

Notes on Meeting among Tom Caywood, Liz Throop, and Mittie Nimocks Den Herder to discuss having Tom step down as Chair of Criminal Justice. Notes written on Friday, July 12, 2013 by Den Herder.

2013

**Meeting among LAE Dean Elizabeth Throop, Criminal Justice Chair Tom Caywood,
and Provost Mittie N. Den Herder.**

Monday, July 8, 2013, 4 p.m.
Provost's Office

Pre-meeting Background: Dean Elizabeth Throop had expressed concerns to me about the Criminal Justice Department several times during this, her first year as Dean of Liberal Arts and Education. Among these concerns were that Dr. Sabina Burton may have misrepresented her expertise to an external private granting agency (AT&T) and may have also misrepresented the extent to which the department had a program in cyber-security. She also expressed concern that Chair Tom Caywood had rehired annuitant Prof. Joe Lomax not in compliance with state rules regarding this and that he had ignored her instructions to him in this matter.

In addition, she was concerned that Associate Professor Aric Dutelle had sent an email to an outside agency that sounded as though he were requesting "head hunters" fees for placing UW-Platteville graduates with their agency. This came to our attention when a representative from that agency contacted the Chancellor and indicated offense believing Professor Dutelle's request was an ethical breach. When Dean Throop and I met with Professor Dutelle regarding this we included Dr. Caywood in the meeting and he clearly felt that we were persecuting Professor Dutelle unfairly.

In the meantime, Dr. Burton had reported to Dr. Caywood a complaint that a female student had brought to her regarding a "breach experiment" in probationary faculty member Lorne Gibson's course. When Dr. Caywood disregarded her concern she took the matter to HR and the Director of HR dealt with this matter. Around this time Dr. Burton was denied early promotion but was granted it after she requested reconsideration. Dr. Burton felt that Dr. Caywood had shown a pattern of discrimination against her based on her sex and filed a grievance through the faculty grievance process. This committee found insufficient evidence that Dr. Caywood had behaved in a discriminatory manner but determined a high level of "dysfunction" within the department and recommended that some sort of mediation be conducted for that group.

Dr. Caywood has served as department chair for seven years extending back to the time when I was Dean of the College and was his direct supervisor. During that period of time, two other women in the department, Dr. Cheryl Banachowski-Fuller and Lecturer Amy Nemmetz believed that they had experienced sexual discrimination within the department but especially from Dr. Caywood. I did not perceive this to be the case nor did either woman file formal complaints.

These are but a few of the conflicts that have occurred within the department over time. Dr. Caywood was actually hired as a result of a national search for a chair. One of the reasons that

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search went forward was that the department was divided and couldn't determine through the regular process who to recommend to fill the position. Therefore, a full search was conducted.

With this background in mind, Dean Throop informed me that she felt from all she had observed and learned this year, that the Criminal Justice Department needed a different chair and she wanted to ask Tom to step down. She was concerned about the ongoing lack of collegiality among department members as well as the several instances of non-compliance with university and state policies. One issue that was a potential stumbling block was who might be appointed as chair. While the four tenured members of the department are intelligent and capable, all have been involved in the infighting whether intentionally or being brought in to it. The two internal people she believes may develop into chairs are untenured and neither of us believe a nontenured person should be placed in this position.

In these conversations I encouraged Dean Throop that when she had this conversation with Tom that she needed to allow him the option to resign from the chair instead of simply removing him. He has served the department for seven years and though there have been problems, we both believe he is committed to the department, the program, and the students and has done many things well. Removing a person from a position or giving negative criticism is always difficult and I encouraged her that she needed to be as compassionate as possible in giving this hurtful message.

When Dean Throop finally made the decision to talk to Tom she requested that I be present. (I would like to note that as part of the grievance brought by Dr. Burton against Dr. Caywood, she requested that he be removed as chair. Coincidentally, the faculty grievance committee submitted their findings/recommendations to the Chancellor near the day of Dean Throop's and my meeting with Tom so it could easily be misconstrued that his removal was a result of Dr. Burton's request. The committee, as stated earlier, found insufficient evidence that Dr. Caywood had discriminated against Dr. Burton and made no recommendation that he be removed as chair. While Dr. Caywood's handling of Dr. Burton's issues added to Dean Throop's rationale for removing him, it was only an additional issue among many concerns.)

Therefore, Dr. Caywood was invited to meet with Dean Throop and me in my office on Monday, July 8, 2013. Dean Throop told Tom that she was meeting with all the chairs to evaluate their performances. She told him that she had several concerns and mentioned the situation with Prof. Dutelle, the handling of the breach experiment complaint, and rehiring the annuitant. She spoke for about 20 minutes indicating that she was uncomfortable with his actions in these instances.

I said that I knew there had been difficulties among the Criminal Justice faculty dating back to the time I was college dean. I asked Tom if he saw any way or could devise any plan or strategy for healing the breaches in the department or to do any team building. He said, "No". He said that people don't have to like one another to work together. He mentioned that even Cheryl Banachowski-Fuller seemed to be "coming around" and talking to him more and that he felt with time people get over whatever animosities they feel toward one another. He mentioned

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that Cheryl had had a recent family loss and that that may have made a difference in how she has begun responding to colleagues.

It concerned me that Tom felt that team-building, collegiality, and department climate healing should just be tolerated, left to being softened by time or life events. I said to him, "Tom, part of being chair and leading a department is to help faculty work through these issues if you can't prevent them from occurring in the first place. Part of your job is to engage in team building." His response was that that just wasn't him, that he's "not Joe Lomax" (former department chair with excellent people skills), and he couldn't do that.

Although, I did not say this to Tom and in hindsight think I should have, I had hoped that he would agree to work on a plan to help the department work together better. If he had taken on that challenge, I planned to suggest that he be given a year to see what he could achieve and then we would revisit/re-evaluate his performance. However, when he first of all dismissed the importance of department climate and then flatly said he couldn't (wouldn't) work on this, I ceased trying to help him help himself in this conversation.

At some point around this time – about 30 minutes into the meeting during which Liz and I continued to speak of numerous concerns, Tom said, "Well, maybe it's time for new leadership in the chair's position." When he said this, Liz said that she felt that it was. Tom spoke about the fact that he'd been in the position for many years and he didn't want to be like some chairs who stayed in the position too long. He did say he would like to serve through the end of the summer and Liz and I agreed to that.

I told Tom that it would be unfair for him to have served as chair during the five year period during which no raises were given and that his base would be reduced just at the time faculty were to receive (a meager) 1% increase. I told him that I wanted to keep him at his present salary and that we could use his expertise in additional duties to be accomplished during the summer if he were interested in doing this. He shrugged and said it didn't matter; that he had his three years in at the higher salary (referring to the retirement formula that incorporates a retiree's three highest salary years). However, both Liz and I told him we were committed to keeping him at his present salary.

I then asked Tom how he would like this transition to be "framed". I suggested that an accurate description was that he, Liz, and I had had this discussion, talked about the issues in the department, talked about the fact that he had served a seven-year tenure already, and that he had suggested that new leadership might be a good thing. He turned to me and said, "Mittie, you are the Provost, you can just fire me." I reminded him that he actually serves at the pleasure of the dean who recommends appointments and removals to me and I in turn recommend (or not) to the Chancellor who is the ultimate appointing authority. Decisions regarding department chair appointments typically are the purview of the dean with input from faculty and approval by Provost and Chancellor. Tom shrugged as though it didn't matter to him.

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We spoke about how to fill the chair's position and the problem with those presently in the department. I suggested a national search realizing that that would probably take a year. In the meantime, an interim would be needed, probably someone outside the department. Dean Throop had already spoken to me about the possibility of appointing Dr. Mike Dalecki from Sociology for the interim as sociology is considered a related discipline. Before Liz or I made this suggestion, Tom actually brought up Dr. Dalecki as a possibility.

The meeting ended a little before 5 p.m. Dr. Caywood had been calm, reasonable, and professional throughout. Liz and I thanked him for that and stopped him at the door to shake his hand. I was so impressed by his handling of the situation that I emailed him a short message thanking him again for being professional and thereby making what could have been a very difficult conversation less difficult.