

Meeting with Provost Smith Friday, March 30, 2007

New Issues:

Jan Tovey's concern over losing candidate due to Jim's slow response:

I chaired a search committee in my department this academic year. In early February, I made the recommendation to the Personnel Committee who then, within a few days, approved the recommendation and forwarded it to the chair. Within a week or so, Bruce Southard put together an offer and Alan White agreed with it. They sent the papers on up to the Provost's office. Bruce told me this morning that, he thinks Jim Smith changed the procedure but didn't inform anyone. We could lose a scholar/teacher.

Proper terminal degree – faculty up for annual evaluation

i.e. Richard Eakin with PhD in Math, but evaluated by Education faculty

Math

Annual reports due

Promotion of faculty within department (attachment 5)

Bob Bernhardt returning to the department

Foreign Languages -Annual reports vs. cumulative reports for the Progress toward tenure letter (attachment 1)

Evaluations due April 2 in the College of Arts and Sciences

Ron Newton, interim associate dean of graduate studies, now being appointed to the position without a search? (attachment 2)

IDEA Survey – faculty's fear of being punished if they vote negatively (attachment 3)

Follow-up on issues from previous meetings:

- University Curriculum Committee's Liaison Program – must be full-time faculty and not administrators – Provost should instruct Deans of this (3rd time this has been on your list for discussion).
- Controversy over the teaching of geometry - Met with Gail Ratcliff & Ron Preston on 3-29
Secondary Ed students are required to take a geometry course in the Math Dept for their degree. Math Ed has allowed majors to bypass this requirement by taking their geometry course for middle school teachers. This last fall, 16 math Ed majors bypassed the requirement and 4 took Math course. (attachment 4).
- Provost's Council on Collaboration for Teacher Education
- English Department
 - Update on partner-hiring policy
 - # of candidates from search committees recommended to chair
- Timeline for when Math Department Chair will be removed
 - Vote of no confidence was completed March 2006
 - Search committee has forwarded a recommendation to A White
 - A White now negotiating with candidate
- Communication – increasing contact hours/changing 3 hr courses to 4 hr– Curriculum/Faculty Issue; -
- eliminating programs without approval; -- drafting new faculty position descriptions without faculty involvement Art / Music – productivity hours
- School of Technology and Computer Science
 - Engineering faculty not in agreement with math courses
 - Rogers' request to see SOIS data of math faculty
 - Ratcliff's involvement in large paying grant with the School
 - Resolution from Math faculty

Attachment ①

Lee, Lori

From: Lee, Lori
Sent: Saturday, March 24, 2007 7:47 AM
To: Lee, Lori
Subject: add to chancellor's list
Importance: High

From: Taggart, Mark Alan
Sent: Friday, March 23, 2007 11:20 AM
To: Martinez, Purificacion; Smith, James LeRoy
Cc: Lee, Lori
Subject: Re: Annual reports vs. cumulative reports for the Progress toward tenure letter
Importance: High

At 12:58 PM -0400 3/22/07, Martinez, Purificacion wrote:

Dear Jim and Mark:

I am writing to you following up an e-mail that I sent this morning to the whole Faculty Governance committee. This is an issue that has developed in my department and I need clarification from both of you, because may be I don't know the Faculty Manual as well as I should.

Puri:

I think that the only one who may rival your knowledge of the Faculty Manual would be Edson.

Jim:

The arrogant disregard displayed below for the procedures that we labored long and hard to place in the Faculty Manual really concerns, upsets and angers me. In normal situations, I would request that the Chair's supervisor (Dean) call this chair in for an attitude check, but I suspect that this Dean shares this Chair's hostility towards our procedures, or he would have already done something about it.

I regard this as another example of failure of leadership in the Harriot College. I also plan to bring this up with the Chancellor.

Could you please attempt to straighten these folks out?

Mark

Please, let me give you some background information: the chair of my department is going away for two weeks in april. He asked me if the letter of progress toward tenure could be written in Fall of 07 and I said no (no problem there). Now he has asked for the anual report by April 2. The chair of the tenure committee has asked for a meeting of the Tenure faculty to discuss the progress toward

tenure letters March 28. I brought up to the attention of the chair and the chair of the tenure committee that we cannot write the letters of progress toward tenure letters without seeing the annual report first (as is mandated by new Appendix D). To this, the chair of the tenure committee has answered that the current procedure in our department (not discussed by anybody, because it was not like that when I was in tenure-track) is to ask each probationary term faculty to present a cumulative report each year. He indicated also that this departmental procedure is better to the current procedure in Appendix D, which is "inferior" and should not be followed.

Am I right in thinking that the cumulative report is only done when you present your PAD?

Am I right in thinking that a department (unless I guess is in the code) cannot ask for a cumulative report when the FM does not ask for it?

Am I right in thinking that it makes no sense to write a progress toward tenure letter without seeing the annual report?

Another thing: The chair of the tenure committee in my department says that

Our procedure of requiring a CRF is the correct way of going about this. Rather than scuttle our meeting over the manual's "mistake". I would propose that the CRF in fact contains all the same data as would be required on the annual report in any event, and contains additional data from previous years besides. So it is my recommendation that we press on, and that Governance revisit its own policy in D and update it accordingly.

As chair of Faculty Governance I will be against the change that he proposes here. It is an unnecessary burden on a probationary faculty to do a cumulative report every year. In order to get a good picture of how a candidate progresses, any committee or unit administrator only needs to look and previous annual reports and letters of progress toward tenure. We cannot kill our probationary faculty with paper work, they need to do their research, not fill out stupid forms.

Thank you. Puri.

Mark Alan Taggart

*Chair of the Faculty
140 Rawl Annex
252 328 6537*

*Professor of Music
366 Fletcher Music Building
252 328 4278*

>member of the search committee.

>

>I am under intense pressure and commitment between now and most likely
>April 25 in my role as chair of the State's Waterfront Access Study
>Committee. We are required by law to submit our final report to the
>General Assembly on April 16, and to then report in-person to the Joint
>Legislative Commission on Seafood and Aquaculture sometime during the
>following week. I will be trying to write up to three drafts of the
>report and get sign-off from 20 committee members, and then produce a
>powerpoint for legislator viewing.

>

>I will likely not be able to participate in any interviews before April
>25, and I also would not want to participate in some interviews but not
>others (as that would give me only partial perspective and an inability
>to compare candidates).

>

>I am sorry for abandoning ECU in this process. But I also must say that
>I think the process has been sound and is in its "stretch-drive," that
>my input has been rendered and considered, that you have some very fine
>final candidates, and that ECU's opinions/recommendations should now
>carry the most weight in who it hires.

>

>I do great appreciate and want to thank you for the opportunity I have
>had to identify final candidates, and I would be happy to be directly
>involved in the orientation of the final choice, once s/he is aboard.

>

>Thank you in advance for your understanding.

>

>Mike

>

>Michael P. Voiland, Ph.D.
>Executive Director
>North Carolina Sea Grant Program
>Box 8605, Flex Building, Module 1
>1575 Varsity Drive,
>North Carolina State University
>Raleigh, NC 27695
>919-515-2455
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>

>

>>>> "Hawkins, Mary" <HAWKINSM@ecu.edu> 3/21/2007 4:18 PM >>>
>3/21/07

>

>

>

>Committee Members:

>

Attachment (2)

Lee, Lori

From: Anderson, Patricia
Sent: Saturday, March 24, 2007 10:57 AM
To: Taggart, Mark Alan; Lee, Lori; Faculty Officers
Subject: RE: RE: Appointment of an associate dean

I'm copying below the Faculty Manual (Appendix L) that refers to the appointment of administrative officials. Since this position of Associate Dean is not one directly involved with supervising or evaluating faculty or academic programs, I'm not sure it falls within the parameters of this portion of the manual. However, it is yet another example of the kind of "pick and appoint" strategy that we've noted in the past few years—hiring from within and without a search—so it may be more appropriate to raise this kind of concern with the Provost than to insist on an Appendix L interpretation.

Tricia

East Carolina University Faculty Manual

APPENDIX L.**EAST CAROLINA UNIVERSITY CODE****B. Appointment of Administrative Officials**

Each administrative official (exclusive of the Chancellor, the Vice Chancellor for Academic Affairs, the Vice Chancellor for Health Sciences, the Vice Chancellor for Research, the Vice Chancellor for Business Affairs, the Vice Chancellor for Student Life, the Vice Chancellor for Institutional Advancement, the Director of Athletics, and their assistants) whose direct concern is with academic matters will be appointed according to the following procedure:

1. The immediately superior administrative official will convene a nominating committee which will be formed in the following way:
 - a. The officer will designate a committee of at least five persons.
 - b. At least three-fifths of this committee will be faculty members belonging to the entire constituency of the office to be filled, elected by secret ballot by a majority of the members of that constituency present and voting at a meeting called for that purpose by the convening officer.
 - c. The remainder of the committee will be chosen from permanently tenured faculty members or administrators in a manner designated by the appointing officer. (Please refer to *ECU Faculty Manual Interpretation #105-20.*)

2. This nominating committee shall:
 - a. establish criteria that the new official must meet,
 - b. solicit and screen applicants for the position, and
 - c. submit to the appointing officer one or more nominees. The committee shall determine by secret ballot that the nominees are acceptable to a majority of the permanently tenured faculty of the school, department, or college.

3. The appointing officer may accept one of the committee's nominees or may reject all of them. If the appointing officer should reject them, the committee must produce an additional nominee or nominees.

Patricia J. Anderson, Ed.D.
Professor and Graduate Director
Department of Curriculum and Instruction
College of Education
East Carolina University
Greenville, NC 27858
252.328.4123
252.328.2585 (fax)
andersonp@ecu.edu

From: Taggart, Mark Alan
Sent: Friday, March 23, 2007 11:41 AM
To: Lee, Lori; Faculty Officers
Subject: Fwd: RE: Appointment of an associate dean

Faculty Officers:

Your thoughts, please.

Lori:

Please add to the list.

Mark

Subject: RE: Appointment of an associate dean
Date: Fri, 23 Mar 2007 08:30:38 -0400
Thread-Topic: Appointment of an associate dean
Thread-Index: AcdtRiJOn+d6d5wqTzSkqlUwO2LRzQAADtDw
From: "Smith, James LeRoy" <SMITHJA@ecu.edu>
To: "Pellicane, Patrick" <PELLICANEP@ecu.edu>
Cc: "Newton, Ron" <NEWTONRO@ecu.edu>,

"Taggart, Mark Alan" <TAGGARTM@ecu.edu>,
"Mageean, Deirdre" <MAGEEAND@ecu.edu>,
"Bland, Sondra" <BLANDSO@ecu.edu>,
"Clayton, Taffye" <CLAYTONT@ecu.edu>

Patrick, we have not *typically* applied App L to assoc deans and assoc VCs, though Jeff Elwell came close to that in an assoc dean search.

We compromised with Linner's position recently and I am convening an "App. L-like committee" (same fraction of faculty nominees -from Mark-and appointees by me as "L" calls for and using 10 instead of 5 total). You might consider that.

A direct appointment would be very unusual, although waived searches are possible (Marilyn Sheerer's recent one, e.g.). Taffye can explain that to you (I am copying her for that reason).

Let me know if I can help further.

Jim

From: Pellicane, Patrick
Sent: Friday, March 23, 2007 8:24 AM
To: Smith, James LeRoy
Cc: Newton, Ron; Mageean, Deirdre; Taggart, Mark Alan; Bland, Sondra
Subject: Appointment of an associate dean

Jim,

As you may be aware, Ron Newton has served as the interim associate dean of graduate studies for the past two years. I would like to make his position permanent. After talking with Mark Taggart, he is concerned that this search may fall into the category covered by Appendix L. As such, he believes that the faculty may not be comfortable with this approach. If he is correct, we would need to do a campus-wide search to fill this position. Mark asked me to run this by you for your thoughts. I would be more than happy to hear them.
Thanks, Patrick

Patrick J. Pellicane, Ph.D.
Dean of Graduate Studies
113 Ragsdale Hall
East Carolina University
Greenville, NC 27858

Phone: 252-328-6073
Fax: 252-328-6071

03/25/2007

Lee, Lori

From: Lee, Lori
Sent: Saturday, March 24, 2007 7:45 AM
To: Lee, Lori
Subject: print

From: Knickerbocker, Dale
Sent: Friday, March 23, 2007 12:31 PM
To: Taggart, Mark Alan; Lee, Lori; 'Faculty Officers'
Subject: RE: RE: Appointment of an associate dean

Mark,

Here's what App L says.

Each administrative official (exclusive of the Chancellor, the Vice Chancellor for Academic Affairs, the Vice Chancellor for Health Sciences, the Vice Chancellor for Research, the Vice Chancellor for Business Affairs, the Vice Chancellor for Student Life, the Vice Chancellor for Institutional Advancement, the Director of Athletics, and their assistants) whose direct concern is with academic matters will be appointed according to the following procedure:

Their direct concern is definitely with academic matters.

Are they "administrative officials"? My answer is: yes, if the appointment is .5 or more. This seems like common sense, and a policy we should have been following.

From: Taggart, Mark Alan
Sent: Friday, March 23, 2007 11:41 AM
To: Lee, Lori; Faculty Officers
Subject: Fwd: RE: Appointment of an associate dean

Faculty Officers:

Your thoughts, please.

Lori:

Please add to the list.

Mark

Subject: RE: Appointment of an associate dean

03/25/2007

attachment (3)

Lee, Lori

From: Martinez, Purificacion
Sent: Wednesday, March 28, 2007 4:51 PM
To: Taggart, Mark Alan
Cc: Lee, Lori
Subject: faculty worries about unit administrator's surveys

Mark:

I have talked to Lori about this. I copy here the two latest examples of this issue. Is this just paranoia?

From: Pence, Jeffrey

Sent: Mon 3/26/2007 1:26 PM

To: 'idea@ksu.edu'

Cc: Pence, Jeffrey; Poteat, Michael

Subject: IDEA survey

Representative,

I have been asked (ongoing) to complete an IDEA survey for my Departmental Chair. In order to preserve anonymity, I cannot, without restraint, respond to open-ended (text) questions within the survey. As such, I feel the survey is NOT indicative of one's true attitude, and therefore, this survey is flawed, as constructed. I am interested, therefore, as to any justification for participation in a clearly confounded evaluation process.

From: Poteat, Michael
Sent: Fri 3/23/2007 10:35 AM
To: Martinez, Purificacion
Subject: RE: Eval

Puri,

There were only two other departments (COAD in SOE and Music Education in the School of Music) that had fewer than 6 faculty. Both had exactly 5. I contacted Dr. Swope and Dr. Buddo separately and both agreed that the units should be surveyed. Consequently, the surveys have been opened for CJ and the other two departments.

I also learned that IDEA will do surveys for chairs with units that have fewer than 5 faculty. It is the administrator survey (for deans and higher) that requires at least 5 responses.

I would suggest, however, that Faculty Governance maintain some minimum for surveys to be conducted. Yesterday, I was contacted by a faculty member in a small department (she didn't give me her name) consider that her unit head would recognize her comments. Faculty in very small units may be hesitant to participate.

Michael

From: Pence, Jeffrey

Sent: Mon 3/26/2007 1:26 PM

To: 'idea@ksu.edu'

Cc: Pence, Jeffrey; Poteat, Michael

Subject: IDEA survey

Representative,

I have been asked (ongoing) to complete an IDEA survey for my Departmental Chair. In order to preserve anonymity, I cannot, without restraint, respond to open-ended (text) questions within the survey. As such, I feel the survey is NOT indicative of one's true attitude, and therefore, this survey is flawed, as constructed. I am interested, therefore, as to any justification for participation in a clearly confounded evaluation process.

Lee, Lori

attachment (4)

From: Preston, Ron
Sent: Wednesday, March 28, 2007 11:42 PM
To: Taggart, Mark Alan
Cc: Lee, Lori
Subject: RE: meeting

Mark,

Sorry for this late reply. I started this Friday night, but had not had a chance to get back to it until tonight.

Ron

Mark,

Here are some of the details surrounding the history of geometry. I have tried to hit just the highlights, but I am afraid there is still quite a bit of detail. The most promising aspect of this is that a joint committee of mathematics educators and mathematicians has been working on a MATH geometry course that would be taught in addition to a MATE geometry course and potentially ease concern expressed by some in mathematics. The mathematics education area meeting of Tuesday 27 March discussed just that. The area agreed to support the course proposal for a new MATH geometry course – given a few minor adjustments. A program change was approved to include the new MATH geometry course and the MATE geometry course. This raises the number of hours in the program by three.

Obviously the following chronology is my version, but I try to stick to facts.

In brief, these are the facts according to me. For a more comprehensive set of points, read on to the next list.

- In the fall of 2004, a joint committee called by the chair of mathematics was asked to examine a number of issues – a new mathematics course, change in pre-requisites for other courses, and the College Geometry course.
- It was decided at that meeting that mathematics education should teach a geometry course for its majors – at least for the fall 2005 offering.
- Mathematics education did, in fact, offer such a course, in the fall of 2005. Then began to develop a course proposal for curricular revision and for fall 2006.
- Mathematics did not offer College Geometry in the fall of 2005.
- Mathematics education also offered a geometry class in the fall of 2006, based on what was learned from the 2005 offering, and advised students into this class.
- Mathematics offered College Geometry in the fall of 2006. When advising students, I was initially not aware of this course.
- Complaint from mathematics in late September 2006 – MATE students were not taking the MATH geometry course.
- Meeting among faculty – mathematics education representatives met with the

- Undergraduate Committee from mathematics as well as other interested mathematicians.
- As a result of the meeting, a joint group began working on the development of a MATH geometry course
- Agreement that courses should go up together – have held back MATE geometry course from UCC approval – and inclusion in next year's catalog – to accommodate mathematics wish.

A more comprehensive list of events.

- Prior to the summer of 2002, mathematics education faculty were located in the Department of Mathematics. We primarily taught mathematics and methods classes for teachers, but did teach some mathematics courses for other audiences as well.
- College Geometry (MATH 3233) was required for BS Mathematics (mathematics education) majors, could be taken as a mathematics elective by BA Mathematics majors, was scheduled by the mathematics education group, and was almost always taught by mathematics educators.
- When administration moved mathematics educators to Education in 2002, courses developed, administered, and taught by mathematics educators were planned to be moved as well. After some protests, it was decided to have faculty decide the location of courses.
- In a meeting of mathematics educators and mathematicians in the fall of 2002, mathematicians at that meeting wanted to keep certain courses on the list to be moved to Education. College Geometry was one of these courses. The mathematics educators agreed with this at that meeting – given that BA majors could use the course for their program and in the spirit of compromise for something we wanted – cross-listed courses for a number of applied mathematics courses developed by us and taken exclusively by pre-service teachers.
- After some months of believing that the agreement at this meeting had been approved, mathematics faculty passed a resolution opposing cross-listing. (This became the first joint meeting where mathematics claimed agreements favoring them and rejected ones that were not.)
- Series of meetings over courses – ultimately mathematics education rewrote and took through the curriculum process eight courses, but chose not to re-write the geometry course.
- Mathematics taught College Geometry in the fall of 2002, 2003, and 2004.
- A number of student complaints about College Geometry arose from students. The mathematics coordinator received many of these, although mathematics educators also heard the discontent.
- In the fall of 2004, the mathematics coordinator was looking for alternatives for the geometry course because of the complaints.
- A joint committee was asked to examine a number of issues – new mathematics course, change in pre-requisites, the College Geometry course.
- It was decided at that meeting that mathematics education should teach a geometry course for its majors – at least for the fall 2005 offering.

- Mathematics education did, in fact, offer such a course, in the fall of 2005
- Mathematics did not offer College Geometry in the fall of 2005.
- Mathematics education also offered a geometry class in the fall of 2006, based on what was learned from the 2005 offering.

- Mathematics offered College Geometry in the fall of 2006. (It was not until sometime after registration for fall began that I saw on the database that mathematics was offering its geometry course. A few mathematics education students took MATH 3233.)
- Complaint from mathematics in late September 2006.
- Math ed course approval began
- Meeting among faculty – mathematics education representatives met with the Undergraduate Committee from mathematics as well as other interested mathematicians.
- As a result of the meeting, a joint group began working on the development of a MATH geometry course
- Agreement that the two geometry courses should go for curricular approval together – have held back MATE geometry course from UCC approval – and inclusion in next year's catalog – to accommodate mathematics wish.

From: Taggart, Mark Alan
Sent: Fri 3/23/2007 11:37 AM
To: Preston, Ron
Cc: Lee, Lori
Subject: RE: meeting

Ron:

Please do bring me up to speed when you can.

Mark

Gail,

I did not know we were looking to meet with Mark. Does this mean you are concerned about the work of the joint faculty committee working on geometry?

Mark - how much do you know about the history of the geometry course?

Although I am a bit puzzled about the nature of this meeting, I am willing to meet. My schedule has been and continues to be packed, but I have some times available next Thursday (most anything before 3:00) and then the week following things finally appear to slow down and I have a number of slots available.

Ron

From: Ratcliff, Gail
Sent: Thu 3/22/2007 11:56 AM
To: Preston, Ron
Cc: Taggart, Mark Alan
Subject: meeting

Dear Ron,

Mark Taggart has agreed to meet with us to talk about the continued substitution of your geometry course in the Math Ed program.

Please let me know what times are convenient for you.

Thanks,

Gail

--

Mark Alan Taggart

*Chair of the Faculty
140 Rawl Annex
252 328 6537*

*Professor of Music
366 Fletcher Music Building
252 328 4278*

Promotion to Full Professor: David Pravica, Department of Mathematics

Faculty Vote: N (The 8 member committee sided 4 to 4 (= N) in discussion w/ me)

Chair Vote: N (The chair voted N, citing research record not yet ready & lukewarm letters)

Dean Vote: N (The dean voted N, citing research record not yet ready & lukewarm letters)

This case, as with the other promotion case in the Department Mathematics this year, was decided in the faculty committee (4-4-0, which = N), by the chair, and by the dean solely on the basis of the adequacy of the research record. While research excellence is surely a criterion for promotion to full professor, even surely a central one, it is not and should not be in a University dedicated to student success and partnership outreach, *the only criterion*. There is disagreement on this issue between me and the other reviewers at ECU in both these cases, even though they are different cases. Professor Pravica presents an excellent case of student interaction as well as an excellent, even very unusual, case of an applied research partnership with the School of Medicine. His reviewers indicate that his research is accomplished and that he is worthy of serious consideration. Further reasoning under the specific criteria I have used:

Equity: (= *fairness in relation to other like decisions in the unit and/or beyond*)

As the testimony of the former, long-time department chair in Math indicates, equity in the unit requires promotion in both the Pravica and the Spurr cases as one looks at recent departmental history. Also, he argues that Professor Robinson supports both cases and he has arguably the strongest research record in the unit. Moreover, external reviewers make the promotion case from universities which are at least equal to and in most cases above ECU and ECU peers. On the equity criterion both internally and in national comparison, promotion appears required.

→ Even Professor Benson (who voted N) indicates in the Pravica case that it reduces to a debate about how high the research bar should be set. When external reviews state that "he is worthy of serious consideration for promotion to Professor" and "I urge you most strongly to promote him to this position," it is difficult to coherently dismiss such evaluations as code for "no."

Institutional Liability: (= *avoidance of grievances/suits in material cases*)

With an overall record as established and shown in the personnel action dossier, including the external reviews and including the research record, to fail to promote introduces an institutional liability supervening over the question of internal and external equity. Again promotion appears required.

Faculty Member Excellence: (= *exceeds single-variable excellence*)

The personnel action dossier in its entirety demonstrates an overall faculty excellence that is commensurate with promotion to full professor in a department dedicated to all the values and goals important to an academic department at this stage of this institution's history.

Provost recommendation: Y

James LeRoy Smith
March 14, 2007

Promotion to Full Professor: Michael Spurr, Department of Mathematics

Faculty Vote: N (The 8 member committee sided 4 to 4 (= N) in discussion w/ me)
Chair Vote: N (The chair voted N, citing research record not yet ready & lukewarm letters)
Dean Vote: N (The dean voted N, citing research record not yet ready & lukewarm letters)

This case, as with the other promotion case in the Department Mathematics this year, was decided in the faculty committee (4-4-0, which = N), by the chair, and by the dean solely on the basis of the adequacy of the research record. While research excellence is surely a criterion for promotion to full professor, even surely a *central* one, it is not and should not be in a University dedicated to student success and partnership outreach, *the only criterion*. There is disagreement on this issue between me and the other reviewers at ECU, even though they are different cases. Professor Spurr presents an excellent case of teaching excellence, interaction with students, and a willingness to partner outside his department, while still presenting a research accomplishment case that is clearly supported by external reviewers at excellent institutions. Professor Spurr, among other awards, holds the UNC Board of Governors' teaching award. Further reasoning follows under specific criteria:

Equity: (= *fairness in relation to other like decisions in the unit and/or beyond*)

As the testimony of the long-time, former department chair in Math indicates, equity in the unit requires promotion in both the Pravica and the Spurr cases as one looks at recent departmental history. Also, he argues that Professor Robinson supports both cases and he has arguably the strongest research record in the unit. Moreover, the external reviewers make the like case for their universities which are at least equal to and in some cases far above ECU peers. On this criterion, promotion appears to me to be required. The external letters in Professor Spurr's case set up the equity decision as a prelude to an issue of institutional liability. The Purdue reviewer states "I urge you to give him that title. I believe he would be promoted at Purdue." The Texas A&M reviewer states that "Without reservation, I am pleased to recommend him to you as worthy of promotion to the rank of full professor." Finally, the Vassar reviewer states "...I would see a decisive case for promotion as an active and strong scholar and an outstanding educator." Surely, it is impossible to coherently dismiss such evaluations as code for "no."

Institutional Liability: (= *avoidance of grievances/suits in material cases*)

With an overall record as established in the personnel action dossier, as confirmed in the external review letters, including the research record, to fail to promote introduces an institutional liability supervening over the question of internal and external equity. Again promotion appears required.

Faculty Excellence: (= *exceeds single-variable excellence*)

The personnel action dossier in its entirety demonstrates an overall faculty excellence that is commensurate with promotion to full professor in a department dedicated to all the values and goals important to an academic department at this stage of this institution's history.

Provost recommendation: Y

James LeRoy Smith
March 14, 2007