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Professor Forced Out for Citing George Washington

A tenured college professor is set to be fired for simply sending out an e-mail to colleagues containing George Washington's "Thanksgiving Day Proclamation of 1798."

Already professor Walter Kehowski at Glendale Community College in Arizona has been placed on forced administrative leave and the school's chief has recommended his termination.

"It simply boggles the mind that a professor could find himself facing termination simply for e-mailing the Thanksgiving address of our first president," said Greg Lukianoff, president of the Foundation for Individual Rights in Education (FIRE).

On Nov. 22, 2006, the day before Thanksgiving, Kehowski, a professor in mathematics in the Maricopa County Community College District (MCCCD) sent the e-mail containing Washington's message to all MCCCD employees, using a district-wide service designated for "announcements."

Within weeks, five MCCCD employees filed harassment charges against Kehowski, claiming his message was "hostile" and "derogatory." They complaining employees also cited the fact that the e-mail contained a link to Pat Buchanan's Web site, where Kehowski had found Washington's proclamation. Buchanan, a conservative commentator, had also posted to his Web site criticisms of immigration policies.

On Jan. 3, 2007, MCCCD found that Kehowski was guilty of violating policies limiting e-mail usage to messages that "support education, research, scholarly communication, administration, and other MCCCD business."

These policies also prohibit "mailings to large numbers of people that contain unwanted solicitations or information."

However, MCCCD employees commonly use the "announcements" service to send out unsolicited information, according to a statement from FIRE.

Recent e-mails sent out using this service include an advertisement for purchasing goats for orphans in Uganda, quotes about Women's History Month, and a reminder about the health benefits of eating bananas.

"To FIRE's knowledge, not one of the senders of these e-mails has been forced to cease teaching or threatened with dismissal," according to the organization's statement.

On March 9, MCCCD Chancellor Rufus Glasper placed Kehowski on administrative leave and recommended to the MCCCD governing board that he be dismissed. Kehowski has since appealed that decision and will defend himself at a hearing before a panel of three faculty members on June 5.

Kehowski contacted FIRE for help, and FIRE wrote to Glasper on April 25 to protest the actions against Kehowski, asserting that e-mailing a proclamation from George Washington or including a link to Pat Buchanan's Web site does not constitute punishable harassment.

FIRE reminded Glasper that the U.S. Supreme Court has held that for workplace expression to be considered "harassment," it must be "severe or pervasive enough to create an objectively hostile or abusive work environment."

Sending a link to a Web site, which readers can either visit or simply ignore, does not fit this standard, FIRE maintains.

Glasper responded with a letter on April 30, but failed to address any of FIRE's concerns, according to the group's statement.

"It is dark day for free speech and common sense in Arizona," Lukianoff said.

"If the MCCCCD believes at all in the importance of the right to free expression, or even just in basic fairness, it will undo its illiberal actions and exonerate professor Kehowski immediately.

"This situation is an embarrassment to MCCCCD and would be laughable if a professor's most basic rights and very livelihood weren't on the line."

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