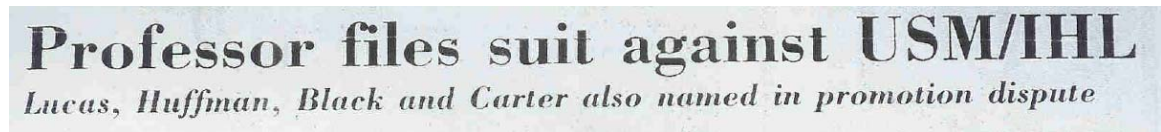


The Trellis Green Lawsuit: A Decade Later

It has been about 12 years since then-assistant professor of economics Trellis G. Green filed suit against the University of Southern Mississippi and the Mississippi IHL, and a decade since that suit was settled. Given the current state of affairs in USM's College of Business, it seems fitting that USMPRIDE.COM presents a series on the Green lawsuit. This is part 2 in that series.

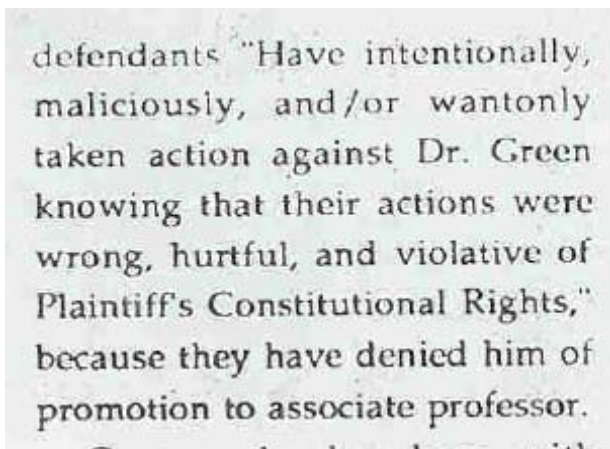
The Charges

The previous installment in this series revealed the six (6) parties that Green leveled charges against. Those parties were identified at the time in a front page headline of a local newspaper (*The Student Printz*), as shown below:



Professor files suit against USM/IHL
Lucas, Huffman, Black and Carter also named in promotion dispute

What were Green's charges? As the article's author, Reneé Mullins (of *The Student Printz*) describes, Green alleged that the defendants "... intentionally, maliciously, and/or wantonly" took action against Green – denying him promotion to associate professor – knowing that their actions were "... wrong, hurtful, and violative" of Green's Constitutional Rights. That portion of Mullins' description is captured below:



defendants "Have intentionally, maliciously, and/or wantonly taken action against Dr. Green knowing that their actions were wrong, hurtful, and violative of Plaintiff's Constitutional Rights," because they have denied him of promotion to associate professor.

According to Green, USM's Faculty Handbook stipulated essentially the same criteria for promotion to associate as it did for the award of tenure. By awarding him one (tenure), but not the other (promotion to associate), Green argued that USM and College of Business Administration administrators, such as VPAA David Huffman and EIB Chair George Carter, failed to properly follow the Handbook. Green's case is spelled out by Mullins below:

The USM Faculty Handbook define the relationship between tenure and promotion. It states that because the criteria for both promotions are essentially the same and that "consequently, promotion to the rank of associate professor constitutes a clear expectation of subsequent appointment with tenure."

However, it does not specifically state that the reverse situation is applicable.

Green, represented by Kim Chaze, took the view that, because the criteria for both are essentially the same, the award of tenure constitutes a clear expectation of a promotion to the rank of associate professor.

However, the USM Handbook did not explicitly make the connection argued by Green and Chaze (see passage above). Carter, CBA Dean Tyrone Black, et al., represented by USM Counsel Lee Gore, took the view that Green did not qualify for the promotion, and that he (Green) was awarded tenure based on "exceptional circumstances" (see passage below). Thus, USM (and Carter et al.) argued that Green did not deserve to remain employed at USM under usual conditions, much less a promotion to associate professor.

The book does state, however, that "only under exceptional circumstances will tenure be awarded to anyone who cannot meet requirements for promotion to associate professor."

Did Green's application warrant denial on both counts? If so, was he saved by "exceptional circumstances?" Or, did Carter et al. launch an attack on Green and attempt to deny him one of two awards, when instead both were deserved?

Ad Hoc Denial?

Investigators examined what we know about the principals on the administrative side this matter. USMPRIDE.COM readers are now aware that current EFIB Chair George Carter, a key player in the Green case, often reverts to *ad hoc* behavior when it comes to administrative processes such as annual evaluation and tenure/promotion decisions. Investigators at USMPRIDE.COM have reported on Carter's maverick tendencies, as the screens below show:

George Carter's "Literature Presence" An Investigation into *Ad Hoc* Policies & Procedures in the CoB

This report uncovered EFIB Chair George Carter's use of the dubious "Literature Presence" category to evaluate EFIB faculty. As the report indicates, not only is the "LP" category not part of the CoB faculty handbook, a count of Google Scholar citations puts Carter in the penultimate position of "presence" among the 9 senior EFIB faculty.

The "Literature Presence" item discussed in the report above was corroborated through USMPRIDE.COM's receipt of a facsimile of the EFIB annual evaluation document used by Carter in the spring of 2006, which is available at USMPRIDE.COM.

We are currently being provided with information that Carter is circumventing policy in attempting to push through several online course offerings in the EFIB. As Carter stated, being a department chairman means doing what somebody tells you to do, even though you don't think it's the right thing to do. It's not a stretch to believe that someone lacking a moral compass would "maliciously" take action that is "hurtful" and "violative" of another's Constitutional Rights, as Green's suit alleges that Carter did in denying him promotion.

Isn't Carter the King of Special Treatment?

One of the more popular reports available at USMPRIDE.COM is the exposé on George Carter's 12-year tenure plan (see below).

Special Report

Did George Carter Get 12 Years for Tenure? An Investigative Series on CoB Faculty Credentials

As that report showed, Carter combined two separate stints as an untenured associate professor of economics at USM to achieve tenure, which he was awarded in 1996. The relevant table from that *Special Report* is presented below:

<u>Academic Year</u>	<u>Period</u>	<u>Yrs as Unten</u>	<u>Cumulative Yrs as Unten</u>
1979-1980	I	1	1
1980-1981	I	2	2
1981-1982	I	3	3
1982-1983	I	4	4
1983-1984	I	5	5
1989-1990	II	1	6
1990-1991	II	2	7
1991-1992	II	3	8
1992-1993	II	4	9
1993-1994	II	5	10
1994-1995	II	6	11
1995-1996	II	7	12

As the table above shows, at the time Trellis Green was denied promotion to associate professor (April of 1994), George Carter was completing the 10th year of his 12-year tenure track period at USM. Carter had exceeded, by this time, the usual tenure timeline by almost 70-percent.

It is also worth noting again here that Carter was hired by USM as an *associate professor of economics*, even though he (Carter) had no academic experience as an economist prior to coming to USM in 1979. This means that Carter had never had to do what Green and other assistant professors of economics were expected to do – publish enough research to become an associate professor of economics. Carter was handed that rank, and its privileges, with no research record to speak of, yet he sought to deny Green of that rank (set of privileges), even though Green’s research far exceeded Carter’s at the time. Sources tell USMPRIDE.COM investigators that one area of contention between Green and Carter was Carter’s refusal to count an A-level publication Green produced in the 1980s. That publication is, still to this day, well beyond anything Carter has ever published in terms of journal quality (using the CoB’s journal ranking, as published in *Enhancing Faculty Productivity*). Other reports available at USMPRIDE.COM show that Carter has never published in better than a C-level journal outlet since arriving at USM in 1979. Readers tell USMPRIDE.COM that Carter and Black failed to provide Green with proper credit for many other activities that were specified in the CBA and USM Handbook materials at that time.

A report in the **SEDONA Files** series uncovered some of the details above. The relevant part Carter’s career timeline from that **SEDONA Files** installment is presented below:

<u>Year(s)</u>	<u>Academic Experience</u>	<u>Academic Background</u>
1963		B.S. in Mathematics, University of Southern Mississippi
1968-1969	Undergraduate Research Assistant, Department of Economics, University of Southern Mississippi	
1969		M.S. in Economics, University of Southern Mississippi
1969-1971	Graduate Teaching Assistant, Department of Mathematics, College of Liberal Arts, Texas A&M University	
1971-1973	Assistant Professor of Marine Transportation, Moody College of Marine Science and Maritime Resources, Texas A&M University	
1973-1978	Assistant Professor of General Academics, Moody College of Marine Science and Maritime Resources, Texas A&M University	
1975-1978	Assistant Dean for Academic Affairs, Moody College of Marine Science and Maritime Resources, Texas A&M University	
1977		Ph.D. in Economics, Texas A&M University
1978-1979	Associate Professor (tenured) of General Academics, Moody College of Marine Science and Maritime Resources, Texas A&M University	
1978-1979	Coordinator, Maritime Administration, Moody College of Marine Science and Maritime Resources, Texas A&M University.	
1979-1984	Associate Professor of Economics, University of Southern Mississippi	
1989-1996	Associate Professor of Economics, University of Southern Mississippi Chair of the Department of Economics and International Business, University of Southern Mississippi	
1996-present	Professor (tenured) of Economics, University of Southern Mississippi	

As these tables point out, Carter was hardly qualified to invoke the “exceptional circumstances” clause of the USM Handbook in order to deny Green’s application for promotion to associate professor. Carter’s academic career at USM had been, up until 1994, one of extraordinarily good (i.e., preferential) treatment.

The next installment in this series will examine the award sought by Green in his lawsuit against the six defendants.