



The University of  
Southern Mississippi

Department of Economics,  
Finance and  
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October 25, 2006

**VIA HAND DELIVERY**

Dr. Harold Doty, Dean  
College of Business  
University of Southern Mississippi  
Hattiesburg, MS 39406

Dear Dr. Doty:

In keeping with Faculty Handbook § 12.2.5, Decanal Grievances, I am appealing the departmental response to a Grievance filed on October 12, 2006. A copy of the Grievance is attached as Exhibit 1 and incorporated by reference as Exhibit 1.

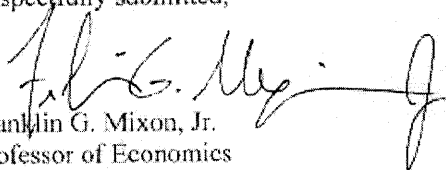
Dr. Carter's response to the Grievance, following a meeting that lasted less than 3 minutes, is attached as Exhibit 2. During the Grievance, and in violation of Faculty Handbook § 12.2.4, he made no "attempt to informally resolve the grievance." To the contrary, Dr. Carter ignored all documentation supporting the Grievance and refused to address the substantive allegations of the Grievance. In fact, Dr. Carter came to the meeting, unwilling to consider the Grievance and having already made the decision to affirm his punitive class assignment. Specifically, Dr. Carter began the meeting with the statement "The schedule is set, and that's the one we're gonna go with." Dr. Carter was clearly not a proper party to attempt to informally resolve the issues.

Dr. Carter's sole statement offered in justification of his decision was "[b]asically, I balanced the schedules out and tenured full professors are the ones who ended up doing 'the balancing' because our history has been that junior and non-tenured faculty members are given some degree of support since they haven't established themselves in the profession yet. So, at this stage of the game my position would be that the schedule you've got will be your schedule." However, an analysis of the data shows no effort to balance the schedules. Rather, the schedule assigned me was deliberately punitive. See Exhibit 3 containing an analysis of the teaching schedules for full professors in economics that is based on the six "onerous" teaching schedule factors identified on page 2 of my Grievance (Exhibit 1). Clearly, Dr. Carter's claim that "this is the way it fell out" is, at kindest, disingenuous. In fact, over the past six months, Dr. Carter's attitude toward me has become increasingly punitive and retaliatory. One example is attached (see Exhibit 4); however, more can be provided as part of the appeal.

Furthermore, Dr. Carter refused to address the portion of my Grievance relating to his assignment of me to a class previously taught by Dr. Ray Canterbury. In fact, Dr. Carter has refused to communicate with me about the assignment at all, other than a certified letter making the assignment. Therefore, I began the first class – the fourth week of the semester -- with no textbook and no information concerning the materials that had been covered. Significantly, and as noted in the Grievance, the course is outside my area of expertise and was a course I had never taught. Dr. Carter made the assignment even though there were other faculty who had expertise in the area and who had previously taught the class, including one who was teaching no classes. The assignment was made so that I had less than a week (including weekends) to prepare to teach the course. Even though the course was an “overload”, and required extraordinary effort on my part, Dr. Carter refused and continues to refuse to discuss overload pay. The assignment to the class was intended to be, and was in fact, punitive.

Dr. Carter ignored a number of other items contained in my grievance (see Exhibit 1), such as his part in efforts to threaten my employment with USM back in the spring of 2006, and his role in creating a hostile work environment for me at USM. I trust that you will consider all of the charges and evidence contained in my original Grievance, as well as the new Exhibits that I have submitted which indicates that Carter’s assignment of onerous teaching duties to highly research-active faculty is not only punishment for exercise of my rights of academic freedom, it constitutes anti-intellectualism, a practice you have taken a very public stance against in the recent past.

Respectfully submitted,

  
Franklin G. Mixon, Jr.  
Professor of Economics

Enclosures

cc: EFIB Faculty, with Enclosures

Exhibit 2

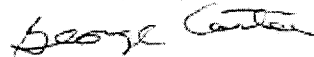
DEPARTMENT OF ECONOMICS, FINANCE, AND INTERNATIONAL BUSINESS  
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**MEMORANDUM**

To: Dr. Harold Doty, Dean

Copy: Dr. Frank Mixon

From: Dr. George Carter, Chair



Subj: Grievance

Date: October 18, 2006

In accordance with Section 12.2.4 of the Faculty Handbook, Dr. Mixon and I held a conference this date concerning his Grievance of October 12, 2006.

No agreement was reached in the conference. It is my judgment that the Grievance is without merit.

Exhibit 3

**Analysis of Spring 2007 Teaching Schedules: Tenured Full Professors of Economics\***

Name	3 Course Load	3 Preps	2 New Preps	5 days/week	Night Class	Drive
Carter, George						
Gunther, Bill					X	
Kirchhoff, M.	X	X				
Mixon, Frank	X	X	X	X	X	X
Niroomand, F.						
Nissan, Ed	X				X	
Sawyer, Chas.	X				X	
<b>Totals:</b>	<b>4</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>4</b>	<b>1</b>

\* For additional explanation of the six (6) teaching schedule-related factors listed above, please refer to page 2 of original Grievance document

E3 cont.

<u>Full Professors of Economics</u>	<u># of 6 'Onerous Factors'</u>	<u># Minus Group Mean (t-value)</u>
Carter, George	0	-1.714* (-2.12)
Gunther, William	0	-1.714* (-2.12)
Niroomand, Farhang	0	-1.714* (-2.12)
Klinedinst, Mark	2	+0.286 (0.35)
Nissan, Edward	2	+0.286 (0.35)
Sawyer, Charles	2	+0.286 (0.35)
Mixon, Franklin	6	+4.286** (5.30)

\*\* p<0.005   \* p=0.08

Carter claimed that what you see in the first table above is "... the way [the schedule] fell out." According to the statistical tests in the table above, of the seven tenured, full professors of economics, six have schedules exhibiting at or below the mean number of "6 onerous factors." These are Carter, Gunther, Niroomand, Klinedinst, Nissan and Sawyer. Only one person, Mixon, has more than the mean number of the "6 onerous factors." Not only that, Mixon had *3.5 times the mean number of onerous factors!* Carter's statement that the schedules simply "fell out" this way is disingenuous.

Exhibit 4

May 16, 2006

Went to College Hall at 8:15 am to meet iTech associates. Was told to be there so they could hook up my phone. Spent 20 to 30 minutes in office with technician waiting for hookup. George Carter was hanging around a bit, and I could tell he wanted to talk with me. At some point he invited me downstairs to his College Hall office for a talk. He opened by stating that I seemed to be intent on delving into "confidential" personnel matters that I had no place in. He was referencing the e-mail I sent regarding a faculty member's date-of-hire and number of publications, the two areas that are supposedly "confidential." I pressed him a little on how that type of information was "confidential," but he gave no clear-cut answer. At one point he commented that the case I was writing about was perhaps a special case that should not concern me. He then instructed me on the differences between 4-year higher education, on the one hand, and K-12/junior college education on the other, indicating that the former was about scholarship, higher rewards (\$), and greater prestige than the latter, which is primarily a teaching endeavor. He said that our department (economics, finance and international business) was becoming more polarized over time because our department was one built primarily on scholarship, while the others are populated by individuals who enjoy the social aspects of their work — the relationships they build with colleagues, students, administrators, etc, not scholarship. Carter said that he had a distaste for the social club viewpoint of higher education, but it is the way things are in the CoB. He indicated that the larger group viewed the natural inquisitive nature of the scholars in EFIB as bothersome and unwanted, because it gets in the way of what they believe should be the day-to-day collegial environment in the CoB. He said their morals were different. He went on to discuss the promotion to full professor of David Duhon. He said that he (Carter) believed it to be unwarranted, but that it was the outcome that certain members of the CoB desired because Duhon is collegial, or a nice guy. Carter then stated that he didn't believe that Duhon should even be employed at a research university like USM, that he was more suited for an institution engaged primarily in teaching, much like a junior college. But, he stated, that is not what Duhon and others believe. He warned me that Beth LaFleur and Stephen Bushardt were very masterful manipulators, that they were managers, adept at weaving traps and luring people into them. He was referencing LaFleur's recent e-mail, questioning my professionalism. He said she was luring me into a public discussion, one that would lead to my demise. He stated to me that I was not like them, that I did not possess their talents for manipulation. He stated that my talents were research, teaching and service. He ended by advising me to begin to establish a pattern of working through proper administrative channels in an effort to rebuild my reputation within the college.

At about the midpoint of our conversation I told Carter that I planned to leave USM, and that I thought I could secure employment elsewhere by Spring of 2007. He said that he wasn't going to tell anyone that I intended to leave and he advised me to keep quiet as well on that point. I did comment that I thought Charles Sawyer knew, and he said that Sawyer had not told him and that Sawyer could "keep a confidence." He said that my strategy should be to reserve my decision to leave as my ace card. He said that if the Dean pursues legal action and I get embroiled in legal troubles, that I should offer to trade my future at USM for their discontinuation of legal action against me. He said that I could even sign a document indicating that I would offer my resignation at the end of the 2006-2007 academic year in return for their termination of legal

E4 cont.

actions against me. (At one point in our conversation, Carter said that I was "the standard" for scholarship in the CoB, and that might also help me mitigate my recent problems).

In discussing possible legal actions taken by the Dean against me (above paragraph), Carter claimed not to know if legal action was forthcoming from the Dean. Carter did say "He's [i.e., Doty's] not all there...", indicating that he (Carter) believes Doty to be mentally unbalanced or unstable in some way.

# Exhibit 5

## Analysis of Spring 2007 Teaching Schedules: Tenured Full Professors of Economics\*

Name	3 Course Load	3 Preps	2 New Preps	5 days/week	Night Class	Drive
Carter, George						
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## *Corrected Version*

<u>Full Professors of Economics</u>	<u># of 6 'Onerous Factors'</u>	<u># Minus Group Mean (t-value)</u>
Carter, George	0	-1.857* (-2.41)
Niroomand, Farhang	0	-1.857* (-2.41)
Gunther, William	1	-0.857 (-1.11)
Klinedinst, Mark	2	+0.143 (0.19)
Nissan, Edward	2	+0.143 (0.19)
Sawyer, Charles	2	+0.143 (0.19)
Mixon, Franklin	6	+4.143** (5.39)

\*\* p<0.005    \* p=0.055

Carter claimed that what you see in the first table above is “. . . the way [the schedule] fell out.” According to the statistical tests in the table above, of the seven tenured, full professors of economics, six have schedules exhibiting at or below the mean number of “6 onerous factors.” These are Carter, Niroomand, Gunther, Klinedinst, Nissan and Sawyer. Only one person, Mixon, has statistically more than the mean number of the “6 onerous factors.” Not only that, Mixon has *more than 3.2 times the mean number of onerous factors!* Carter’s statement that the schedules simply “fell out” this way is disingenuous.