

**CEDARVILLE UNIVERSITY (OHIO)**

The report of the investigating committee concerns the action taken by the administration of Cedarville University to dismiss a professor in the Department of Biblical Education from his tenured faculty position with thirty days' notice, without having first demonstrated cause for its action in an adjudicative hearing before faculty peers.

The affected faculty member, a second-generation alumnus of this church-related university, was a prominent member of a group of self-identified conservative or "traditionalist" faculty who had been concerned about the institution's theological emphasis and direction, as evidenced in a new statement on biblical "truth and certainty" adopted by the administration and board to which all members of the faculty were required to adhere. The letter of dismissal questioned the faculty member's collegiality, professionalism, and doctrinal orthodoxy, including his alleged failure to "maintain consistent, biblically appropriate, spiritual interest and effective Christian relationships in the University family." The letter also stated that he had "made statements to students expressing [his] disagreement with established school policy and the judgment of the senior administration in spiritual matters, and when confronted . . . defended [his] absolute 'right' to do so"; and that he had "made statements and exhibited behavior that does not demonstrate Christian love and objectivity in the professional judgment of colleagues." The administration declined to specify charges or provide evidence for its stated grounds. Another tenured colleague in the Bible department was dismissed from the faculty at the same time as the subject professor under virtually identical circumstances and for similar reasons. The

administration would later characterize these actions as part of a process “to restore a healthy team spirit and to refocus our attention and energies on our mission.”

The faculty panel to which the professor appealed his dismissal found that he had not received any “written reprimands, warnings, or plans of correction” from the administration before he was handed his notice of dismissal, despite the administration’s assertion the previous summer that “every other option” short of termination had been “exhausted.” The evidence brought to bear during the hearing did not convince a majority of the members of the panel that the professor had engaged in the alleged misconduct with which the administration had charged him, or that his alleged misbehavior was so serious or of such magnitude as to constitute grounds for dismissal. It concluded that the professor’s dismissal had been unwarranted, and it made an implicit, if not fully explicit, recommendation for reversal. Subsequent to the hearing the administration, on advice of counsel, confiscated all the evidence and the only record of the proceedings, contrary to the agreed-upon rules and procedures. The university’s president and trustees declined to follow the recommendation of the hearing panel and offered no reasons for doing so.

The investigating committee found that the university’s official procedures for contesting a dismissal for cause denied the professor academic due process by (a) not affording him a pretermination hearing, (b) misdirecting the burden of proof onto him, and (c) denying him access to the evidence and the witnesses against him. The committee concluded that in doing so the administration acted in disregard of procedural safeguards set forth in the 1940 *Statement of Principles on Academic Freedom and Tenure* and the complementary 1958 *Statement on Procedural Standards in Faculty Dismissal Proceedings*. The committee further concluded that the administration’s confiscation of all

the evidence and the record of the proceedings warranted condemnation for having changed a hearing of record into an exercise in futility, hampering the affected professor's opportunity for appeal. The committee also concluded that the administration's charges against the professor far exceeded the limitations on academic freedom on religious grounds to which Cedarville University subscribes, resulting in a dismissal that violated his exercise of academic freedom within his area of academic competence.

Committee A recommends to the Ninety-fifth Annual Meeting that Cedarville University be placed on the Association's list of censured administrations.