

6/5/09

STILLMAN COLLEGE (Alabama)

The report of the investigating committee deals with the dismissal of a tenured assistant professor toward the end of his twenty-eighth year on the faculty on grounds of his having violated faculty handbook proscriptions against “malicious gossip or public verbal abuse.”

Tension between the assistant professor and the current college president, who took office in 1997, became evident during the 2006-07 academic year. At a faculty meeting, the professor sharply questioned the president about a delay in issuing faculty contracts, whereupon the president summoned him for a private conference and then provided him with a letter forbidding him from asking questions at faculty meetings about matters not on the agenda. The professor responded in a letter dated April 30, 2007, with copies to the college trustees. The letter blamed the president for declining enrollments, a cash-flow crisis, low faculty and staff morale, and “extreme student discontent.” It advised the president “to step aside and let somebody else take over.”

An interview of the professor by a reporter for the local newspaper led to a prominent story in October 2007 that was critical of the administration. The minutes of the December faculty meeting included a paragraph from the president stating that the professor is not allowed to speak at meetings because he has “engaged in malicious slander” and “told wanton lies.” In January 2008, the administration fined the professor for missing class days. He alleged that the fine was in retaliation for his outspoken criticism, and this incident too became the subject of a newspaper story. On March 13, a letter from the academic vice president informed the professor that he was being suspended with pay and barred from the campus pending an investigation of reported violations of the faculty handbook provisions prohibiting “malicious gossip or public verbal abuse.” The academic vice president was to interview him on April 3 as part of the investigation, but the professor declined to participate when the vice president informed him that he could not tape the discussion or have a witness present. On April 11, 2008, a letter from the academic vice president notified him that his services at the college were terminated effective immediately and that he would be paid on May 1 for the remaining

weeks of his 2007-08 appointment. Beyond the aborted interview with the academic vice president, he was afforded no opportunity for a hearing on his dismissal.

The investigating committee concluded that the administration's dismissal of the professor on the stated grounds violated the academic freedom to which he was entitled under the 1940 *Statement of Principles on Academic Freedom and Tenure*. The committee concluded that the administration, in suspending and then dismissing the professor, disregarded basic requisites of academic due process as set forth in the 1940 *Statement of Principles* and the 1958 *Statement on Procedural Standards in Faculty Dismissal Proceedings*. Further, the investigating committee concluded that the current policies and practices of the college administration "have created a climate that is inimical to the exercise of academic freedom."

Committee A recommends to the Ninety-fifth Annual Meeting that Stillman College be placed on the Association's list of censured administration.