

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
GREENSBORO DIVISION

CIVIL ACTION NO. 1:17CV00165

MICHAEL RODRIGUEZ,

Plaintiff,

v.

ELON UNIVERSITY,

Defendant.

**AFFIDAVIT OF STEVEN HOUSE**

I, Steven House, being competent to testify and having personal knowledge of the matters stated herein, declare as follows:

1. I am providing this declaration in support of the Motion for Summary Judgment filed by Defendant Elon University ("Elon").
2. I am currently employed by Elon as Provost and Executive Vice President.
3. From 2009 to 2015, I was employed by Elon as Provost and Vice President of Academic Affairs.
4. In 2012, Plaintiff Michael Rodriguez was offered the administrative position of Director of the Chandler Family Professional Sales Center (the "Sales Center").
5. The previous Director of the Sales Center, Earl Honeycutt, a white male, had not received any additional monetary compensation in exchange for holding the Director position.

6. Dr. Honeycutt earned his terminal degree in 1986. When named the Director of the Sales Center in 2008, Dr. Honeycutt was a tenured faculty member holding the rank of professor. In 2011, in recognition of his professional accomplishments and contributions to the University, he was honored with an endowed chair. Dr. Honeycutt retired from the University in 2012.

7. When Rodriguez was offered the Director position upon Dr. Honeycutt's retirement, Rodriguez asked me for and was given an additional one month's salary as compensation for the Director position. He also received a standard course release, reducing his teaching load to permit time to perform his assigned job duties as Director.

8. As Provost, I receive the tenure and/or promotion recommendations of the Promotions and Tenure Committee (the "Committee") and the appropriate dean for each candidate applying for tenure and/or promotion. I then hold a joint meeting of the Committee and the appropriate dean for each candidate applying for promotion and/or tenure to discuss the substance of the deliberations that led to their specific recommendations. After receiving and discussing the recommendations of the Committee and the appropriate dean, I make recommendations for promotion and/or tenure decisions to the President. The President makes promotion and tenure recommendations to the Board of Trustees.

9. I have never recommended a candidate for promotion and/or tenure who received "no" recommendations from both the Committee and the appropriate dean.

10. If the Committee's recommendation differs from the appropriate dean's recommendation, I give more weight to the Committee's recommendation.

11. Rodriguez was a candidate for promotion and tenure during the 2014-2015 academic year.

12. I received “no” recommendations from both the Committee and the appropriate dean, Dean Raghu Tadepalli, for Rodriguez.

13. I held a joint meeting at which the Committee and Dean Tadepalli shared with me the reasons for their decisions not to recommend Rodriguez.

14. Both the Committee and Dean Tadepalli found that Rodriguez had not met the standards for two of the three criteria for evaluation of tenure-track faculty as set forth in the Faculty Handbook: (1) Teaching and (2) Contributions to Life of the University (Service). Section II-8 of the Faculty Handbook, which describes the three criteria for evaluation of tenure track faculty—Teaching, Contributions to Life of the University (Service), and Professional Activity (Scholarship)—is attached as Exhibit A to this affidavit.

15. I took notes of the joint meeting, which are attached as Exhibit B to this affidavit. As reflected in the notes, both Dean Tadepalli and the Committee expressed a number of concerns about Rodriguez’s portfolio, including student comments of favoritism, unavailability, and lack of mutual respect, as well as a lack of evidence of service to the University beyond his Director position, for which he was otherwise compensated.

16. No one discussed or mentioned Rodriguez’s race or national origin in the joint meeting and there was no indication that race or national origin played any role in the recommendations.

17. I did not recommend Rodriguez for promotion or tenure.

18. My decision not to recommend Rodriguez for promotion and tenure was based upon the thoroughly supported decisions of the Committee and Dean Tadeballi not to recommend Rodriguez for promotion and tenure. My decision was not based on Rodriguez's race or national origin.

19. Based on my decision, the President did not recommend Rodriguez for promotion or tenure to the Board of Trustees. The President has never recommended anyone for promotion or tenure when the provost has not recommended it.

20. Consistent with the Faculty Handbook, I met with Rodriguez to notify him that he had not received promotion or tenure.

21. At our meeting, Rodriguez did not complain to me that the decision was based on his race or national origin. Instead, Rodriguez asked if the decision was because he had not supported Dean Tadeballi for dean during the dean's search. I took notes of this meeting, which are attached as Exhibit C to this affidavit.

22. Rodriguez appealed the decision. He did not allege that the decision was based on his race or national origin. His appeal was heard pursuant to University policy by a Tenure/Promotion Appeal Board made up of tenured faculty and denied.

23. Consistent with University policy, Rodriguez was offered a one-year terminal contract for the 2015-2016 academic year.

24. Rodriguez did not accept the terminal contract.

25. Of the twenty-seven candidates for promotion and/or tenure in the 2014-2015 academic year, six candidates, including Rodriguez, were not recommended. Four of the

other five candidates who were not recommended were White, and the remaining candidate not recommended was American Indian. One of the candidates for promotion to associate professor at the law school was Hispanic in the 2014-2015 academic year. He received my recommendation and was promoted.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on 28 November, 2017

  
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STEVEN HOUSE