

Level 2. - Student submits grievance directly to Department
Chair/Program Director.

To: Mr. Moller

From: [REDACTED]

October 10, 1995

Dear Mr. Moller,

On October 2, 1995 I was involved in a verbal confrontation with Dr. [REDACTED] in history class. Dr. [REDACTED] did not approve of me studying a lesson for another class and proceeded to raise his voice at me in front of a classroom full of students. I never once raised my voice at him. He told me to get the literature book out of his face at which at that time I did as I was asked. However, he continued to yell at me and insisted on giving me "lessons in life". At this time he excused me from class.

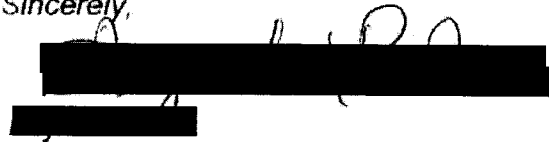
Dr. [REDACTED] does not lecture in class and I have never objected to his style of teaching. Approximately 20 minutes of class time is spent on going over the top ten from the David Letterman show every day. To prepare for the test, I have had to copy the supershell program and study on my own. I would not have been studying for another class if I were being taught history in Dr. [REDACTED] class.

I have continued to return to each History class since this incident occurred. I also made the attempt to settle my grievance with Dr. [REDACTED]. I called him and my phone call was never returned. On October 6, 1995 I stayed after class to make another attempt to talk to Dr. [REDACTED]. He told me he did not want to discuss it with me. I told Dr. [REDACTED] that my only concern was being graded fairly on my exams and he replied "That is something for you to be concerned about".

I have made every effort to get through this grievance with Dr. [REDACTED] and he refuses. He does not look at me or speak to me at any time. I have paid for

this course and I am not receiving what I paid for. I would appreciate your help in this matter. Thank you for your assistance.

Sincerely,

A handwritten signature, possibly "D. D.", is written above a large black rectangular redaction box. Below this box is a smaller black rectangular redaction box, likely covering a phone number or email address.

Resolution - Department Chair/Program Director documents entire issue in personal file. Resolution is described in 2nd to last paragraph.

██████████ AND ██████████ FOLLOW UP

I met with Dr. Byrd October 9, 11 and 26, 1995 concerning this matter. Dr. Byrd set up a meeting November 3 to discuss the incident with Dr. ██████████.

The meeting began with Dr. ██████████ inquiring if he needed his attorney present. Dr. Byrd indicated that wouldn't be necessary. Dr. Byrd said he was very concerned about this matter and stated the purpose of the meeting was to explore possible strategies that would reduce the possibility of future similar incidents.

Dr. Byrd presented the following strategies:

- Class lectures and discussions be pertinent to subject matter of the discipline.
- Professor is the "professional" and his conduct reflective of that.
- If a student's behavior is inappropriate, the professor should deal with the student in an appropriate manner as follows:
 - Do not humiliate a student in the presence of peers. Deal with the student in a private setting.
 - Do not provoke or ridicule students into feeling as if their only alternative is to exit a class.
 - Do not "draw a line in the sand" uncompromising with students.

Dr. ██████████ felt as if the students were wrong and should not be allowed to return to class. Dr. Byrd stated that it appeared that all parties were partially at fault. Once again he reiterated that the professor is the professional and his conduct should help alleviate disagreements and confrontations. Kicking a student out of class or disallowing a student to return is not an option to the professor. Dr. Byrd mentioned that many alternatives would have to be exhausted before that would be a viable option. I indicated that both students were not comfortable in returning and that I made arrangements for them to attend another section of history. I mentioned that this placed a tremendous burden on the students. I indicated that the inheriting faculty was also inconvenienced. I also mentioned that the students didn't feel their actions warranted Dr. ██████████ to react in the manner he did.

Dr. ██████████ disagreed stating that Ms. ██████████ was way out of line and it was his responsibility to maintain control of the class.

Dr. Byrd appealed to Dr. ██████████ to not over react in situations like this. He also told Dr. ██████████ to give serious considerations to the strategies discussed previously. He pointed out that we as educators are here to help students get a quality education not alienate them. Dr. Byrd stated he was not suggesting that professor expectations be lessened or academic integrity compromised.

Dr. ██████████ once again stated that he felt the student's behavior was unacceptable but realized he could have handled the matter better. The meeting concluded with Dr. ██████████ expressing his regret that the situation occurred. Dr. Byrd reiterated that we need to learn from this experience and not repeat it in the future.

██████████ AND ██████████

October 2, 1995 - Talked to Larry Patterson regarding a confrontation between ██████████ and Dr. ██████████
██████████

October 3, 1995 (from Cheryl Gailey) - Jerry was out when ██████████ called. He briefed me on the situation earlier so I knew what to tell her. She wanted to set up a meeting with Jerry and I told her he would be glad to meet with her but suggested the ideal solution would be if she and ██████████ could work this out together. She agreed and said she would try to contact him. I gave her his phone number. If this didn't solve things I told her Jerry would need written documentation about the incident before he met with her. I told her to call me back if she needed to make an appointment with Jerry.

October 6, 1995 - Talked to ██████████. She indicated she would provide a written statement concerning the October 2 class incident in Hist 3373-005 with ██████████.

October 9, 1995 - Visited with Larry Patterson, Rob Mills and Dr. ██████████. Dr. ██████████ wants Ms. ██████████ and Ms. ██████████ out of the class.

October 9 - Late morning - Dr. ██████████ came to my office after visiting with Larry Patterson. He gave an account of an incident that occurred in Hist 3373-005, October 2, involving ██████████ and ██████████.

Ms. ██████████ was reading an English literature book during classtime. Dr. ██████████ asked her what she was reading and she replied, "English Literature." He told her that if she wanted to read English Literature she needed to leave class and go somewhere else. He asked her what she was going to do and she indicated she was not going to be hollered at or humiliated. Ms. ██████████ and Ms. ██████████ then left class. Dr. ██████████ realized the communication between himself and the student was not at a conversational level but far from "hollering" or "screaming". He did not have a quarrel with Ms. ██████████ and indicated that he was surprised when she left class with Ms. ██████████. He later found out that they are sisters.

Dr. ██████████ feels like he cannot function effectively as an instructor as long as these ladies are present in class. He has a major project that requires a subjective evaluation of the students, and he is very uncomfortable in trying to be fair and reasonable in the evaluation of Ms. ██████████ and Ms. ██████████. In the best interest of all concerned Dr. ██████████ wants them removed from the class.

October 9th and 10th - visited with Bill Stephens and Jean Harris concerning the possible movement of Ms. ██████████ and Ms. ██████████ to another History section.

October 12, 1995 -

According to Dr. [REDACTED] in a phone conversation, Ms. [REDACTED] and Ms. [REDACTED] are a "disruptive force" and he is adamant that Ms. [REDACTED] and Ms. [REDACTED] be removed from his class - Hist 3373-005 due to a previous confrontation.

Dr. [REDACTED] is concerned that he cannot function effectively as an instructor in the aforementioned class as long as the ladies are attending the class. I indicated that I was working on trying to place the students in another section. Dr. [REDACTED] was not interested in their placement but only in their removal from the class.

I indicated I had visited with Dr. Byrd, Larry Patterson, Rob Mills, and Social Science faculty in trying to resolve the matter. His response was that I could tell the aforementioned, Dr. Luther (Bud) Joyner, Dr. Roller and anyone else concerned that he was very angry and was not going to teach the class with Ms. [REDACTED] or Ms. [REDACTED] present. He said he would dismiss the entire class if necessary; I told him to send Ms. [REDACTED] and Ms. [REDACTED] to see me.

I went to the 10:00 class to meet with [REDACTED] and she was not there.

I went to Larry Patterson's office to inquire about her.

I called [REDACTED] at home at 10:35 and there was no answer.

At about 10:45 she and her sister, [REDACTED], came to my office. She brought with her a letter explaining the confrontation with Dr. [REDACTED] on October 2.

In my office I told her that until recently I had not involved myself in the situation hoping that she and Dr. [REDACTED] could settle this between themselves. I told her that Larry Patterson and Rob Mills had discussed the problem with me. I related to her that Dr. [REDACTED] expressed concern that he could not grade her objectively due to the emotions involved. We are anxious that the situation be resolved in the best way for everyone.

The following is a summary of their statements of what happened on October 2:

Every day for the first 20 minutes or so of class Dr. [REDACTED] reviews the Top 10 from the David Letterman show. After this he shows an outline of the material on an overhead and asks if there are any questions. On this day he went around the room and asked the students if they voted in the last election. [REDACTED] was reading from her literature book and [REDACTED] was studying notes from another class. When asked if she voted [REDACTED] replied, "No". He asked why not and she said she was too busy with four children, a job, and school. He then asked her what she was doing and she replied that she was reading her literature. He said that one of the "great lessons in life" was to not do literature in History class. He got louder and more emotional. He went over the student grievance policy (he had already done this several times before) and asked her what she was going to do. She replied, "I'm not going to let you holler at me in front of all these people." Then he said,

"Goodbye, [REDACTED]." She and [REDACTED] got their things together. As she left he said, "If I wanted to learn literature I'd be in a literature class." She answered, "If I wanted to be in a history class I don't expect to learn about David Letterman." He said "Good luck, Ms. [REDACTED]" and she said, "Goodbye, Mr. [REDACTED]". He said, "That's doctor to you". She said she had no choice but to leave. She said she did not get emotional or yell at him.

She said she tried to talk to him about what happened later and he would not talk to her. For awhile she wanted to remain in his class but now realizes that to be impossible. She said that she doesn't want to "get Dr. [REDACTED] in trouble". She is only concerned about her grade and the class.

[REDACTED] mentioned that she would like to transfer to the telecourse. I told her that I had already talked with Jean Harris, the instructor of the ITV History class, about that possibility. I told her how much I admired her determination to finish school and was sorry this situation occurred to hinder her education. I explained to her that the telecourse used the same textbook but they would need an additional study guide and reader. I told her we would provide these at no cost to them. We called Jean Harris and I went to her office with them. I instructed Dr. [REDACTED] to send the student's grades to Jean Harris. I instructed [REDACTED] and [REDACTED] to check with our office Thursday for supplemental materials that are needed for Hist 3373-050. I informed [REDACTED] and [REDACTED] that our office will take care of moving them from Hist 3373-005 to Hist 3373-050.

October 12 - Meet with Larry Patterson and asked him to provide written documentation concerning conversations he had with Ms. [REDACTED], Ms. [REDACTED], and Dr. [REDACTED].

Supporting Documentation - Dean of Students communicates with Department Chair regarding student grievance policy.

STUDENT SERVICES OFFICE

Memorandum

TO: JERRY MOLLER

FROM: Larry K. Patterson *LKP*

DATE: October 16, 1995

SUBJECT: STUDENT COMPLAINT - [REDACTED]

[REDACTED] and [REDACTED] came to see me October 2, 1995. The purpose of their visit was to tell me that [REDACTED] was told to leave Dr. [REDACTED] class. Both students explained that they are in Dr. [REDACTED] History 3373-005 class on MWF at 10 am.

[REDACTED] told me that Dr. [REDACTED] began today's class with his usual 20 minute review of David Letterman's top 20 from the previous night. Then he went around the room and asked each student if they voted? Since she was toward the end of this process, she studied her English Literature. When Dr. [REDACTED] approached her and noticed she was reading English Literature, she said he became upset. After some discussion, she said he became loud, angry, and attempted to intimidate her. She responded that she was a married adult, had children, a job and was too busy to waste time in his class when, in her opinion, no teaching was taking place. Therefore, she was studying English Literature. She said, he told her to close her book twice; the second time she did so. Then he said, "Goodbye, Ms. [REDACTED]." She then stood up to leave and said, "Goodbye, Mr. [REDACTED]," to which he responded "Dr. [REDACTED] to you." [REDACTED] sister [REDACTED] said that she was upset by this incident and she knew [REDACTED] was also, so she left along with [REDACTED].

I informed both students they should follow the Academic Grievance Policy in "Student Rights and Responsibilities." I provided a copy to each student. [REDACTED] said she planned to return to class on Wednesday because she didn't know if she was kicked out of class for good or only today. Both students acknowledged they understood the grievance process. I informed them if the Academic Grievance process was ineffective they could pursue the General Student Grievance policy.

On October 5, 1995, I talked to [REDACTED] on the phone. She said she went to class on the 5th and nothing was mentioned regarding the incident by Dr. [REDACTED]. She intentionally prolonged leaving class and was next to the last student to leave because she thought this would provide Dr. [REDACTED] a private opportunity to discuss the incident with her. However, he did not. She told me she needed this class and didn't want to get Dr. [REDACTED] in trouble, so she would continue to go to class. Also, she commented that she didn't think he would be biased in grading her class performance. I wished her the best and reassured her if the problem escalated to see Jerry Moller or me.

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On Monday, October 9, 1995, Dr. [REDACTED] came to my office, closed my office door, and began to tell about the incident with [REDACTED] and [REDACTED]. He said she was reading English Literature during his class; he asked her to close her book and she refused. Then a discussion took place and [REDACTED] left his class on her initiative. He said he wanted both of them out of his class. He said he was willing to repay their tuition or give them A's in the class to get them out. Also, he said he is unable to teach the class if they are present. Furthermore, he said he would be unable to objectively grade their performance in his class because of this incident. I told Dr. [REDACTED] this situation appeared to be a student/teacher interpersonal relationship issue that he should attempt to resolve with the student and Jerry Moller. Dr. [REDACTED] seeming somewhat dissatisfied with my response, said he was going to see Jerry Moller.

It is my understanding this situation has been resolved by granting the student's request to be placed in another class. I hope that Dr. [REDACTED] can now successfully continue teaching his class and that [REDACTED] and [REDACTED] will accomplish their goals for this semester.

Jerry, when we first discussed this incident, you agreed [REDACTED] and her [REDACTED] should pursue the Academic Grievance Policy; however, if you ever disagree with my recommendation regarding which grievance policy to follow, I assume you will let me know. It has always been my impression that faculty preferred the opportunity to resolve personal differences with students via academic grievance policy. In most cases, I concur with their preference because the general grievance policy tends to escalate problems to a higher, more public level. Even so, anytime a student appears to need an advocate, my office is committed to assist them in resolving their grievances.

Over the years, I have had several students complain to me about Dr. [REDACTED]. I have always informed them of the academic grievance policy and encouraged them to attempt to resolve these problems with Dr. [REDACTED] first. Consequently, I have no knowledge of formal grievances which may have been filed. Please let me know if I can be of any further assistance in this matter.

jp