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Faculty Senate Officers' Response to President Thames's April 15, 2004 Letters

USM Faculty Senate

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April 26, 2004

TO: Dr. Shelby F. Thames, President
The University of Southern Mississippi
118 College Drive Box 5001
Hattiesburg, MS 39406-0001

FROM: Faculty Senate Officers (FSO): Myron Henry; David Beckett; Joe Olmi; Susan Malone

TOPIC: Responses to three April 15 letters from President Thames

Through Dr. Myron Henry, Faculty Senate President, we are in receipt of three letters from you, each dated April 15, 2004. The Executive Officers of the Faculty Senate have agreed that one letter from us would be the most appropriate way to respond to your correspondences. Though we do not agree with many of your assertions in each of the correspondences, we have chosen to respond directly to the portions of your letters relating to Faculty Senate requests made under the Freedom of Information Act.

President Thames' April 15 Letter on Salaries

Faculty Senate's Request. In letters dated February 20th and April 12th, the Faculty Senate requested the following information:

1. An organization chart for the university administration to include such recent hires as Richard Hadden, Les Goff, Vance Flosenzier and Jack Hanbury.
2. Present salaries of persons on the organization chart (including additional compensations)
3. Clarification on the Albertson's building, impact on nursing, funding for the Trent Lott Center and the spending plan for the \$3 million in set aside funds.

President Thames' Response. In referring to a March 3, 2004 response to a previous request from the Faculty Senate, you state

“As noted in that package, a listing of employees who report to the University’s Administrators is available in the 2003-2004 Annual Budget for The University of Southern Mississippi, which is located in the Cook Library. However, it seems that our efforts to provide even more information than originally requested has resulted in three additional requests from the Faculty Senate.”

FSO Observations. This statement is inaccurate. The 2003-2004 Annual Budget Book does not give an organization chart specifying who reports to whom. Also, we are unable to find the names of four individuals who we referenced in our April 12, 2004 letter to you; Mr. Richard Hadden, Mr. Les Goff, Mr. Vance Flosenzier, and Mr. Jack Hanbury. Newspaper accounts place these men on the USM payroll. What are their salaries? From what accounts are they paid? What are their duties? To whom do they report? It is our understanding that Mr. Ken Malone now has substantial duties associated with USM Gulf Coast. How does he fit into the organization chart? What is his salary, and from what accounts is he paid? How do his duties on the Gulf Coast campuses relate to those of Provost Jay Grimes? The administrative organization chart we have requested might answer these questions as well as others.

We also note that you do not refer to the third request (Albertson’s, nursing, etc.) appearing in our April 12 letter to you. These are questions of importance to faculty.

FSO Request. For the sake of accountability at all levels of the university and in the interest of full disclosure, we again ask the administration to provide the information requested in our April 12 letter.

President Thames’ April 15 letter on the Résumé of Dr. Dvorak

Faculty Senate Ad Hoc Committee’s Request. The Committee requested that the Office of Graduate Studies provide a copy of the résumé it reviewed when Dr. Dvorak was evaluated for graduate faculty status.

President Thames’ Response. *“You submitted a Freedom of Information Act request to the University’s Graduate Council requesting a copy of the résumé of Dr. Angeline Dvorak. Mississippi Code Ann., § 25-1-100 states that personnel records and applications for employment are exempt from the provisions of the Public Records Act It is my understanding that Dr. Dvorak has agreed to waive this exemption and authorized the University to release her resume to your committee if you agree to meet with her to discuss the substance of the matters contained in it. However, it is also my understanding that you have refused to do so.”*

FSO Observations. We believe your interpretation of *Mississippi Code Ann., § 25-1-100* is debatable. It is not true that the Ad Hoc Committee has “*refused*” to meet with Dr. Dvorak. The Ad Hoc Committee did ask Dr. Dvorak to provide a vita ahead of the meeting so that the Committee could ask more informed questions and the meeting could be more productive. It is true that Dr. Dvorak has neither provided the requested vita nor responded to Dr. Henry’s April 8 email to her in which he agreed to most of her preconditions for a meeting.

FSO Request. For the sake of accountability at all levels of the university and in the interest of full disclosure, we again ask the administration to provide the information requested by the Ad Hoc Committee in its letter to the Office of Graduate Studies.

President Thames’ April 15 Letter on the Request to the Deans

Faculty Senate Request. In April 7 letters to the deans, the Faculty Senate requested:

1. Names of individuals recommended for raises by the chairs.
2. Names of individuals recommended for raises by the deans.
3. Criteria used to determine raises within departments and colleges.
4. Governance options in the respective departments.

President Thames’ Response. *The University will not furnish the Faculty Senate with [names of individuals] ... Those recommendations constitute personnel matters that are clearly exempt from the Public Records Act pursuant to Miss. Code Ann., 25-1-100...*

FSO Observations. Though we do not believe that the names of these individuals constitute a personnel matter exempt from the Public Records Act, we believe the information we need may be obtained through the following modified request.

1. How many names did each department chair submit to its respective college dean?
2. How many of the names from each department were sent forward by the dean to the provost?

3. Were there names sent forward by the dean that had not been submitted by a department chair?
4. How many of the individuals each department recommended were awarded raises?
5. Were raises awarded to individuals who had not been recommended by a chair and/or a dean?

President Thames' Response. *In your latest request, you requested the "governance option for each department of each college. You can obtain that information on your own by contacting each department chair.*

FSO Observations. We presumed each dean would know the governance option for each department in his or her college since decision making processes at college levels are very much dependent on the departmental governance option. We also felt that it was reasonable to ask deans of colleges to respond to this request since then we would receive only six responses rather than close to forty.

President Thames' Response. *"You requested the criteria and process by which mid-year merit raises were determined within the departments of each college. This information was previously provided and explained to you and the Faculty Senate in the administration's response to your earlier request."*

FSO Observations. Ms. Lisa Mader submitted the information you mention to the Hattiesburg American and the Faculty Senate on March 3, 2004. The "criteria" you refer to in that material reads,

"These raises (the mid-year raises for 2004) were meritorious, based on recommendations of the five academic deans and their associate deans and department chairs. Deans were asked to consult with their associate deans and chairs and present a list of their "top 10 percent" of faculty based on performance. There were no restrictions placed on how they should proceed. Deans and chairs considered criteria, which varied according to factors that best represented performance within each college.

No mention is made of departmental governance options in the March 3 materials, nor specific criteria the deans and chairs may have used to determine their "top ten percent." It is precisely the very abstract description of "criteria" from the March 3 materials that persuaded the Faculty Senate to seek more specific information from deans.

FSO Request. For the sake of accountability at all levels of the university and in the interest of full disclosure, we again ask the administration representing the deans to provide the information requested in our April 7 letters.

Some Concluding Observations

President Thames' Response. In your April 15 letter on salaries, you write,

'The Faculty Senate's constitution states "The Senate shall provide for the faculty both a forum and a voice and so allow it to assert for the general welfare of the University its distinctive viewpoint and principles." Continuing to burden this administration with nonproductive paperwork regarding issues designed to create division does not further the welfare of the University or our students.'

FSO Observations. Examples of issues the Faculty Senate has dealt with this year include accountability at all levels of the university, academic freedom, freedom of speech, freedom from retaliation, the Faculty Handbook, integrity in reporting data, workplace environments that are conducive to learning, faculty and staff involvement in decision making processes before the decisions are made instead of after they are announced, respectful treatment of colleagues, and due process for faculty in personnel decisions.

We think we are providing “*for the faculty both a forum and a voice,*” and by doing so, the Faculty Senate is asserting “*for the general welfare of the University its distinctive viewpoint and principles.*” We agree that there is now a wide schism within the university. But it is unfortunate for the administration to blame the Faculty Senate or the faculty at large for the division we now see at The University of Southern Mississippi.

Xc Mr. Lee Gore, University Counsel for The University of Southern Mississippi

Mr. Roy Klumb, President, Board of Trustees of Institutions of Higher Learning (IHL)

Ms. Virginia Shanteau Newton, Vice President, Board of Trustees, IHL

Dr. David Potter, Commissioner, Board of Trustees, IHL

