

## “Hurtful Language”

As most of you know, I am not part of the Economics, Finance and International Business Department (EFIB) of USM’s CoB. I am a professor in the School of Accountancy and Information Systems. Therefore, I had not heard the prepared speech Dr. Carter gave his colleagues in support of subverting a legitimate faculty governance vote. However, I did read Dr. Carter’s report of that meeting. Dr. Carter claims that words used in a usmpride.com report entitled “45 Minutes” justified his decision to nullify duly elected governance in EFIB because he feared the language on this board was “uncomplimentary, derisive, or hurtful”. He wanted to silence his faculty. Let’s review Chairman Carter’s behavior and measure it in accordance with the imposition of his “hurtful” language principle.

Chairman Carter recently admitted he said “hurtful” things about Dean Doty. To paraphrase Chairman Carter, he found Dr. Doty so offensive, he could not stand being around the “jerk” for more than a minute or two. (If you haven’t yet, take a look at Chairman Carter’s email apology to Dean Doty.) Assuming Dean Doty is a jerk—and you won’t get an argument on that point from many CoB faculty, Chairman Carter’s discussion of what he had learned about Dean Doty in the private conduct of their administrative duties would, according to Chairman Carter, be “protected private faculty information.” Accordingly, that “protected private faculty information should not be disclosed.

Not only did Chairman Carter blatantly violate his own ethical standards, his apology contained a pitiful ploy to divert responsibility to an untenured junior faculty member. From usmpride.com’s point of view, Chairman Carter doesn’t care about the “hurtful”, “confidential” comments he makes, as long as he doesn’t get caught or can blame someone else. Furthermore, his rationale in setting aside a legitimate faculty vote, which he pretended to be a heartfelt, ethical concern, was nothing more than a shameful fabrication to change what he didn’t like—a faculty free to express their opinions, and present facts, evidence, and reasoning.

Chairman Carter apologized for his very personal comments about Dean Doty only when an audio recording confirmed the written transcription of his comments. The simple truth is he got caught. The audio confirmed his “uncomplimentary, derisive, or hurtful” comments. Chairman Carter could no longer say the words were never spoken or were taken out of context. There they were in his own voice. And he had to try to make amends to Dean Doty because he didn’t dare fight someone who could hit back. The following terms come to mind: pitiful; embarrassing; hypocritical.

The consequences of Chairman Carter’s “hurtful” language principle doesn’t end with his woefully inadequate apology. Mr. Gore and Provost Grimes accepted the “hurtful” language rationale and supported Chairman Carter’s subversion of EFIB governance. What are Mr. Gore and Provost Grimes left with now that Carter’s “hurtful” language principle was made a farce by Chairman Carter himself? Chairman Carter gratuitously

speaks “uncomplimentary, derisive, or hurtful” words whenever and to whomever he pleases, including – if he is to be believed – a junior, untenured faculty.

Mr. Gore and Provost Grimes should reassess their support of Chairman Carter’s “hurtful” language rationale for overturning a duly elected governance of EFIB. However, their history of affirming and promoting whatever a fellow administrator says or does signals their absolute sympathy for a fellow administrator regardless of what s/he does or the cost to their own credibility.

The truth is, University Counsel and Assistant Attorney General Lee Gore crawled out on a limb to provide Dr. Carter with a twisted interpretations of the rules. Mr. Gore perverted the rules only to learn that Carter was sawing away on that limb. Furthermore, the legal profession has made quite clear what it thinks of using claims of “hurtful” language to silence dissent. Even “hate speech” cannot be used as a reason to terminate free speech much less “hurtful speech.” Gary Pavela, Director of Judicial Programs at the University of Maryland, made the point quiet well in a December 1, 2006 article in *The Chronicle of Higher Education* entitled “Only Speech Codes Should be Censored.” “From a lawyer’s perspective, the courts have spoken: Broadly written speech codes adopted by public institutions . . . are unconstitutional. The legal parameters are becoming so well settled that enforcement of those codes expose public-college administrators to personal liability for violating clearly established constitutional rights.”

The University’s legal counsel should, and probably does, know better than to adopt a speech code punishing faculty who engage in legitimate dissent. He and other administrators employ this kind of nonsense because it has worked so well for them in the past.

Provost Grimes, I respectfully suggest that you consider using evidence and sound reasoning to support your decisions. We don’t want our provost to look, or act, like a ping-pong ball. Consider your behavior, Dr. Grimes. You began by issuing a letter saying that Dr. Carter was wrong to set aside the faculty governance vote. However, before the letter arrived, you sent out an email withdrawing the letter and accepting Dr. Carter’s “hurtful language” principle. You find yourself dangling from the same limb as Mr. Gore. Now, what is your decision? Will you continue to support the “hurtful language “ exception to faculty governance that Dr. Carter created?

President Thames, you are our leader. Nobody forced you to take the president’s job. You wanted the USM leadership because of poor decisions you observed. You are now watching toxic leadership in the CoB. We have kept you informed through letters, emails, and personal interviews. The evidence of destructive CoB leadership is well documented. It’s time to act on that evidence.

Well, as a matter of fact, corrective action is long overdue. Unfortunately, at this point I have to conclude that President Thames, not only condones CoB administrative nonsense, he promotes it. However, I would be delighted to be proven wrong.

**The CoB slogan is “We take PRIDE in all we do.” It is time that our college end management by slogan and build a good school.**