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The Faculty

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The Man Without a Department**Stripped of his office and courses because of a feud with the administration, a U. of Oklahoma professor is left with tenure and a room in the basement**

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Norman, Okla.

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From David Deming's old desk up on the ninth floor, he could look out the window over hundreds of houses east of the University of Oklahoma campus here. It wasn't an awe-inspiring vista, but it was something. In his new office in the basement, he has a great view of a sink.

Mr. Deming is a tenured associate professor in the School of Geology and Geophysics. Or rather, he used to be in the school. Because of a feud with the administration, he has been removed, placed in a strange limbo the university calls a "dean direct" position. He is a man without a department.

The professor is not the easiest guy to get along with. He is a bit awkward and not at all chummy. One former colleague calls him an "odd bird" who is tough to get to know. He acknowledges he has few friends, but offers, as he often does, a classical quotation as a rebuttal: "Aristotle said something along the lines of, 'He who has many friends has none.'"

In recent years, the professor has made a habit of writing letters to newspaper editors that others at the university find annoying or, worse, offensive. That may have put him in a vulnerable position to begin with. But ultimately, both the professor and the administration agree, he has been sent to the basement for continually challenging the leadership of the school.

He has tenure, so the university can't fire him. But the administration has decided that he can no longer be a member of the geology department, and he won't be allowed to teach several of the courses he has been handling for years.

Mr. Deming's case raises issues about what tenure really means for a professor and the importance of membership in an academic department -- where so much of the work of a university, like job searches and curricular changes, actually gets done. "Tenure is more than just a paycheck," says Mr. Deming. He believes his rights have been trampled on and is considering suing the university.

He will have to continue the battle from Room A135, a converted laboratory that the college has assigned as his new office. There are, to

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be sure, advantages. In his office up on the ninth floor, he never had an emergency shower.

Controversial Letters

Mr. Deming began writing letters to newspaper editors as soon as he arrived on the campus in 1992. He was in his first faculty job, after earning a Ph.D. from the University of Utah, but he didn't shy away from making controversial statements.

In 1998, for instance, he wrote to the student newspaper, *The Oklahoma Daily*, after an article appeared about the paucity of women in engineering. "There is significant scientific evidence that sex-based differences in spatial and mathematical abilities may be biological in origin," he wrote. "For example, male rats do better in mazes than females. I concede it is possible that those female rats performed poorly because they were distressed by the lack of proper role models, but somehow this seems implausible."

That drew some criticism, but trouble really started in 2000 when he wrote a now infamous letter to the editor comparing handguns to vaginas. *The Oklahoma Daily* ran a column by Joni Kletter, of the *Yale Daily News*, arguing that "easy access to a handgun allows everyone in this country, including criminals, youth and the mentally disabled, to quickly and easily kill as many random people as they want."

Mr. Deming, who is a member of the National Rifle Association, fired back. "I just want to point out that Kletter's 'easy access' to a vagina enables her to 'quickly and easily' have sex with 'as many random people' as she wants," he wrote. "Her possession of an unregistered vagina also equips her to work as a prostitute and spread venereal diseases. Let's hope Kletter is as responsible with her equipment as most gun owners are with theirs."

The letter prompted two dozen people to file complaints with the university, accusing Mr. Deming of sexual harassment.

He sought assistance from the Center for Individual Rights, which helped him find a lawyer, and the Foundation for Individual Rights in Education, which sent letters on his behalf to the administration. The university decided not to pursue the charges after Mr. Deming threatened to sue. Oklahoma's lawyers said the professor's victory on First Amendment grounds was "inevitable."

That letter didn't win him any new friends in his department. "It did aggravate most of us here," says John D. Pigott, an associate professor. "We thought, What does this have to do with geology?"

But Mr. Deming kept writing, including a letter criticizing the university's sexual-harassment policy. That one managed to make its way onto his annual evaluation form. "It is noted here that correspondence by you to others during the past year, as well as in prior years, seemingly demonstrates contempt or resentment on your part toward ... the university," wrote Roger M. Slatt, director of the geology school.

Mr. Deming contends that using his outside comments on his annual evaluation is a clear violation of his right to speak freely. Mr. Slatt declined to speak about Mr. Deming.

Nancy L. Mergler, Oklahoma's provost, when asked about the evaluation citing the letters to the editors, says, "That was corrected at the dean level." At the same time, she questions why Mr. Deming was complaining about his evaluations since he had received pay raises during the same period.

More recently, as part of a post-tenure review last spring, the school's Committee A, an administrative committee of two professors and Mr. Slatt, suggested that Mr. Deming might consider the possibility of a full-time research appointment outside the geology school. That report also contended that, contrary to Mr. Deming's complaints that he had been retaliated against for speaking out and writing letters to the editor, the record showed "you have been given free rein to expound your views."

Mr. Deming complained to the university's president, David L. Boren, saying that his political views were again becoming part of his evaluation. The president responded with a handwritten note, saying that he would confer with the dean of the College of Geosciences, John T. Snow, and the provost about the matter. "I hope that you will ignore that part of the report," he wrote. "I assure you that neither the provost, the dean, or myself will allow your future well-being at the university to be impacted by your political views."

Conflict-of-Interest Charges

It wasn't just speaking his mind on matters having nothing to do with geology that got Mr. Deming sent to the basement. Late last summer, he complained in a lengthy memorandum about a conflict of interest between the school and a private company owned by one of the professors.

John Castagna, a full professor in the school, founded Fusion Geophysical, a consulting firm, in 2000. Mr. Slatt and two other professors from the department are among the firm's associates.

Mr. Deming is outraged that last year, when the school was searching to fill a newly endowed part-time professorship, of all the geologists around the country who could have been tapped for the honor, the department chose Alan R. Huffman, who also happened to be the new vice president at Fusion Geophysical.

Mr. Deming contends that the connections between Fusion and the geology professors raise the possibility that Mr. Castagna might get special treatment because he is able to shuffle consulting work to individual professors. "I think the question on everyone's mind, John," Mr. Deming wrote in an e-mail message that he sent to all of the school's professors this fall, "is whether you came to OU to (a) be a professor or (b) use it as a base of operations to build up a private business? I think I have answered this question to my satisfaction. ... Everyone else will have to figure it out for themselves."

In an e-mail message to *The Chronicle*, Mr. Castagna wrote that there was no conflict of interest in hiring Mr. Huffman, that his company did not benefit in any way from the hire, and that Fusion was helping the school by donating Mr. Huffman's time "at a significant expense."

"Dr. Deming, for his own personal reasons, has chosen to make a mockery of altruism which was intended only to benefit the students of OU," Mr. Castagna wrote.

"We have complete and utter confidence in that hire," says Ms. Mergler, the provost.

But when Mr. Huffman was first suggested for the job earlier in the year, at least two professors besides Mr. Deming said he didn't seem to be qualified. Mr. Slatt wrote that he would not proceed without faculty approval, but in June he did just that, hiring Mr. Huffman for the two-year position.

Responding to Mr. Deming's long memo, Mr. Slatt wrote in an e-mail message that the professor should back up his claims or "quit creating a hostile, disharmonious, uncollegial environment."

The other geology professors were not sure what to make of Mr. Deming's concerns about conflict of interest, but they did take them seriously, says Mr. Pigott. "We find it intriguing, we find it challenging," he says of hiring Mr. Huffman. "We don't have a simple answer for it."

Roger Young, one of the professors who originally agreed that Mr. Huffman appeared underqualified for the job, says Mr. Deming's complaints were not ignored. "People at first looked at the concerns as worthy of dialogue," says Mr. Young. "I don't think the department thought of him as a crank."

But Mr. Deming preferred to write memos, instead of talking at faculty meetings when given the chance, Mr. Young says. The two sides couldn't communicate, and eventually Mr. Deming was removed from the school. Mr. Young calls it an "unfortunate situation," but says he doesn't think Mr. Deming's rights as a professor have been violated.

Permission Required to Teach

In December, "just seven days before Christmas," as Mr. Deming likes to tell it, he was summoned to the dean's office and told he was being transferred out of the school. He would now report directly to the dean, and he would have to seek permission to teach any courses in the school of geology. His desk would also be reassigned -- "a purely punitive" move, Mr. Deming calls it.

The office on the ninth floor, the overflow space across the hall used for additional files and graduate students, and a lab space have all been taken from him. In their place, he has been given one laboratory room in the corner of the basement.

This month, days before the move was to become official, the new room was littered with boxes, shelves, and equipment from the old lab space.

A coat rack from the old room had been stuck there as well, full of things Mr. Deming didn't recognize -- a plaid shirt, a plastic Barney umbrella.

While an appointment in a specific department may not be a requirement of being a faculty member, it is an integral part of most professors' lives. Jonathan Knight, an associate secretary at the American Association of University Professors, says moving a professor out of a department is highly unusual, but he has seen it happen in some poorly functioning departments. "It can have serious consequences for a person's career," he says. "It may be a workable solution, though in other circumstances it may be a bad solution to a bad situation."

Ms. Mergler declines to talk about some of the specifics of Mr. Deming's situation, saying it is a personnel matter, but she maintains that administrators tried to "create it so there is no downside to this situation."

Ultimately, the move is about Mr. Deming's relationship with Mr. Slatt, the director of the school. Mr. Deming "went on the record as having no confidence in the leadership of that school," says Ms. Mergler. "And we do have confidence in that leadership, so we thought we would go the extra mile and set up a separate system for him."

He will still have graduate students, and his courses will still count for students majoring in geology, she says. But they won't officially be geology courses any longer. After the December 18 meeting, he was told to apply to Mr. Slatt for permission to teach hydrogeology and the history-of-geology course he was slated to teach in the fall -- the same way a history professor would have to ask for permission to teach a course in the English department. (He asked and was turned down, although the dean says he can relist the courses using the geoscience label.)

Several administrators declined to talk about Mr. Deming's case. Mr. Snow, the dean, also referred questions to the university's spokeswoman. "This thing is a pimple that they don't want to talk about," says Mr. Pigott.

Fellow professors would also like it to just go away, but Mr. Pigott, who agrees that Mr. Deming shares some of the blame, doesn't see the transfer as much of a solution. "When we take a person who is mentioning things and marginalize them, this isn't dealing with the problem," he says.

Karen S. Humes, a former Oklahoma professor, says Mr. Deming's case fits a pattern of how faculty disagreements get mishandled within the College of Geosciences. Now an associate professor at the University of Idaho, she was once part of a dispute in the geography department at Oklahoma. That controversy led Mr. Snow to transfer another geography professor to a "dean direct" position. "The administration in that college was quite willing to subvert normal procedures to make sure their agenda was followed," she says.

However, Ms. Mergler, the provost, suggests that Mr. Deming's

continued presence in the school was threatening it. She says she has to balance "making sure I still have an intact and functional school and make sure I'm not losing faculty talent."

Meanwhile, Mr. Deming is settling in to his basement office. He doubts that he will design new courses to replace the ones that were taken from him because he cannot guarantee that the same thing won't happen again. That means that after he finishes teaching this semester's introductory geology course -- the one that wasn't taken from him -- he will still be on the faculty, he will still do research, but he may not teach any courses.

And while he has tried to get another job, he sees that option as unlikely. "Whenever you punch my name into the Internet," he says, "the first thing you see is 'sexual harassment.'"

So he is left sending little jabs to his foes. His e-mail signature, which he regularly updates with a new quotation, now ends with these words from Aristippus, a follower of Socrates: "The most impressive spectacle in life is the sight of a virtuous man steadily pursuing his course in the midst of vicious people."

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