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April 18, 2022

Professor Keith Grant
Department of Theatre & Speech
The City College of New York

Dear Professor Grant,

As you know, I have completed my investigation of your complaint regarding tenure and promotion practices in the Department of Theatre and Speech. A detailed report regarding the tenure and promotion issues you have raised has been submitted to, and accepted by, the President. In this letter, I am providing you with a summary of that report. A related complaint regarding discrimination and retaliation against you has already been investigated and resolved by City College's Chief Diversity Officer and will not be addressed herein.

In the course of my review of your complaint I met with you on two separate occasions, and you provided me with several documents via e-mail. I also interviewed Professors Barron, Tuttle and Willinger in their roles as current and former Department Chairs. I received the personnel files for the three faculty members whose promotions you questioned: Professors Barron, Nesmith and Tuttle. As I mentioned to you, only Professor Tuttle's file, for which I had access to an electronic version, was complete. Professor Barron's file, while incomplete, did contain enough information for me to investigate your complaint, but Professor Nesmith's file included virtually none of his promotion materials. Nevertheless, I was able to evaluate your central complaint that Professor Nesmith "dissembled" about the New Haarlem Arts Theatre in his promotion materials in my interview with Professor Willinger, who was Chair at the time.

Regarding Professor Barron's promotion and early tenure, your complaint has three parts. The first is that his CV misled the reviewers by covering up important details such as the fact that some productions were revivals of existing productions. I find no evidence of this in reviewing his CV. The second part regards documentation submitted with his promotion materials. You state that there were no magazine, newspaper or website reviews and that no photographs or videos of any productions were included. Neither of these claims was substantiated. Appendix II of his CV includes both a list of newspaper reviews and articles about his work, and he lists "Additional items requested for review," which include a DVD of one of his plays and other, similar items that were available in the Department office. Finally, you state that his referees were not properly instructed that Professor Barron was being considered for early tenure because three of the six referees did not explicitly mention this. I did not have access to the letter that was used to solicit letters of evaluation, but the Executive Committee was charged with evaluating the case for early tenure based on the available evidence. It is good practice to ask the referees to specifically discuss the strength of the case for early tenure. But even if this was not done, it does not have bearing on the conclusion of the committee.

You made similar claims about misleading elements of Professor Tuttle's file, none of which I found to be substantiated. For example, you stated that the descriptions of the productions that she directed did not include

the fact that five of the seven were short with only one or two characters. On the contrary, full descriptions of the plays were included in her promotion file, and several are full-length with large casts.

Your primary complaint about Professor Nesmith's promotion centers around the New Haarlem Arts Theatre (NHAT) and the role it played in his external letters of evaluation. You state that Professor Nesmith misled his evaluators because NHAT had been terminated and his evaluators were not told this fact. At your suggestion, I interviewed Professor Willinger, who was Department Chair at the time, about this. Professor Willinger told me that Professor Nesmith fully believed that NHAT would find new funding after the College President stopped funding it, and although that turned out not to be true, nobody knew that at the time. Furthermore, he said that the evaluations that cited Nesmith's success with NHAT were true, he had been successful.

To conclude, I have not found any violations of the applicable procedures in the three promotion and tenure in the three cases I reviewed. I did find a number of department practices that should be improved, and I will be writing a letter to the Department Executive Committee regarding needed improvements.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Tony M. Liss', with a stylized flourish at the end.

Tony M. Liss, PhD
Provost and Senior Vice President for Academic Affairs