

An MSU shell game (is this a grievance process?)

It all started with my criticism of the conduct of a couple of my colleges in the math dept, and the dean of CNS. I thought the treatment of some grad students were discriminatory (later on MSU's own OIE report confirmed this), and also I criticized some of our hiring practices and the chair election as being in violation of our bylaws. Right after dean's crooked chair election, our new chair Keith Promislow immediately appointed those two colleagues to his administration. Already in Fall (2014) he and his newly appointed math grad chair Jon Wolfson's started disrupting my Spring teaching. They declared my upcoming 4-manifold course is cancelled due to "enrollment numbers" in October 20, almost 3 months before the semester started (such an early date never been enforced before or after that year). Even the cited enrollment number was not correct. I felt confident that no way this misbehavior can hold up to any scrutiny in any higher university office, and I didn't think my colleagues would tolerate this behavior. But I was wrong, the whole thing turned into an absurd shell game, a Kabuki dance with predetermined ending. Now after 3 years, I am still waiting for a proper grievance hearing to correct what happened. I am sure nothing like this can happen in any normal functioning math dept, no chair would go around spending this much time and afford disrupting a regularly scheduled class and muck up NSF grants of PI's. Here is timeline of the events:

- 1) After trying to reason with Keith (months before Spring semester) it became clear that nothing will change his mind. Suspecting some other factors might be in play, I started to tape record some conversations in the dept, and make transcripts of them for my own use. At one point Keith said "there is no need to complain to CNS dean Jim Kirkpatrick, because we decide this things together" (to check this, of course I did asked a meeting with the dean, but wasn't granted one). Keith also said that my problems really are due to my critical public email messages about administration.
- 2) While his was happening, I was visited by couple of Keith's friends offering to strike a deal with me behind close doors, by saying "We believe you are absolutely right, but for the sake of face saving for Keith just say he is right, then he will allow you to teach your course". They said the dean's office is talking about me, I might get expelled from the university if I don't negotiate with them. I rejected their offer, told them to tell Keith stop playing games, and stop disrupting my class.
- 3) Then Keith told me complain to Richard Schwartz because he is the "ombudsman" (he is an associative dean in CNS). I asked him for a meeting, but he said no need to visit him, just send him the info by email (I assume he was in touch with Keith). Then he wrote "there is one specific student who didn't want to take your class, bringing your class size under 5, that is why Keith canceled your class". After that I put him in a conference email with that student, where the student wrote that is not true at all!, in fact he especially wants to take this class as it is related to his thesis (in fact he got his PhD from a problem arisen from that course in that semester). Then Schwartz dropped his claim about that student, but this time said he is deciding against me because my NSF grants were encumbered ([4] page 19) "that is why your student was prevented registering to the class", as if my NSF grants have anything to do with teaching that class. By the way, the official memo from math depts financial office shows that \$85,000 was available in my NSF accounts at that time ([4] page 20), of course as the PI, I am the main person responsible from distribution of my NSF grants.

I should mention, at the end when I complained to dean Kirkpatrick about Schwartz's false reporting, he said matter of factly "His report does not bind CNS". You can imagine my shock when I recently learnt that Schwartz wasn't even an ombudsman, he was just CNS dean's associate, as his job title suggests. Now dean's remarks begs the question who is responsible from his office?

- 4) While Keith was doing these maneuvers, he was also trying to load me yet with another third course in that semester, beyond my official teaching assignment (his justification: he doesn't consider my grad course exists). I refused and taught my officially assigned 2 courses in the Spring: "Complex Analysis", and "Topics in Topology". Nobody teaches 3 courses in one semester in our dept, each semester we teach 1 or 2 courses, totaling 3 courses each year. It became clear that Keith is playing a shell game with me while disrupting my class he wants to put me in a position of a "professor refusing to teach a class". Even months before the start of the Spring semester, he was playing this game. My students in the class were getting irritated sending GS office many protest letters not to cancel their class. Later on my attorney got students sign affidavits, recording that they were present and properly registered in the class [4]. In fact my grad class was a success, it ran with many students and with some faculty visitors, two PhD's came out of that class, and the class notes published as a book by Oxford Press.
- 5) In the meantime, I met with the associate provost Terry Curry to complain about what was happening. He promised that he will investigate my class size and grant size (later it became clear that he did not do neither of that). He told me, I can either teach that extra third class, while he is investigating this, or take a chance of teaching the two officially assigned courses, while going to FGO (faculty grievance office) for grievance. I told him of course I will take the second option and then went to FGO for grievance.
- 6) Shortly after that, I received a letter from Curry telling me that, he did his investigating and found me guilty, and so penalizing me \$15,000 with salary cut, and also the "**abrogation of duty**" penalty to be inserted into my academic record. I am stunned, asking myself what kind of investigation did he do? I knew nobody had asked my students whether they were registered in this class in time (or whether they were prevented from registering), and nobody asked me about any of my NSF records (which I am the PI, the main person who knows all about them). I should have listen Keith when he had told me "complaining to Curry will be futile because he is the one giving you penalties" :)
- 7) Then I went to FGO to file a complaint. Director W. Donahue of FGO promised me that he will hold a fair grievance hearing in a timely fashion with a committee of my peers. But for this process I need to get a counsel and have a recital written. So I hired an attorney and had him write a legal recital. Many weeks later Donahue called me told me "No that is not enough, for this process you need to include Curry's name among the list of the accused, since he is the one who gave you the penalty". Then we had to write a new recital, this time including Curry's name. Then after some months and about \$3,000 attorney fees later, Donahue called me and told me that he decided not to hold the promised grievance hearing. I was shocked! About that time I also had a short meeting with the provost Youatt, she listened me quietly then told me the meeting time is over bye!
- 8) In the following summer of 2015, I received an apologetic message from Keith (shared with the whole dept) telling me that he is going to give me one course release for the inconvenience he caused "Prof. Akbulut met the established criteria, and that the appeal process outlined above would have resulted in the course running" (as if he himself is not the one who prevented the appeal process). In fact he was going to make things nice by putting me into his Advisory Committee (AC). I felt good, paid a visit to his office, but to my horror I found out that he was not going to ask the provost to remove that "**abrogation of duty**" penalty from my record!

- 9) I attempted to complain this to my colleagues, by making a motion in the general dept meeting (on Jon Hall's suggestion), but this turned out to be a disaster, the meeting turned into a big pandaemonium where Keith's friends were laughing and making noise. I made a transcript of this meeting from its recordings [1]. In this meeting Keith made yet another outrageous claim that he had penalized me for an additional \$5,000 for the health insurance of some dept visitor, which turned out to be a total lie (this visitor in fact had paid his own health insurance) [4] (page 34a, and 35)
- 10) Again I asked Curry for help. He told me the dean's office is the last place to seek remedy in the form of "Administrative Review" I found it strange because the dean was one of the main persons I am complaining against. Curry told me to write my complaint to dean, I took pains to detailing the events in [2]. But at end the dean, with Keith's help, drafted a report declaring that I was the guilty one! Now, they are pointing to that report as the ultimate proof that I was guilty and my grievance process is over! This report was signed by some members of Keith's Advisory committee (AC), but it can not be called an AC report, because I myself was a member of AC and was prevented from participating drafting this report. So you can best say this is a report of some AC members who are Keith's friends, most of them had been appointed by Keith anyway. I was told that the reason they are kicking me out of AC is by the deans instruction, because they will be discussing my case :) I asked these selected members (*) to recuse themselves because of the obvious conflict of interest, not to mention that their salary increases are decided by the Chair and approved by the dean (MSU faculty salary list is a public information, accessible from the library, so naturally I checked some top salary increases in that year when this report was written [5]). Despite my objections, to my surprise, this committee happily went to work Surprise, surprise, at the end they rubber-stamped all of the Chair fraudulent claims. While pretending to investigate nobody from this committee bothered to ask me any question (not even once) about my class size, nor my NSF grant size (remember this case is based on my class size, and my NSF grant size. I am the PI of my grants as the official overseer of their documents; and also the professor of the course I was teaching). They forgot the cardinal rule, that when you investigate somebody, who is accused of something, you first talk to that person (if you write a paper about something, you read that thing first :) It is disturbing that, they would pretend to report my NSF grants, which I am the PI, without consulting me. This committee consisted of (*):

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At the end they issued a ridiculously long report, produced without any fact-checking with me [3]. Notice how much they strained themselves just to avoid saying the obvious. I feel bad about these five colleagues the way they end up staining their own reputation. In my modest opinion the dean Kirkpatrick used these people to harass a faculty he doesn't like, and they let themselves be used, to be on the good side of the power, now the dean is retired and gone, and they are left exposed. In every committee election they will be reminded of this document they signed to smear their colleague. This is not unlike the behavior of those Hollywood actors who testified against their fellow actors in the notorious senate-McCarthy hearings in the 50's, you may say this is a mini MSU-math version, which reminds me G.Perelman's immortal words:

*"There are many mathematicians who are more or less honest.
But almost all of them are conformist. They are more or less honest,
but they tolerate who are not honest"*

G. Perelman.

In math there is no such thing as half truth, when you write a paper claiming a proof by signing your name on it your theorem better be true, if not you either repair it or withdraw it, otherwise you live in the zone of eternal discomfort or shame. That's why I am concerned about my colleagues.

A dictionary definition of *Lie* is: *A false statement made with deliberate intent to deceive*. In this document, you can see stories of many lies. I think the most egregious ones are on pages 19, 34a, 35 of [4], and also on page 5 (circled) of [3] (they correspond to (3), (9), (10) of this document). And yes they were deliberately told (the individuals were alerted many times that their claims were false, but they chose to ignore). In this document you can also find some acts of "abrogation of duty", when it is done by an administrator it can hurt the people whom he is trusted to serve.

I also filed a complaint with MSU's OIE (Office of Institutional Equity). After delaying investigation for many months, at the end OIE director told me "You have a strong case! take it to EEOC, but we won't report it here because *"You did not prove that your discrimination was the result of you being Turkish or muslim soorry"*.. What a joke :) I left there in disgust after reminding them that in the dictionary definition of "equity" there is no "Turkish" or "muslim". I believe recently OIE is required to send their reports to the University's own counsel for editing, before giving to the complainant (which is a big collusion). OIE also reports to Curry, who is in charge of giving penalties, and Curry is in the same committee (UCFA) as Donahue, who is in charge of grievances (another big collusion). May be, we shouldn't be all surprised what happened to those abused gymnasts of MSU, poor souls must have been given endless runarounds in this broken down grievance system, bouncing between different university offices, with the hope of stopping their agony. I told myself I hope OIE doesn't require from rape victims the proof of showing "their rape is the result of their gender".

The final point is: A person in authority might be able to prevent a discussion of a lie (because he/she might be controlling the rules as to who gets to speak), but he can not make it go away, he has to face it! sooner or later. There is only one way to deal with a lie, it is by atoning and correcting it. This also answers the question *"Selman are you crazy? Spending this much of your time on something this small?"* My answer is: *Nothing is small when it comes to ethical principles*. Bullying is often done under the pretense of a person of authority doing his job enforcing rules. When you confront him, he gets agitated becoming even more insistent because the fear of being exposed as a discriminator. University administrators' timidity in confronting their underlings' abuse of power may be due to their fear to be liable.

References

- [1] *Dept meeting* <http://selmanakbulut.com/motion7.pdf>
- [2] *Letter to dean* <http://www.selmanakbulut.com/papers/dean.pdf>
- [3] *Report of deans committee* <http://www.selmanakbulut.com/papers/comittee1.pdf>
- [4] *Events* <http://www.selmanakbulut.com/papers/Events.pdf>
- [5] *Events* <http://www.selmanakbulut.com/papers/15-16.salary.pdf>