO: Professor Linda S. Gottfredson
Department of Educational Studies

FROM: Richard B. Murray *RBM*
Acting Provost

SUBJECT: Your Complaint to the Committee on Faculty
Welfare and Privileges

This letter is in response to the report of the Committee on Faculty Welfare and Privileges (FW&P) dated May 31, 1991. The report deals with your complaint alleging unfair treatment in your quest for promotion, and denial of your academic freedom, by the 1989-90 Educational Studies Promotion and Tenure Committee (P&T) and by Victor Martuza, Chair of the Department of Educational Studies. I have studied the report of the FW&P Committee, the transcript of the hearing of February 22, 1991, and documents introduced as relevant to this case.

Part I of the FW&P Committee report deals with procedural issues. I will not comment on these issues as I find that the substance of the case is given in the record referenced above.

Regarding Part II of the FW&P Committee report, Unfairness in Department Promotion Proceedings: The underlying issue here is whether the Department P&T Committee and the Department Chair made objective decisions in their recommendation against promotion. Much of the hearing and report of FW&P deals with the number of favorable and unfavorable reviews of your research, and it is clear that the number of positive reviews dominated. In considering the role of external reviewers it is important to understand that these reports are advisory to those involved in making a decision on promotion. Promotion is decided by University of Delaware faculty and administrators, not by external referees. In the present case, the report of the Department P&T Committee discusses their concern about your recent scholarship at some length and presents their negative report on your research as their considered opinion. The same is true of the report of the Department Chair; his report reflects his opinion of your recent manuscripts. The position taken by the P&T Committee and the Chair was reversed at higher levels and you were promoted.

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It is not unusual in promotion and tenure decisions to find that the various faculty committees and administrators differ on the merits of a case. However, the fact that different opinions may arise for a particular candidate does not lead to the conclusion that an unfair or improper decision was made. At each level a decision must be made on the basis of judgements of those involved. Thus, the issue in the present case comes down to the question of how the decision was made by the Department P&T Committee and by the Chair: did they reach their decisions objectively and on the basis of their best judgement, or were they motivated by other factors? The fact that they did not agree with most of the external reviews does not imply that their decisions were based on prejudice or ideological grounds. I find no convincing evidence in the record to indicate that their decisions were driven by factors other than their academic judgement.

Perhaps the most important consideration of all is the fact that you were promoted. Additionally I do not find evidence of damage to your reputation as a scholar. On the contrary, the fact that you were promoted is public knowledge both within the University of Delaware community and in the larger scholarly community.

Regarding Part III of the FW&P Committee report, Academic Freedom: The report notes on page 18 that either: (1) the P&T Committee and Chair object only to alleged scholarly deficiencies in the two most recent articles; or, (2) that they are objecting on ideological grounds. The FW&P contends that, if the first is true, the objections are not fairly presented and the reasons for the objections are not adequately explained to the candidate as required by policy. I do not agree with FW&P in their position on this. Much of the report of both the P&T Committee and the Chair deals with just this issue of your recent scholarship and, in my view, meets the terms of University policy.

The FW&P contends that, if it is the second case -- that the P&T Committee and Chair object on ideological grounds -- then this represents a violation of your academic freedom. As in Part II above, I find no convincing basis to conclude that the P&T Committee and Chair reached their decision on grounds other than their academic judgement. I therefore do not support your allegation of denial of academic freedom.

In summary, I do not find a convincing case to support the allegations of unfairness in the promotion process or denial of academic freedom.

RBM:nb

cc: Gordon J. DiRenzo
Ralph P. Ferretti
Robert L. Hampel

David Kaplan
Richard L. Venezky
Victor R. Martuza
Frank B. Murray