

**MICHIGAN STATE
UNIVERSITY**

November 14, 2018

MEMORANDUM

TO: John Engler, Interim President
Leonard Fleck, Chair
University Committee on Faculty Tenure

FROM: Phillip Duxbury, Dean
College of Natural Science

Phillip Duxbury 11/14/2018

RE: Dismissal for Cause Proceedings

Pursuant to the Discipline and Dismissal of Tenured Faculty for Cause Policy, I write to initiate dismissal for cause proceedings against Dr. Selman Akbulut, Professor, Department of Mathematics. The grounds for such dismissal include disregard for the responsibilities outlined in the Faculty Rights and Responsibilities Policy, as well as the Academic Freedom Policy.



**College of
Natural Science**

Office of the Dean

Natural Science Building
288 Farm Ln, Room 104
East Lansing, MI 48824

517-355-4473

Fax: 517-432-1054

naturalscience.msu.edu

Consistent with Article VII.B. of the Discipline and Dismissal of Tenured Faculty for Cause Policy, this document contains the charges against Professor Akbulut: (1) the allegations; (2) the names of witnesses (insofar as currently known), who will testify in support of the allegations; and (3) the nature of the testimony likely to be presented by each of these witnesses.

The names of witnesses and a summary of their expected testimony are included in Attachment 1. The allegations are included in Attachment 2, with sub attachments.

Attachment 1

ATTACHMENT 1

Names of Witnesses and Summaries of their Expected Testimony

1. Keith Promislow, Chair, Mathematics and Professor - Explanation of the factual background relating to Prof. Akbulut's class cancellation, abrogation of duty penalty, administrative review panel decision, and subsequent behavior targeting several of the administrative review panel members and others who expressed concern or commented with respect to his behavior. Prof. Promislow is familiar with the all of the procedural aspects of this matter and will testify regarding Prof. Akbulut's detrimental impact on the Mathematics Department.
2. Cheryl Sisk, Associate Dean, Natural Science - Testimony regarding the general basis for the initiation of dismissal for cause proceedings, in her capacity as Interim Dean, as well as the detrimental impact of Prof. Akbulut's behavior on the Mathematics Department.
3. Phillip Duxbury, Dean, Natural Science - Testimony regarding the need and importance of filing dismissal for cause charges against Prof. Akbulut.
4. Matthew Hedden, Associate Professor, Mathematics - Prof. Hedden was a member of the Administrative Review Panel targeted by Prof. Akbulut, and he will testify about Prof. Akbulut's actions and their impact on him, as well as the Department as a whole – specifically on its ability to recruit and retain faculty.
5. Jeff Schenker, Professor, Mathematics - Prof. Schenker was a member of the Administrative Review Panel targeted by Prof. Akbulut, and he will testify about Prof. Akbulut's actions and their impact on him, as well as the Department as a whole.
6. E. Kalfagianni, Professor, Mathematics - Testimony regarding the impact of Prof. Akbulut's actions on her and on the Department as a whole.
7. George Pappas, Professor, Mathematics - Prof. Pappas was a member of the Administrative Review Panel targeted by Prof. Akbulut, and he will testify about Prof. Akbulut's actions and their impact on him, as well as the Department as a whole.
8. Rajesh S. Kulkarni, Professor, Mathematics - Prof. Kulkarni was a member of the Administrative Review Panel targeted by Prof. Akbulut, and he will testify about Prof. Akbulut's actions and their impact on him, as well as the Department as a whole.

9. Richard Hensch, Senior Specialist, Mathematics - Testimony regarding Prof. Akbulut's behavior and its impact on him and the Department as a whole.
10. Beth Gagnier (formerly Koivisto), Administrative Associate I/S, Mathematics - Testimony regarding Prof. Akbulut's behavior and its impact on her and the Department as a whole.
11. Terry Curry, Associate Provost and Associate Vice President, Academic Human Resources - Testimony regarding the basis for Prof. Akbulut's abrogation of duty penalty.
12. Phylis Floyd, Associate Professor, Art, Art History, and Design - Prof. Floyd, a member of the UCFA (University Committee on Faculty Affairs) Disciplinary Review Panel, will testify about the email she received from Prof. Akbulut after the review panel issued its decision and its impact.
13. Mark Waddell, Associate Professor, Lyman Briggs - Prof Waddell, a member of the UCFA Disciplinary Review Panel, will testify about the email he received from Prof. Akbulut after the review panel issued its decision and its impact.

Attachment 2

ATTACHMENT 2

Allegations

Introduction

Prof. Akbulut received an abrogation of duty penalty due to his refusal to teach an assigned class. At his request, an administrative review of this penalty was conducted by a panel of five colleagues. After the panel unanimously determined that the penalty was justified, Prof. Akbulut began a vengeful campaign in 2017 to impugn the integrity of several of the panel members and damage their reputation. He sent emails, misused a Department-supported website, and posted information on his own website and through twitter to an increasingly expanding audience - to the entire Mathematics Department, University officials, and persons and organizations outside the University. Prof. Akbulut has been warned repeatedly, asked and ordered to stop, and disciplined. Multiple good faith efforts have been made to reach out to Prof. Akbulut, including the use of internal and external mediators, but these either failed or were rejected by Prof. Akbulut. His actions have had and continue to have a highly detrimental, disruptive, and chilling impact on the University review panel members he has targeted as well as the entire Mathematics Department; his actions also affect the broader University. Prof. Akbulut's behavior violates the carefully balanced expectation that faculty act in a professional and respectful manner toward peers and supervisors though they may disagree with the University's personnel actions or policies. Prof. Akbulut's behavior falls far outside the norm for basic civility and collegiality and cannot be tolerated.

Factual Background

Prof. Akbulut's graduate class MTH 996.002 was canceled for under-enrollment on Oct 21, 2014 and he was assigned a replacement course for the Spring 2015 semester. He disputed the basis for the course cancellation and refused to teach the replacement course. As a result of this refusal on January 30, 2015, the Office of the Provost found Prof. Akbulut in abrogation of his teaching responsibility and reduced his salary for the term. Prof. Akbulut filed complaint with the Faculty Grievance Officer on Feb 18, 2015, who dismissed it stating that the "grievance does not contain a reasonably accurate statement of facts relevant to the complaint." The University Jurisdictional Appeals panel upheld this decision on April 7, 2015. Prof. Akbulut added a motion on the course cancellation to the agenda of the Mathematics Department meeting of May 5, 2015. This motion was discussed and disapproved by majority vote. On Feb 11, 2016, he requested an administrative review of the abrogation of duty penalty. This was conducted by a subcommittee formed from the advisory committee of the Department of Mathematics which unanimously concluded that "the letter of reprimand sent to Prof. Akbulut by the Office of the Provost in January 2015 and the subsequent withholding of 10% of his salary was justified." This finding was reviewed and supported by the Department Chair, and on appeal by the Dean of the College of Natural Science. The last decision was final under the University administrative review process. Prof. Akbulut submitted a motion on the course cancellation to the agenda of the Mathematics

Department meeting of May 3, 2016; his motion was stricken from the agenda by majority vote.

After these events, Prof. Akbulut engaged in an email campaign designed to impugn the character of those who participated in the administrative review, a process the Department Chair calls targeting. On November 14, 2017, Prof. Akbulut received a disciplinary warning from the Department Chair instructing him to refrain from emails and web page postings that engage in targeting. A follow-up meeting was held with Prof. Tom Tomlinson, chair of the UCFA, at which the issues of targeting emails and web page content were discussed. On Jan 22, 2018, Prof. Akbulut received a formal written reprimand for his refusal to remove the items and links from the department-supported personal web page. Prof. Akbulut continued to send targeting emails after the warning of Nov 14, specifically on Dec 25, 2017, on Jan 22, 2018 at 8:30am, on Jan 22, 2018 at 11:39am, and on Jan 24, 2018 at 12:10am. The last two emails were sent after the receipt of the letter of reprimand that reiterated the possible consequences of continued targeting emails. Even more concerning, Prof. Akbulut sent an email on Jan 25, 2018, to the current Mathematics Advisory Committee, implying unspecified consequences should they engage in administrative review actions. On Jan 24, 2018, the Department Chair offered to arrange a second meeting with Prof. Tomlinson to pursue an understanding that would prevent further infractions. Prof. Akbulut refused to meet.

On January 30, 2018, the Department Chair sent Prof. Akbulut a notice of intent to impose additional discipline for this behavior. Prof. Akbulut sent subsequent emails on January 30 and February 2 that engaged in targeting behavior. The emails implied that Prof. Akbulut contacted the president of the American Mathematical Society and the National Science Foundation with his concerns. The emails also indicate that Prof. Akbulut would not desist in this behavior until he achieved the outcome he desired. In February 2018, the Faculty Grievance Officer William Donohue attempted to arrange for an external mediation process, but Prof. Akbulut rejected this offer.

Given the threats that Prof. Akbulut made to the Mathematics Advisory Committee, interim Dean Cheryl Sisk assembled an ad hoc committee comprised of full professors from departments within the College of Natural Science other than mathematics. The committee reviewed materials summarizing Prof. Akbulut's behavior. On March 21, 2018, this committee unanimously agreed that serious discipline was warranted. On April 9, 2018, the Department Chair sent Prof. Akbulut a notice of intent to pursue serious discipline, consisting of a one semester unpaid suspension and a zero raise. He gave explicit instructions to refrain from further targeting behavior, explicitly indicating that any further infractions could lead to initiation of dismissal for cause proceedings. Prof. Akbulut requested a meeting with the UCFA faculty disciplinary review panel, as was his right under the Discipline and Dismissal of Tenured Faculty for Cause Policy. The meeting was held on April 27, 2018, and on May 3, they unanimously agreed to support the proposed serious discipline.

Akbulut's next target was the UCFA panel. He sent emails impugning their motives, copying Mathematics faculty and the Provost's office personnel, ignoring the April 9 instructions from

the Department Chair to refrain from further targeting behavior. Rather than implement the serious discipline, on June 6, the Department Chair requested Interim Dean Cheryl Sisk to initiate dismissal for cause proceedings against Prof. Akbulut. On June 15, 2018, the Interim Dean requested that the Provost begin the dismissal for cause process.

Next, in July 2018, at a time when the Dean was instituting reviews for heads of units within the College, Prof. Akbulut attempted to establish his own independent review of the Mathematics Department Chair; accused the Chair of retaliation; and suggested to Math faculty that they decline to participate in the process established by the Dean. He again emailed the entire Department calling the administrative review fraudulent.

According to the dismissal for cause process, the next step called for a review by the Dismissal for Cause Review Officer. Following that review, and in response to Dean's June 15 request to begin the dismissal process, the Provost wrote to Prof. Akbulut on Aug. 8, 2018, informing him that the matter was sufficiently serious to warrant dismissal for cause proceedings, and invited him to meet with her. (They later met on Aug. 29, 2018 but it did not resolve the matter). On Aug. 8, Prof. Akbulut emailed the entire Math Department in response to the Provost's action, and provided a link to his website, that contains the earlier documents attacking the administrative review panel members. Faculty, including review panel members, and support staff within the Math Department had submitted letters describing the impact of Prof. Akbulut's action on them and the Department, and these were attached to the Provost's Aug. 8 letter (pursuant to policy), along with other documentation supporting her decision. Prof. Akbulut responded to the Provost on Aug. 11, copying the entire Math Department and other University administrators and publishing a link to all the letters. Prof. Akbulut then tweeted and emailed that the letters were hate letters and hate mail.

In September 2018, he sent harassing emails to select members of the administrative review panel and impact letter authors, and demanded that they be removed from positions of responsibility in the Department, again copying the entire Department. On twitter, he accused one of the support staff and letter authors of slander, and the Provost of orchestrating a lynching campaign.

Still following the process outlined in the Dismissal for Cause Policy, on Sept. 27, the Provost wrote to the President to notify him that because of the serious nature of the charges, coupled with the fact that he ignored repeated warnings to stop his behavior, she would proceed with dismissal for cause proceedings. Most recently, at the Oct. 26 Board of Trustees meeting, Prof. Akbulut read from a letter to the Provost, accusing her and the Department of nepotism, favoritism, allowing irresponsible deans to corrupt chair elections, unethical hiring practices, unrestrained discrimination, falsification of class records and NSF grant records, tampering with academic records, and slandering faculty reputations. Through twitter, Prof. Akbulut sent the letter to the American Mathematical Society.

Prof. Akbulut's behavior continued up to the time these Dismissal for Cause charges were filed in November. Prof. Akbulut continued to email the entire Math Department insisting that the authors of the letters of impact, to which he refers as the "hate-letter group," and the administrative review panel members not be permitted to serve on any search committee that is formed for a Department Chair. When a colleague asked Prof Akbulut to stop misrepresenting an unrelated matter that Prof. Akbulut associates with the perceived injustice against himself, he continued. Most recently, on Nov. 9, in response to an email from the Dean about administrative matters and announcing an award ceremony for Natural Science award winners, Prof. Akbulut sent an email to all Natural Science tenure system faculty stating the award winners include "two Hate-Letter writers" and that the graduate committee report is written by a "NSF record falsifier."

Dismissal for cause charges were filed November 2018.

The Basis for Dismissal for Cause

The University's Faculty Rights and Responsibilities Policy provides:

As the primary functions of an academic community, learning, teaching, scholarship, and public service must be characterized by a fundamental commitment to academic freedom and maintained through reasoned discourse, intellectual honesty, mutual respect and openness to constructive criticism and change.

* * *

Academic freedom and responsibility are the twin guardians of the integrity and quality of universities. The University looks to its faculty members to exercise their rights responsibly and to meet their obligations fully as professionals

* * *

Academic freedom carries with it responsibilities. For faculty members, the principal elements include:

1. The responsibility to carry out assigned teaching, research, and public service duties in a professional manner and in keeping with University policy;

* * *

5. The responsibility to work in a collegial manner with appropriate individuals and bodies to encourage the free search for knowledge; its free exposition, and the University's continuing quest for excellence; and

* * *

Relation with Colleagues

As colleagues, faculty members have rights and responsibilities that derive from common membership in a community of scholars. Faculty have the responsibility to respect and right to defend the free inquiry of associates and, in the exchange of ideas and criticism, the responsibility to respect the views and rights of others. Faculty members shall acknowledge the contributions of colleagues to their own work. In the evaluation of the professional performance of a colleague, the faculty member shall provide an honest and objective appraisal in accordance with established department/school, college, and University criteria. The faculty member shall foster collaboration with and support of colleagues. Acts of racism or sexism, including harassment and other forms of bias and discrimination, violate University policies, and are unacceptable.

The University's Academic Freedom Policy states in part:

College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence, they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.

Prof. Akbulut's actions violate the above policies. The University respects the right of faculty to express their differing viewpoints, but faculty must do so responsibly and reasonably, and in a professional and collegial manner. The attached documentation regarding Prof. Akbulut's behavior demonstrates that he has instituted and escalated a campaign to disparage a University administrative review panel that decided an issue regarding his employment. That campaign is filled with unprofessional, non-collegial, and derogatory statements about his peers, supervisors, and other co-workers. His conduct contravenes both the spirit and letter of the University's Faculty Rights and Responsibilities and Academic Freedom policies.

Conclusion

The attached documentation shows how Prof. Akbulut's behavior has caused severe disruption and disharmony within the Mathematics Department. It is the responsibility of the Dean, along with the Chair, to act. The Department and College have exhausted all means to reach him. Prof. Akbulut has refused to put an end to his harassment campaign, and attempts to engage him have been met either with outright rejection or further escalation. Both the Dean and Chair are justifiably concerned that if Prof. Akbulut is not dismissed, the reputation of the

Department, particularly the geometry and topology group, will be irreparably damaged, and valuable employees lost.

Attachments/Chronological History

2015

Item 0: January 30: Finding of abrogation of duties by Terry Curry

2016

Item 1: May 5: Admin Review completed by Hedden, Schenker, Pappas, Volberg, Yan

2017

Item 2a: February 9: Targeting of Schenker

Item 2b: February 14: Targeting of Schenker

Item 2c: July 4: Targeting of Schenker

Item 3: July 10: Targeting of Schenker

Item 4: August 28: Targeting of Schenker and Richard Schwartz, links to files

Item 5: August 28: Targeting of Schenker

Item 6: October 6: Targeting of Schenker, cc includes graduate coordinator

Item 7: October 6: Targeting of graduate director, cc'ing graduate students

Item 8: October 6: Informal warning from Chair

Item 9: October 13: Attempt at outreach by Schenker

Item 10: October 20: Targeting of Schenker

Item 10b: October 22: Targeting of Administrative Review Panel through web links

Item 11: October 24: Schenker's summary of confrontation

Item 11b: November 13: Targeting of George Pappas

Item 12: November 14: Email delivering letter of warning

Item 12: November 14: Letter of warning as email attachment

Item 13: December 5: Summary of meeting with UCFA chair

Item 14: December 25: Indicates targeting will extend beyond MSU

2018

Item 15: January 11: 7-day notice before letter of reprimand

Item 16: January 11: Response to 7-day notice

Item 17: January 22: Escalation of targeting after letter of reprimand and warning

- Item 18: January 22: Letter of reprimand, sent at 11:27am
- Item 19: January 22: Targeting of Schenker and Hedden sent after letter of reprimand
- Item 20: January 24: Connects raises to Administrative Review
- Item 20: Attachment 1
- Item 20: Attachment 2
- Item 21: January 24: Request for second meeting with UCFA chair, suggest serious (major) discipline
- Item 22: January 24: Response to second request
- Item 23: January 25: Akbulut threatens current Math Advisory Committee
- Item 24: January 30: Promislow letter to Akbulut
- Item 24b: January 30: Targeting after letter of reprimand, escalation to NSF, refusal to desist
- Item 25: February 2: Continued targeting, refusal to desist
- Item 26: February 9: Adcom's Response to item 23, requests from CNS review
- Item 27: February 14: Attempt at mediation
- Item 28: February 15: Mediation abandoned
- Item 29: February 15: Targeting following report of 'no finding' in OIE investigation induced by Akbulut
- Item 30: February 19: Targeting of Wolfson and Yan for service on Personnel Committee
- Item 31: February 21: Re: a question
- Item 32: February 23: Targeting documents sent to all faculty
- Item 33: March 1: Continued targeting
- Item 34: March 10: Continued targeting
- Item 35: March 27: Outcome of ad hoc review committee
- Item 36: April 4: Targeting material sent to all faculty
- Item 37: April 7: Targeting material sent to all faculty
- Item 38: April 9: 7 day notice of intent to impose serious discipline
- Item 39: April 9: Request for UCFA review

- Item 40: May 3: UCFA decision
- Item 41: May 3: Email targeting math faculty and UCFA panel
- Item 42: May 5: Targeting of Math Admin Review Panel
- Item 43: May 5: Email targeting UCFA panel
- Item 44: June 6: Letter of intent to pursue dismissal for cause proceedings

Summer 2018

- (S1) July 5: Akbulut's attempt to establish his own independent review of Chair, in response to formal annual review requested by Dean.
- (S2) July 5: Exchange between Akbulut and George Pappas, concerning Chair review
- (S3) July 12: Akbulut's email to Dept describing fraud 'Administrative Review report'
- (S4) August 8: Akbulut's email to Dept outlining Provost's actions and linking to files that disparage the Administrative Review Panel
- (S5) August 9: Screen grab of the web page cited in links within (S4)
- (S6) August 11: Email to Dept sending links to letters of impact
- (S7) August 31: Twitter posts referring to statements of impact as 'Hate Letters'
- (S8) September 10: Email impugning George Pappas for his role in Administrative Review
- (S9) September 26: Email to Dept referring to Rajesh Kulkarni's statement of impact as 'Prejudicial hate mail'
- (S10) September 26: Email to Dept referring to George Pappas' statement of impact as 'hate mail'
- (S11) September 29: Email to Dept requesting that Rajesh Kulkarni and Matt Hedden be removed from positions of responsibility due to their participation in Admin Review and statement of impact letters, which Akbulut characterizes as 'hate letters'.
- (S12) September 17: Twitter impugning Beth Gagnier (formerly Koivisto) for submission of statement of impact
- (S13) September 21: Twitter containing links to all statements of impact, calling them hate letters

- (S14) September 25: Twitter sending links to documents disparaging the Admin Review Panel
- (S15) October 10: Twitter disparaging the writers of the statements of impact.
- (S16) October 26: Statement to BOT refers to statements of impact as 'hate-letters'
- (S17) October 26: Twitter sending Akbulut's BOT statement to the American Mathematical Society

November 2018

- N1 November 4: Email to math faculty and grads, referring to statements of impact as 'hate letters'
- N2 November 3: Email to math faculty and grads, distorting events of 2017 to ridicule current Grad Director, Schenker
- N3 November 5: Email to Dept, proposes that those faculty who participated in Administrative Review or contributed letters of impact are ineligible to participate in Chair selection committee.
- N4 November 5: Email to Dept, math graduate students: labels statements of impact as 'hate mails'.
- N5 November 6: Email to Dept, math grads, laments the statements of impact as 'hate mail campaign', calls them 'a bullying incident', and 'work place harassment'.
- N6 November 9: Email to Natsci.academics which includes all *College of Natural Science* tenure system faculty impugning the reputation of two faculty and one staff member for their role in the Administrative Review Process

Documents from Akbulut's website

- W1 "dep"
- W2 "motion 7"
- W3 "Chair"
- W4 "panel"
- W5 "minions1"

Impact Statements and Attachments

- A. Matt Hedden
 - Emails referred to in Hedden's statement
 - Email #1: From Hedden to Akbulut
 - Email #2: Akbulut replies, cc's whole department and Terry Curry
 - Email #3: Hedden replies, only to Akbulut
 - Email #4: Akbulut to whole department
- B. "Open letter to Carolyn Wemple & Beth Koivisto"
- C. Jeff Schenker
- D. Efstratia Kalfagianni
- E. Prof. George Pappas
- F. Rajesh S. Kulkarni
- G. Rick Hensh, assistant to Chair
- H. Beth Koivisto, Dept. administrative associate