

April 11, 2018

Via Email and By Hand

Dr. Stephen Percy

Dean

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Dear Dean Percy,

I am writing in regards to the recently concluded investigation by the University's Office of Global Diversity and Inclusion (GDI) and the impact that this investigation has had on me and on my sabbatical year.

As you know, the investigation resulted in a finding that I had not engaged in any discrimination or harassment. Consequently, GDI concluded that I had not violated the University's Prohibited Practices Policy. While that outcome is certainly welcomed, the process itself was abusive, disruptive and insidiously intimidating. Although I have already communicated my concerns to the University on multiple occasions, I highlight some of the issues for your present consideration.

First, it is patently clear that the September 29, 2017 letter you received from 23 current and former MPP students was designed to punish me for the publication of my article "The Case for Colonialism" in the *Third World Quarterly* during the first month of my one-year sabbatical. For example, in the email to solicit support for the allegations contained in this letter, Zoe Flanagan stated that *this letter is "in response to Dr. Gilley's recent article."* Although I alerted the University to the wrongful motive behind this collective complaint, the University nonetheless proceeded to launch a formal investigation with what appears to be little to no vetting and a complete absence of reasonable care.

As a direct result of this, I was required to return to campus to participate in a lengthy investigatory interview that lasted over two and a half hours despite being on sabbatical leave. During this interview, I was asked to respond to 31 different allegations, many of which had nothing to do with the Prohibited Practices Policy. To defend myself against generalized allegations that were unsupported by any facts, I spent considerable time reviewing data and information from my prior MPP courses. Because this complaint was based on interactions from over one year prior, my defense was made all the more difficult and time-consuming because I had to locate old emails and documents, as well as recall long past situations including one interaction that had previously been investigated and dismissed by GDI. In addition to retrieving documentation that was requested by GDI, I also analyzed the grades I issued this cohort of students and provided a statistical analysis to GDI in order to defend myself against the allegation

that I grade women more harshly than men. In other words, this investigation diverted a considerable amount of time and attention from the focus of my sabbatical year—research and writing a new manuscript.

It is extremely troubling that GDI's investigation exceeded the ambit of the Prohibited Practices Policy and embraced issues that plainly were related to viewpoint and political ideology. For example, I was asked to explain why I believed India's demonetization policy was a failure; why students were forced to debate conservative viewpoints; and why I instructed students to use the keyword "illegal aliens" in addition to other keywords like "migrants" when conducting research relating to immigration. When this issue was raised during my investigatory interview, Acting General Counsel Cindy Starke responded that "this is a wider inquiry." Yet there is no provision for GDI, or any other arm of the University, to conduct "a wider inquiry" into a faculty member absent specific complaints or violations. Even if GDI's investigators are given some degree of latitude to frame their questions, the inquiry must still be relevant to the policy in question. Many of the questions in my investigation were not even remotely related to the Prohibited Practices Policy.

This evidences an improper over-reach by GDI and an abuse of process by the University. Anyone who cares about PSU and the importance of academic freedom should be deeply concerned about the chilling effect that such investigations have on faculty. Associate Vice President of GDI Julie Caron stated that she believed such investigations were "educational opportunities." However, the administration should be aware of the lessons that are being conveyed to the PSU community. Students are learning that when they do not agree with a viewpoint that has been expressed, they can exact severe punishment and harm by simply alleging racism, discrimination, or harassment. Rather than learning how to consider and debate different ideas, students are learning to be triggered and victimized, and to manipulate administrative process to achieve their goal of silencing others. Faculty are learning that the university is an increasingly intolerant environment where our core mission of advancing knowledge is sadly under threat.

According to its own guidelines, GDI aims to complete investigations of this nature within 60 days. As of the closing meeting on April 4, 2017, the investigation lasted 160 days or over five months. By all accounts, this investigation took too long. This is especially true because I did everything I could to expedite the process, actively participating in a timely and prompt fashion at every step of the way. At the closing meeting, Ms. Caron stated that she tells faculty they should be happy that her office conducts investigations against them as it may serve to clear the cloud of suspicion around them when allegations are made. This comment demonstrates an alarming lack of awareness regarding the effect such investigations have on respondents. Indeed, I would like you to know that throughout the five and a half months of the GDI investigation, I suffered anxiety, depression, sleepless nights and physical ailments so severe that I was required to seek medical treatment. My scholarly aims were adversely affected as my mental and emotional energies were directed away from my research and writing and invested instead in the GDI investigation.

Whether by deliberate design or by mere negligence, the University looked on as its administrative process was successfully used as an instrument of intimidation that substantially harmed me emotionally, economically and professionally. As you know, my sabbatical leave is

not without actual monetary cost to me. The contractual agreement between the University and faculty is that in exchange for a release from teaching and administrative duties, my base salary is reduced. However, I was not relieved of all administrative duties due to the GDI investigation. Rather, I expended considerable time and energy engaging in this unwarranted and un-necessarily time-consuming administrative process.

In sum, I would like to request a meeting with you to discuss the concerns I've raised above. Specifically, I would like to explore ways in which the University can alleviate some of the harm that has resulted from the GDI investigation including the five and a half months of lost research and writing time. Please let me know at your earliest convenience when you are available to meet with me to discuss this issue.

Sincerely,

A handwritten signature in black ink, appearing to read 'B Gilley', written over a horizontal line.

Bruce Gilley