

## MEMORANDUM

Date: October 2nd, 2009

To: Dr. Marvin Kaiser, Dean  
College of Liberal Arts and Sciences

From: Dr. Andres La Rosa

Ref: Non –contractual grievance  
Object the continuing participation of Dr. Aslam Khalil on my P&T Committee

I have had a negative response to my request presented to Dr. Bodegom objecting the continuing participation of Dr. Aslam Khalil on my P&T Committee. I've learned that my issue is classified as not contractual, and thus must be processed as a non-contractual grievance provided for in the OARs. However, due to my recent participation in off site conferences I have just become aware of the deadlines to file the grievance at the Dean's Office level.

I request that the timelines for submittal of the Non-contractual grievance be extended to October 2nd, 2009, and that you accept the attached grievance.

Thank you in advance for your consideration. I look forward to hearing from you.

Andres La Rosa

Date: October 2nd, 2009

To: Dr. Marvin Kaiser, Dean  
College of Liberal Arts and Sciences

From: Andres La Rosa

RE: Attachment to Non –contractual grievance if October 2<sup>nd</sup>, 2009  
Object the continuing participation of Dr. Aslam Khalil on my P&T Committee

I have attempted to resolve this issue informally with my department chair, Dr. Bodegom, and my P&T committee on a number of occasions, starting my request in collegial manner more than one year ago. Their most recent denial constitutes the Oral Step of the Non-Contractual grievance procedure. I humbly submit my issue for your review.

I have objected, and do object, to the continuing participation of Dr. Aslam Khalil on my P&T committee for the following reasons:

- 1) On January 27, 2005, Dr. Khalil, while Chair of the physics department, failed to follow the PSU P&T guidelines, which requires keeping the applicant informed of all steps related to his/her tenure application: *“The department chair informs each faculty member in a timely manner in writing of the departmental committee's and of his/her own recommendations (ineligible, deferred, recommended for promotion and/or tenure, or termination.”* In contrast to the guidelines, Dr. Khalil altered the official appraisal sheet, changing his vote from deferral to denial, without communicating this action to me. (The document I was given to sign up had already left the physics department by Nov 22<sup>nd</sup>, 2004.)
- 2) Dr. Khalil treated me with disdain during an official P&T process. I attach a copy of Dr. Khalil's response (dated September 8<sup>th</sup>, 2005) he originally sent to Dr. Bodegom, with copy to the Dean's office, regarding my initial request for removing Dr. Khalil from my P&T committee. Unexpectedly, in his attentive narrative I am consistently and unequivocally referred to as “Mr” not only once but several times. In the middle of my academic and professional institutional evaluation, Dr. Khalil wanted to point out that I was a person unworthy of a scholar status and should be treated simply as “Mr”. All of a sudden, I learned, Dr. Khalil had, in his intellect, disposed of my well-earned Ph. D. degree at a prestigious American university. Dr. Khalil's pre-conceptual negatively-biased impression about a PSU faculty is incompatible with the implementation of a fair P&T process.
- 3) On December 1<sup>st</sup>, 2005, Dr. Khalil, this time as a P&T member, submitted an “abstain” vote in my P&T appraisal sheet. I am certain such a vote caused confusion, or had a negative impact upon those giving advice to management at PSU. The “abstain” vote is not an option on the appraisal sheet. It is curious to find Dr. Khalil consistently behaving out of the framework of the well-established P&T guidelines.

I believe the above shows a trend of awkward behavior on part of Dr. Khalil as a P&T member, also revealing a negative bias. His lack of willingness or inability to provide a fair performance in the past does not provide the necessary confidence that should characterize an official P&T process. Even the P&T committee, after initial denials, now accepts Dr. Khalil did not have a satisfactory performance on the alteration of the appraisal sheet issue mentioned above. His negative impression about me, addressing me as “Mr,” with disdain, is also incompatible with a fair P&T process.

I brought my concerns to Dr. Bogedom. However after showing this trend of missteps Dr. Khalil incurred while being a member of my P&T committee, it turns out Dr. Khalil ends up being appointed as chair of my P&T committee. A bit of less arrogant attitude would be healthy at PSU. While it is impossible to predict or guarantee a fair promotion process, I have no confidence that it can be fair with Dr. Khalil as not only member, but chair of my P&T committee. A P&T institutional process should be above protecting local friendships.

I strongly believe that as PSU faculty member I should be entitled at least to be treated with respect, more so by a P&T member and especially within the institutionally-backed official process. I also believe a tenure and promotion review process should instill confidence that it will be implemented with fairness, the rules will be respected, and votes not altered without a fair communication the applicant on a timely basis. The trend of facts presented above renders such lack of confidence, hence my request for removing Dr. Khalil from my P&T committee.

Thank you,

Andres La Rosa