

NORTH HARRIS COUNTY COLLEGE UNITED FACULTY

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THE ADVOCATE

NHCC United Faculty
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The Untimely End of a Fine Career

On Friday, September 9, 1988, South Campus English Instructor Gary Hall resigned his position under threat of dismissal for a "morally reprehensible" action. The act in question was a one-time capitulation to a student's repeated, insistent, and often-rebuffed amorous advances. The student later alleged that a pregnancy resulted from the incident. As a cautionary statement to the rest of the faculty, the Advocate presents this interview with two of Gary's closest supporters through this ordeal, fellow union members and English instructors Alan Hall and Pat Gray.

Advocate: What were some of Gary's outstanding accomplishments as a faculty member?

PG: During his nine years as an English instructor he gained a well-deserved reputation among students for superior teaching. Semester after semester, his classes always closed first. In addition, he devoted many extra hours to the quality of student life as a sponsor of Phi Theta Kappa. Among colleagues he was much esteemed as a master of his subject, an active union member, and a tireless contributor to the Faculty Senate.

Advocate: What motives do you believe the administration had in threatening Gary's dismissal?

AH: The administration wants to make the relationship between instructors and students strictly professional, which of course means devoid of emotional entanglements. It also wants the

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"Education for Democracy — Democracy for Education"

College to present the image of professionalism to the community which it serves. We in the union support these aims without reservation.

Advocate: Were there any mitigating circumstances that the administration might have taken into account in dealing with Gary?

AH: My brother had been receiving professional counseling after his divorce a year ago. In an emotionally vulnerable state he apparently became the obsession of a student in her thirties who seemed systematically to plot a sexual encounter with him. He repeatedly rejected her gifts and blandishments until finally, on one occasion, under conditions that President Larry Phillips said 95% of men could not resist, he gave in. The student has never, to my knowledge, claimed sexual harassment, and she has stated that no bargaining for grades took place.

PG: Dr. Phillips has stated to me that she has not claimed sexual harassment.

Advocate: Did the administration's knowledge of these mitigating circumstances appear to have any effect on the outcome?

PG: Evidently not. Division Head Jennie Harrison did her best to argue moderation to Dr. Phillips. So did I. Knowing how Gary's definition of self is centered in his teaching, I plead for less draconian measures. Union President Alan Hall and Acting Faculty Senate President Don Stanley lobbied hard with Dr. Airola for a year's suspension without pay as an appropriate punishment. This penalty would have a clear message to the faculty and the community about the professionalism the College expects. Equally important, it would have shown that the College values its good instructors enough to offer them redemption when they stumble. It would have a considerably more severe response than the College has shown in the past when its "tenured" instructors slip professionally as a result of emotional problems or chemical dependency. In the end, however, Dr. Airola selected his harshest option when he made known to Gary his intent to recommend dismissal to the Board. Why Gary was singled out for the harshest punishment in the history of the school remains open to a number of interpretations.

Advocate: Did Gary make any mistakes after he was called before the administration to answer charges of misconduct?

PG: Gary was called in to Dr. Phillips' office after complaints were lodged by the student's estranged husband. Initially, on the advice of counsel and without stating any falsehoods, he made no admission of involvement. Dr. Phillips stressed and stressed again the importance of his knowing the whole truth as a

necessary condition of helping Gary. A day later, in a paroxysm of honesty, Gary did reveal the whole truth to Dr. Phillips, hoping for help and support. Gary is an honest man, and his confession was founded in his trust in the College; nevertheless, from a legal and professional standpoint, the confession was a severe error in judgment. The administration then moved relentlessly to the point of forcing his resignation.

Advocate: Were there any violations of due process on the administration's part?

AH: Until he received notice of Dr. Airola's intent to recommend dismissal, Gary's requests for a written copy of the accusations against him were denied. Gary was never allowed to see any signed charges by the student. At one point he was verbally charged by the administration with sexual harassment, which caused his attorney and his supporters to waste many hours planning a defense for a charge which was never made official.

There's another incident that bears on the question of due process. During the investigation I visited the District Office and requested to see Gary's personnel file. In it I found a sheet of handwritten notes by Dr. Airola, apparently left there by mistake. No items are supposed to be in an instructor's file without his or her knowledge. The contents of the notes related entirely to ways to force Gary out. There was nothing on ways to help or defend Gary. I cannot believe, given the contents of Dr. Airola's notes, that the administration's investigation was carried out impartially.

Advocate: Now the tough question for you, Alan. If the brother of the union President gets this kind of treatment, what good does union membership do for any faculty member?

AH: For one thing, his attorney bills of nearly \$2000 to date are being handled by the American Federation of Teachers, the Texas Federation of Teachers, and the NHCC United Faculty each contributing one-third. After being served notice of Dr. Airola's intent to recommend dismissal, Gary made a personal decision not to fight the proceedings against him, and I respect that decision. However, the services of excellent AFT attorneys were his for the asking had he chosen to pursue the matter in court. These attorneys were confident of eventual victory, but Gary is not a vindictive person and wants to devote his energy to rebuilding his life and career.

Garage Sale to Benefit Legal Defense Fund

Union members and nonmembers alike are urged to save unwanted but saleable items for a garage sale to benefit the NHCC United Faculty Legal Defense Fund. The sale will be held at the home of Gary's mother, Mrs. Virginia Hall, who lives at 23810 Farm Hill

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Road in the North Spring subdivision. The date of the sale is Saturday, October 29; please arrange to deliver your contributions the preceding day. To reach Mrs. Hall's house, travel north on Aldine-Westfield from FM 1960 for about three miles, and turn right on North Spring Dr. Go to the fourth stop sign and turn right on Farm Hill Road. Her house is on the left. South Campus instructors John King (443-5648) and Tom Kelly (443-5567) will help to move large items.

Union to Sponsor Faculty Seminars

The leadership of NHCC United Faculty believe that they have learned a few things about helping faculty who may at any point find themselves the subject of accusations jeopardizing their employment. They will speak on this topic as follows:

East Campus

LRC 201

Wednesday, October 5

1:00 - 2:00 PM

South Campus

Teaching Theater

Tuesday, October 11

11:50 AM - 12:30 PM

Union Members Receive Promotions

Link Hullar and Joseph Minton of the East Campus join Marilyn Rhinehart of the South Campus as NHCC United Faculty members who have recently been appointed Division Heads. Over the summer the union Executive Committee voted to extend membership to Division Heads when several of our members applied for these positions. Congratulations to all three of you! We look to you to support your faculty in this leadership position.

If This Doesn't Make You Want to Join Us, What Will?

What resources would you have if you believed you were being railroaded? Intimidated? Misrepresented? Threatened with unfair or disproportionate retribution? The NHCC United Faculty has a proud tradition of advocating on behalf of faculty in difficulty. Our numbers, and thus our strengths, continue to grow as more of you decide to become a part of that tradition. Our regular dues are \$9/month for adjunct faculty and \$18/month for fulltime faculty. We offer patron memberships at \$25/month to help cover costs like the printing of this newsletter. To join, send a check made out to NHCC United Faculty for at least one month's dues to Allen Vogt, Treasurer, Suite A-264, South Campus.