

July 14, 2016

Dr. Erica Austin
Vice Provost for Academic Affairs
Washington State University

Dear Dr. Austin;

Thank you for your letter received Wednesday, July 6, 2016. I appreciate your analysis of this situation. To assist in further assessment, I've organized my response into discrete sections to address some of the core concerns which relate to the manner in which my reviews are now being undertaken.

The major concern that we have is that the criteria being used for review purposes are very different from the actual criteria provided to me at the time I was hired by the University, and different from the criteria which are supposed to be used to review Extension appointments. As you are aware, Extension faculty appointments are quite different from academic faculty appointments. In the event there are documented, different standards that apply to Extension faculty than those provided to me at the time I was hired, I would greatly appreciate it if those could be provided. It is important that I am able to pass on the accurate and applicable standards to those who have been reviewing my situation, and evaluating the manner in which the University has been handling these reviews and my employment rights. At this point they believe they have the applicable standards and they are different from those currently being used by the University.

Overview of situation. There is a misalignment of my contractual position with administration evaluations. My chair has repeatedly stated that he compares me to my departmental colleagues, who as faculty with academic lines, are primarily evaluated by grants, journal publications, and graduate student mentoring. These are inappropriate as the essential metrics in evaluating my Extension line appointment, which has additional assigned expectations. In addition, the chair appears to be confused about how to evaluate my position consistently, as evidenced by differences from year to year in how categories are scored or even left blank.

I refer to the Faculty Manual which lists the following criteria to be used in evaluating Extension Faculty:

"Extension faculty represent the University within the state. Primary criteria for evaluating extension faculty for possible advancement in rank and tenure follow:

- Effectiveness in analyzing problems of individuals, groups and communities, and in planning necessary work.
- Ability to organize and utilize the resources of the people, the University, and government agencies in carrying out programs.
- Ability to speak and write effectively and to communicate research findings, new applications, problems and ideas to others.
- Service to the institution and public.
- Professional development, professional achievement and professional recognition."

To resolve the situation in a positive manner, CAHNRS administrators need to be able to reconcile my position, as contractually described, with these essential criteria.

Proposed discipline. There are a number of concerns I have with the proposed disciplinary action. Rather than debate each point by point, I'll briefly offer my overall concerns:

- This proposed action continues the administration's refusal to consider my position as Extension-line faculty. Instead, the requirements are reflective of those that are appropriate for academic faculty. In fact, the letter refers to "meeting departmental standards" when everyone in the department has an academic appointment except for me.
- It is discriminatory to hold me to strict minimums in terms of funding, graduate student recruitment, and journal article publications when other Extension faculty with similar appointments in other departments are not held to the same standards. For example, the requirements to recruit a minimum of two graduate students each year and to bring in a minimum of \$50,000-75,000 per year appear to be intentionally designed to ensure failure when there is no longer an environmental horticulture undergraduate or graduate program from which to draw prospective students.
- My academic freedom is threatened by the requirement that all topics about which I write be pre-approved by administration. I am told that this is inappropriate for a higher quality University. Does WSU really want to insist on this? Furthermore, the narrow definition of "research" used here excludes high quality reviews of specific bodies of literature, which do generate new information and "develops or contributes to generalizable knowledge."¹ These are an important and unique part of my program, highly regarded by my national peers and cited in peer-reviewed journal articles.
- Given my current program commitments and Extension activities, the timeline in this action is impossible to meet. Again, I am told that this appears to be intentional, but I cannot understand why the University would want to do this – particularly in such an obvious manner and contrary to representations made at the time I was hired.

Respectfully, based on these concerns, I have to decline to accept the narrow terms of this proposed "disciplinary" action. I am committed to finding a productive resolution of this situation so that I can continue contributing to the scientific body of knowledge, the training of students, and the outreach efforts for which WSU is well known. What follows is part of my effort to do so.

2008 Plan of Work. Years ago I was asked to devise a plan of work, apparently based on the Annual Plan of Work Guidelines for Extension faculty (<http://ext.wsu.edu/admin/PDF/PlanofWork.pdf>). As these guidelines state, this should be an annual process used to guide one's activities in the following year. However, I was never asked to develop subsequent plans. It appears that the administration has misconstrued this now out-of-date Plan of Work as a modified, official, and binding job description. This, of course, would be inappropriate, as a Plan of Work includes very specific activities that may no longer be appropriate. For instance, my Plan of Work refers to the now defunct MasterGardener Magazine and does not include important current work (e.g., the WSU Garden Team and the Garden Professors).

Nor does this Plan of Work somehow change the terms of my contractual appointment as suggested by the provost. I signed a contract for a 100% Extension line appointment; unlike many academic lines, it is not further divided into research or teaching percentages.

This out-of-date plan needs to be archived. I am happy to develop a new Plan of Work on an annual basis as a guiding document, in conjunction with my career guidance committee.

Concerns about investigative report. I question the impartiality of this report. I was the last person to be interviewed, yet Dr. duToit did not ask me about the concerns raised by others that were outside the original statement of charges. There was plenty of opportunity for her

¹ WSU IRB definition of research

to do so; I can only surmise she was not interested in hearing my side and fully assessing validity of these concerns.

Importantly, there are a number of statements in this report that are just plain wrong; brevity precludes me from listing them all. But some of the more egregious statements are:

- The report inaccurately states that in 2011, I only came to work 14 days (Fact: this is incorrect and easily checked by looking at my open-access Outlook calendar)
- The report also incorrectly states that a graduate student had to be "brought back" to Pullman because I couldn't manage her (Fact: she lived in Pullman and after one trip to collect data in the Puyallup experimental plots described below chose to change her project to eliminate future travel). The fact that this was wrong was actually known to be false by the University before the report was written.
- The report states that, in my field plots "80% of the trees died." The reader is left to assume they died of neglect, which is categorically untrue. (Fact: the point of this experiment was to determine the effect of two root treatments on tree survival. Mortality was not only expected, it was an integral part of the experimental measurement.) Again, this was known to the administration.

Fact checking is an expected part of scholarship; there is no reason this investigative report should have fallen below that standard. Again, I am informed that the fact that an incorrect report and inaccurate statements are being used to evaluate me raises serious questions as to purpose and intent.

Concerns about 2015 annual review. You mention that my 2015 performance review supported the findings of the report. The review process, however, was not followed. There needs to be a discussion about the process of that 2015 annual review, since your office never acknowledged receipt of my dissenting statement or responded to listed concerns (as required in the review process).

Significantly, when questions were raised during a spring meeting of full professors in my department, the chair stated that he did not expect me to be at WSU next year and thus had not scheduled a review. This meeting occurred before I had received any notification that a conclusion had been reached on the results of the investigation. While I submitted my 2015 review materials by the required January deadline, my meeting with my departmental chair did not occur until May – substantially after all other departmental faculty had been reviewed. I can only assume that the chair was instructed by the Dean's or Provost's office to review me at the last moment, simply to "check a box." Again, I am told that this raises serious questions regarding the objectivity of this review, given the circumstances I've just described.

Future considerations. The last several years of contested annual reviews have taken an extraordinary amount of time for all parties involved. I would very much like to spend my time on outreach education, publication, research and service, and deepen my programmatic reach, output, and national significance. It would seem that this would be a much greater benefit to Washington State University and the taxpayers of the State of Washington. It certainly is a much more beneficial and productive path than others that are being suggested to me, based on the University's actions and attempt to evaluate a tenured Extension professor using incorrect criteria, or criteria different than those represented to me at the time I was brought on board and which are clearly documented.

As stated, I do want to work productively with the University so that I can perform my work in a positive and contributory manner. I can see two possible pathways that could productively resolve the situation. Before I describe these options, I want to bring everyone up to speed on a recent change in the Horticulture department. This year, two of the three

environmental horticulture faculty members retired (Dr. Rita Hummel and Dr. Ginny Lohr). I am the third, and last, faculty member. There are no plans to my knowledge to hire faculty replacements in this area. Since there is no longer an academic program in environmental horticulture for my Extension position to affiliate with, this greatly reduces, if not eliminates, any possibility of departmental collaboration.

Option one: It would be logical at this point to move my position to Extension; this is the home of the faculty and staff with whom I work on an active and consistent basis. I'm an active member of WEASA and NACAA; I lead the Garden Team whose members are primarily Extension faculty and staff; and perhaps most importantly these faculty both *want* me to be part of their unit and understand and value what I do. In fact, at our spring meeting, WEASA members unanimously supported this move and directed President Steve VanVleet to write CAHNRS, requesting that my position be moved to Extension (Attachment 1). This request was denied (Attachment 2), stating "...such a request is justified when the programmatic focus of the faculty member clearly aligns with a unit other than their present tenure unit. This is not the case in either of these situations." Clearly, this reason for denial is no longer true as discussed earlier.

By moving my position to Extension there will be a number of immediate benefits for everyone:

- It is the unit in which I have the majority of discipline-related colleagues
- I will still be able to carry out my current programs, research, and publishing goals
- I will be evaluated using criteria appropriate for Extension line faculty and receive credit for many activities and products that are currently ignored
- This unit can form a mentoring committee who both understands and can guide program activities, and is familiar with applied horticultural sciences outside of production agriculture
- I will no longer pose an evaluation problem for the Chair of Horticulture

Option two: Retain my position in Horticulture. To avoid the ongoing problems with my annual review, there will need to be some changes made for me to successfully work toward promotion to full professor (the new focus of all annual reviews):

- Evaluate my yearly work using the appropriate criteria for a 100% Extension Faculty line based in an academic department
- Compare my annual outputs to those of other faculty with identical appointments (both of these faculty are housed in Entomology) instead of the academic faculty in the department
- Recognize that my area of expertise is not one that generates large, sole-PI, outside grants. Neither Dr. Hummel nor Dr. Lohr were able to generate large grants during long careers, solely because environmental and urban horticulture are not directly related to the food-and-fiber focus of USDA and other funding agencies²
- Accept that, without a robust academic program that attracts graduate students, I will not be in a position to consistently recruit graduate students into urban horticulture. I may be able to attract graduate students from other areas, however.
- Create a mentoring committee of faculty members who both understand the mission of my position, are familiar with urban horticulture, and who can compare my efforts to those faculty with similar, 100% Extension appointments.

² "Expectations on funding should be consistent with the costs associated with doing research in a given area and the availability of funding." (Faculty Manual, p. 48)

I appreciate the time you have put in to reviewing this response and look forward to discussing these ideas, and other alternatives, with Dr. Schulz.

Very truly yours,

A handwritten signature in cursive script that reads "Linda Chalker-Scott".

Linda Chalker-Scott, Ph.D.
Extension Urban Horticulture Specialist and Associate Professor in Horticulture
WSU PREC
2606 W Pioneer
Puyallup, WA 98371

Cc: Dr. Kirk Schulz, WSU President
Dr. R.C. Mittelhammer, CAHNRS Dean
Dr. A.G. Rud, Faculty Senate Chair
Dr. Donna Potts, WSU-AAUP President
Anita Levy, Associate Secretary, AAUP Department of Academic Freedom, Tenure, & Governance
Jack Connelly, Attorney at Law

Attachment 1

Washington State University
PO Box 646243
Pullman WA 99164-6243

Dear WSU Administration,

I am writing this letter on behalf of the Washington State Extension Agents and Specialists Association (WEASA). Over 41 faculty members from Washington State University are involved in our professional association, a subunit of the National Association of County Agricultural Agents (NACAA). Based on productivity and awards, Washington State University Extension faculty in WEASA are highly regarded by their peers and well recognized locally, regionally, nationally and internationally.

Typically, faculty that are conducting 100% Extension-based programming within WSU are currently located within the Extension tenure/promotion unit. Two such faculty that I know of, Dr. Linda Chalker-Scott and Dr. Catherine Daniels, continue to be department-based however (Horticulture and Entomology, respectively). Because department-based faculty usually have split appointments and are thus held to different standards, which are not applicable and don't readily apply to 100% Extension faculty, WEASA members are requesting that these two faculty be realigned with the Extension tenure/promotion unit. Both faculty members have indicated support for this request.

In conclusion, the Extension faculty within WEASA would very much appreciate it if you could reassign the highly productive and well recognized Extension faculty, Dr. Linda Chalker-Scott and Dr. Catherine Daniels, as soon as possible, to Extension. This reporting change would only strengthen our overall unit and makes sense from the university standpoint.

Thank you in advance for addressing this matter,

Stephen Van Vleet

Stephen Van Vleet, Ph.D
WEASA – President
Washington State University
Extension Specialist- ANR
310 N. Main St., Room 209
Colfax, WA 99111
(509)397-6290
svanvleet@wsu.edu

Attachment 2

From: Koenig, Richard T
Sent: Wednesday, April 20, 2016 12:39 PM
To: Vanvleet, Stephen M; Kidwell, Kimberlee Kae
Cc: Murray, Todd Aaron
Subject: RE: Extension Faculty

Stephen,

This request involves shifting tenure units of the faculty involved. This is no simple matter and is rarely considered (I am only aware of 1 instance in my 13 years at WSU). Among other considerations, such a request is justified when the programmatic focus of the faculty member clearly aligns with a unit other than their present tenure unit. This is not the case in either of these situations.

Rich

From: Vanvleet, Stephen M
Sent: Friday, April 15, 2016 10:54 AM
To: Kidwell, Kimberlee Kae <kidwell@wsu.edu>
Cc: Koenig, Richard T <richk@wsu.edu>; Murray, Todd Aaron <tmurray@wsu.edu>
Subject: Extension Faculty
Importance: High

Kim, Rich and Todd,

I have submitted a request for Extension faculty to be included in Extension Tenure/Promotion Unit. Please see attached document.

Thank you, Steve

Stephen Van Vleet, Ph.D
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