



January 26, 2015

VIA ELECTRONIC MAIL AND USPS

Dr. Michael R. Lovell
President
Marquette University
P.O. Box 1881
Milwaukee, Wisconsin 53201-1881

Dear President Lovell:

Dr. John McAdams, associate professor of political science at Marquette University, has sought the assistance of the American Association of University Professors as a result of having been informed, by letter of December 16, 2014, that the university was suspending him with pay “until further notice” from his teaching responsibilities “and all other faculty activities” and banning him from campus. The letter, from Dr. Richard C. Holz, dean of the Klingler College of Arts and Sciences, stated, without further elaboration, that the suspension was pending a review of his “conduct.”

Responding by letter of December 22, Professor McAdams’s attorney stated that the university had not followed its own regulations governing suspension of a faculty member—in particular, that the university must provide the faculty member with notice of cause for a suspension—and that Professor McAdams had done nothing to warrant this sanction.

Dean Holz replied by letter of January 2 with an explanation of the grounds for the suspension: “Your recent actions in publicizing on the internet the name of our now-former graduate student . . . require University review.” In a November 9 post in his blog, “Marquette Warrior,” Professor McAdams had criticized a graduate teaching assistant for telling one of her students in a private conversation, surreptitiously recorded by the student, that she would not tolerate expressions of opposition to gay marriage in her classroom. Dean Holz charged that, because of Professor McAdams’s “unilateral, dishonorable, and irresponsible decision to publicize” her name, the teaching assistant had “received a series of hate-filled and despicable emails” which caused her to fear for her safety and, eventually, to transfer to another university. “You have been asked, advised, and warned not to publicize students’ names in connection with your blog posts,” the dean wrote. “With this latest example of unprofessional and irresponsible conduct we have no confidence that you will live up to any additional assurances on your part that you will respect and protect our students. . . . Accordingly, we are continuing our review of your conduct and considering all appropriate responses.”

Professor McAdams’s attorney replied to Dean Holz’s letter in a January 21 letter addressed to university counsel. He defended the propriety of Professor McAdams’s conduct, asserted that it was protected by academic freedom, and called “preposterous” a recent statement by a university

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spokesperson that Professor McAdams's suspension and banishment from campus was necessitated by concern for the "safety" of students. The attorney also noted that the terms "dishonorable" and "irresponsible" employed by the dean to characterize Professor McAdams's conduct are both to be found among grounds for dismissal for cause in Section 306.03 of the Faculty Statutes.

We understand that, as of this writing, Professor McAdams's suspension remains in effect and that the administration has given no indication of when it will end.

As you are doubtless aware, our Association's interest in the case of Professor McAdams stems from its commitment to fundamental tenets of academic freedom, tenure, and due process articulated in the 1940 *Statement of Principles on Academic Freedom and Tenure*. That document was jointly formulated by the AAUP and the Association of American Colleges and Universities and has been endorsed by more than 240 scholarly groups and higher-education organizations. On suspension, see the complementary joint 1958 *Statement on Procedural Standards in Faculty Dismissal Proceedings*. Derivative procedural standards are set forth in the AAUP's *Recommended Institutional Regulations on Academic Freedom and Tenure*. The three documents are enclosed for your convenience.

A faculty member's suspension for a definite time from his or her primary responsibilities is on occasion imposed as a severe sanction, second only to dismissal, following a faculty hearing on stated cause. Under the 1958 *Statement*, amplified as follows in Regulation 5(a) of the *Recommended Institutional Regulations*, an administration also may suspend a faculty member pending a dismissal hearing, but

only if immediate harm to the faculty member or others is threatened by continuance. Before suspending a faculty member, pending an ultimate determination of the faculty member's status through the institution's hearing procedures, the administration will consult with the Faculty Committee on Academic Freedom and Tenure [or whatever other title it may have] concerning the propriety, the length, and the other conditions of the suspension. A suspension that is intended to be final is a dismissal and will be treated as such.

Given the facts reported to us, it is difficult to see how members of the academic community would perceive Professor McAdams's continuing to teach as constituting a "threat of immediate harm" to himself or others. Nor are we aware of the administration's having consulted a duly constituted faculty body at Marquette University about the propriety of the suspension or its conditions.

The information in our possession concerning the case of Professor McAdams has come to us primarily from him, and we appreciate that you may have other information that would contribute to our understanding of what has occurred. We would therefore welcome your comments. Assuming the essential accuracy of the foregoing account, we would urge you to reach an arrangement with Professor McAdams which will return him to his teaching responsibilities rather than to allow his suspension to linger on indefinitely, an untenable situation that assumes the

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characteristics of a summary dismissal. The alternative, which we suspect neither you nor Professor McAdams would prefer, would be for the administration to attempt to demonstrate adequate cause for Professor McAdams's dismissal, following procedures—such as those incorporated in Section 301.07 of the Faculty Statutes—that comport with AAUP-recommended standards.

We look forward to your response.

Sincerely,

A handwritten signature in blue ink that reads "Gregory F. Scholtz". The signature is fluid and cursive, with a long horizontal line extending to the right.

Gregory F. Scholtz

Associate Secretary and Director

Department of Academic Freedom, Tenure, and Governance

Enclosures (via electronic mail)

Cc: Dr. Richard C. Holz, Dean, Klingler College of Arts and Sciences
Professor Timothy Melchert, Chair, Academic Senate
Professor John McAdams