

May 22, 2006

Dr. John Travis
President, California Faculty Association
Professor, Political Science Dept., Humboldt State University
CFA Headquarters
5933 W. Century Blvd., Ste. 220
Los Angeles, CA 90045

Dear Dr. Travis:

A number of CFA members at San Diego State University (SDSU) forwarded to the Pat Washington Support Committee (PWSC) copies of Mark Wheeler's letter of complaint to you regarding CFA's recent resolution in support of Pat's "quest for justice and equity in the resolution of her case."

PWSC has carefully reviewed Professor Wheeler's letter and would like to thank the statewide CFA and all delegates to the Spring 2006 General Assembly for voting overwhelmingly to pass the resolution. It is an unfortunate sign of these Orwellian (Rovean) times that we find it necessary to characterize even the most simple and benign acts (as in this instance of voicing support for an individual's pursuit of "justice and equity") as acts of "moral courage," but Professor Wheeler's wholesale and broadly circulated jeremiad against the statewide CFA, against delegates to the Spring 2006 General Assembly, and against Dr. Washington appear to warrant calling CFA's passage of the resolution in support of Washington just that—"morally courageous."

Mr. Wheeler's petulant gripe is replete with misstatements and unfounded suppositions that also warrant response. PWSC, therefore, requests your indulgence in allowing us to address what we perceive to be some of the most glaring among these.

PWSC wishes to point out that there is no solid and unitary SDSU faculty voice regarding Pat Washington's tenure denial and termination, as implied in Mr. Wheeler's complaint. How can Mr. Wheeler possibly argue that the Washington resolution "misrepresent[s] ... the entire SDSU academic community," when so many members of the SDSU academic community risked so much to stand up for Washington's efforts to be treated fairly and equitably?

In this regard, it is curious that Mr. Wheeler includes the SDSU administration as part of the academic community, yet, overlooks the third prong of university governance—students. In March 2003, two months before Washington was terminated, Associated Students of SDSU passed a

strongly worded resolution, whose last "resolve" clause stated, "The AS Council endorses and supports the tenure appeal of Pat Washington on the grounds of her stellar record of teaching, scholarship, and service and on the basis that her bid for tenure was treated in an unfair and unjust manner that is inconsistent with the mission and goals of the university as it relates to the recruitment and retention of students and faculty...." This same body also issued an unprecedented vote of "no confidence" in Provost Nancy Marlin, the ultimate decision-maker in Washington's tenure denial and termination.

Moreover, in December 2003, the entire SDSU Africana Studies Department (including what Mr. Wheeler's letter characterizes as "longstanding members of CFA" and "committed and decent colleagues") signed a letter to CSU Chancellor Reed, stating that the department "has watched with great concern the treatment of Dr. Patricia Washington over the past three years. As persons who have been active participants in the tenure process at every level, we are appalled at the unfair treatment Dr. Washington has suffered. When one examines her professional record, it becomes clear that given the mission of the CSU system and the record of the current faculty, Dr. Washington has earned tenure. Many of us have expressed this concern on campus through various means. This concern has been heard, but not heeded.... To the faculty of color on campus, this stance chills the atmosphere in which we already operate as 'outsiders.'"

Numerous other faculty members also stepped forward to voice opposition to Washington's tenure denial and termination—two of them were tenured members of Mr. Wheeler's own department. One of them, then chair of the department where Mr. Wheeler is housed, wrote regarding Washington, "I find it inconceivable that an instructor with several articles in ranked, refereed journals in her field, one whose service to the university and community is clearly superior, and one who has been named most influential teacher for her department would be denied tenure. Without exception, every single person with whom I have talked about this—enrolled and ex-students, other faculty, private citizens (including various city officials)—are equally incredulous that she would be denied tenure given her outstanding record." Contrary to Mr. Wheeler's insistence on the inviolate nature of SDSU's RTP process, this "committed and decent colleague" and department chair also wrote, "This is not the first time that the tenure process at SDSU has had some irregularities" and "I highly suspect that even the briefest and most informal investigation will reveal that the tenure process in Pat Washington's case may be irregular." The second member of Mr. Wheeler's department, a full professor and "committed and decent colleague" who had the added advantage of being (1) the most productive and widely published scholar in the department and (2) a member of Washington's college level tenure review committee, wrote, "I have studied carefully ALL of the relevant evidence in this case and have found that, after remaining open-minded regarding this matter for 2 years subsequent to our committee's decision (1-vote margin), Dr Washington has been unjustly terminated and had at the time of application for tenure and promotion easily satisfied the conditions of such in each of the three areas of assessment: research, teaching, and service.... Please bear in mind that if Dr. Washington's impressive credentials are deemed unsatisfactory for tenure and promotion, then the ethical thing to do is to hold everyone else on the faculty to the same standard. Yet if this were done retroactively, at least 75% of all faculty campus-wide (including many or all of those in Women's Studies!) would have their tenure and promotions rescinded, and very few prospective candidates would earn it in the future!" Do the views of this percipient member of Washington's college review committee not matter?

Equally significant, in June of 2004—a year after Washington was terminated—the faculties of both Africana Studies and Philosophy voted to tenure and promote Washington in their respective departments, if President Stephen Weber would agree to rehire her. Both departments sent him letters to that effect. Tellingly, Philosophy is the home department to both Mr. Wheeler and President Weber.

Given the above facts, we find it amazing that Mr. Wheeler would blame the statewide CFA for "casting a negative light on the SDSU community and the SDSU Women's Studies Department." Mr. Wheeler's reframing of "cause and effect" reminds us of those vexing "philosophical" questions about emperors' new clothes, stones hitting pitchers or pitchers hitting stones, as well as trees falling in forests when no one is around. No matter how Mr. Wheeler reframes it, the

injustice in the Washington case resides in SDSU's mistreatment of Washington, not in CFA's shining a light on that mistreatment.

Mr. Wheeler's letter also states that he and other executive board members of the SDSU chapter of CFA have "sincere and grave concerns" about what they perceive to be the statewide CFA's "lack of collegiality and proper respect" vis-à-vis San Diego State University, particularly the faculty of the Women's Studies Department. PWSC suggests that this rhetorical call for "collegiality" and "respect" rings hollow for a number of reasons. PWSC submits that SDSU union representatives showed Pat Washington neither collegiality nor respect in their treatment of her concerns. Indeed, Washington found local union representatives so unhelpful and so pro-administration that she chose to bypass them and seek redress directly from the statewide CFA. It was only at the state level that Washington found the kind of representation and "collegial respect" she had "reasonably expected"—but could not get from local union officials. Therefore, we find it quite odd that Mr. Wheeler pronounces himself and other SDSU CFA executive board members "exceptionally familiar" with Washington's case. For the same reason, we doubt that Mr. Wheeler knows what is "factually correct or incorrect, supportable or insupportable" regarding either Washington's accomplishments or the foundations of her case. The "whereases" he questions are eminently supportable and independently verifiable, and the PWSC is willing to provide the supporting data to demonstrate this.

In contrast, Mr. Wheeler's assertion that the university's actions against Washington at the various levels of review "have been vindicated by means of the formal grievance process, and every court of law in which the case has been tried" is patently untrue and/or misleading. The union grievance process did not address Washington's race and retaliation claims, as these claims were deemed matters for a jury trial. Indeed, the whole point of the CFA resolution was to decry the fact that the Court has not allowed Washington's case to go to trial. We also find it odd that, as a labor leader, Mr. Wheeler would accept the legitimacy of court rulings that—if left unchallenged—jeopardize all workers, including CFA members in probationary status.

Additionally, Mr. Wheeler speaks in anguished tones of "longstanding members of CFA" whom he suggests have had their feelings hurt by the Washington resolution. Leaving aside for now the fact that the primary players in Washington's unsupportable tenure denial and termination have gone on to high level posts within SDSU administration (and, therefore, do not appear to be suffering overmuch), Mr. Wheeler's charitable angst does not extend to Washington, whose career has been maliciously derailed, or to other faculty of color who find themselves similarly endangered by the administration and—predictably—ignored and rebuffed when they seek assistance from the local union.

Therefore, we would ask of Mr. Wheeler, "Where in your letter of complaint to the statewide CFA do you extend respect and collegiality to dues-paying faculty of color at SDSU and others who spoke out in support of Dr. Washington?" To paraphrase the words attributed to Sojourner Truth, "Ain't they 'longstanding members' and 'committed and decent colleagues' too?"

As if in tacit response to these rhetorical questions, yet another discussion has been initiated among black faculty about calling for decertification of the campus CFA chapter until such time as the interests and concerns of all faculty are taken seriously by local union leadership.

Lastly, PWSC calls upon Mr. Wheeler to exert leadership on behalf of all colleagues. In his role as president of the SDSU Chapter of AAUP, he must be aware of that organization's statement on collegiality as a criterion in the RTP process (see enclosed document). Is it too much to expect that he will provide leadership in calling for an end of the use of collegiality as a criterion in the RTP process?

In closing, the Pat Washington Support Committee says to the statewide CFA and to the delegates to the 2006 General Assembly, “‘Bravo’ for your moral courage. Stay strong.”

Sincerely,

Maggie Allington, Ph.D.^{1[1]}
Secretary and Communications Chair
Pat Washington Support Committee

Enc: AAUP Statement on Collegiality as a Criterion for Faculty Evaluation

cc: CFA Board of Directors
CFA Caucuses/Leadership
Pat Washington Support Committee Members, Allies, and Affiliates
SDSU CFA President Mark Wheeler

^{1[1]} In the interest of full disclosure, Maggie Allington has been Pat Washington’s domestic partner for 14 years