

FILED

2004 JUN 30 PM 4:00

U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
CLEVELAND

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

JAMES TUTTLE  
37684 Willow Drive  
Eastlake, Ohio 44095,

Plaintiff,

vs.

LAKELAND COMMUNITY COLLEGE  
7700 Clocktower Drive  
Kirtland, Ohio 44094-5198,

JAMES L. BROWN, Individually  
and in his Capacity as a Dean of Lakeland  
Community College  
c/o Lakeland Community College  
7700 Clocktower Drive  
Kirtland, Ohio 44094-5198, and

MORRIS W. BEVERAGE, JR. Individually and  
in his Capacity as a President of Lakeland  
Community College  
c/o Lakeland Community College  
7700 Clocktower Drive  
Kirtland, Ohio 44094-5198

Defendants.

CASE NO.:

JUDGE:

1:04CV1241

JUDGE OLIVER

MAG. JUDGE McHARGH

VERIFIED COMPLAINT

Plaintiff James Tuttle, Ph.D. ("Dr. Tuttle") states as follows as his complaint against  
Lakeland Community College ("Lakeland"), James L. Brown, Ph.D. ("Dean Brown"),

individually and in his capacity of a dean of Lakeland, and President Morris W. Beverage, Jr., E.D.M. ("President Beverage"), individually and in his capacity of President of Lakeland:

### **INTRODUCTION**

1. This action is brought to protect the First Amendment rights of a philosophy instructor at a community college after the college, through its dean and president, retaliated against the instructor for his disclosure of his Catholic beliefs in a philosophy course syllabus and during in-class philosophy discussions.

### **PARTIES**

2. Dr. Tuttle served as an instructor of philosophy, religion, and ethics at Lakeland on a part-time basis at all times relevant to this Complaint. Dr. Tuttle resides in Eastlake, Lake County, Ohio.

3. Lakeland is a public community college created pursuant to R.C. 3354.01 et seq. Lakeland is located in Kirtland, Lake County, Ohio. At all times relevant to this Complaint, Lakeland was acting under color of state law.

4. Dean Brown served as the Dean of the Arts and Humanities Division of Lakeland at all times relevant to this Complaint and was the direct supervisor of Dr. Tuttle at Lakeland. At all times relevant to this Complaint, Dean Brown was acting under color of state law both individually and as a representative of Lakeland. Dean Brown has been named in this action both individually and in his capacity as Dean of the Arts and Humanities Division of Lakeland.

5. President Beverage served as the President of Lakeland at all times relevant to this Complaint and was the direct supervisor of Dr. Tuttle at Lakeland. At all times relevant to this Complaint, President Beverage was acting under color of state law both individually and as a representative of Lakeland. President Beverage has been named in this action both individually and in his capacity as President of Lakeland.

## **JURISDICTION AND VENUE**

6. This is a suit authorized and instituted pursuant to 42 U.S.C. §1983 which protects individuals against violations of first amendment rights by persons acting under color of state law; and pursuant to Ohio Rev. Code §4122.99, prohibiting discrimination in employment on the basis of religion.

7. Jurisdiction over Count I of this action is conferred on this Court by 28 U.S.C. §1331 because this claim arises under the laws of the United States and by 28 U.S.C. §1343(a)(3) because Dr. Tuttle seeks the redress of a constitutional deprivation under color of state law. This Court has pendant jurisdiction over Count II because these claims arise from the same facts and circumstances as Count I.

8. Venue is proper in the Northern District of Ohio under 28 U.S.C. §1391(b) because Dr. Tuttle and Defendants are located within or around Lake County, Ohio and the claims arose within Lake County, Ohio.

## **FACTUAL ALLEGATIONS**

### **Dr. Tuttle's Background and Beliefs**

9. Dr. Tuttle earned his Master of Arts in Philosophy and his Ph.D. in Catholic Theology from Duquesne University in Pittsburgh, Pennsylvania. Since graduating, Dr. Tuttle has served as an instructor of philosophy, comparative religion, and ethics at colleges throughout Northeast Ohio.

10. Dr. Tuttle is a Catholic and is open in discussing his religious beliefs.

11. With regard to the instruction of college-level philosophy and other coursework in which personal belief is a central issue, Dr. Tuttle encourages an open dialogue among students and faculty, with each discussing and defending his or her own faith consistent with the longstanding principles of higher education.

### **Dr. Tuttle's Service at Lakeland**

12. In 1999, Dr. Tuttle was offered and accepted a position as an instructor on a part-time basis in the Philosophy Department of the Arts and Humanities Division of Lakeland (the "Philosophy Department.")

13. Lakeland employs a number of part-time instructors who teach the majority of classes at Lakeland.

14. Part-time instructors are paid for each credit hour taught, each teaching a maximum of 18 credits each year with a maximum of 11.99 credits each semester. This effectively limits part-time instructors to teaching no more than three different classes each semester.

15. Part-time instructors in the Philosophy Department are allowed to select the classes they wish to teach through an informal seniority system in which long-standing instructors are granted higher priority than newer instructors in selecting classes.

16. Since 1999, Dr. Tuttle has taught 17 different classes in the Philosophy Department of Lakeland including Comparative Religion, Ethics, Critical Thinking, and Introduction to Philosophy.

17. Since 1999, the only class in the Philosophy Department that Dr. Tuttle has neither taught nor requested to teach is Logic.

18. Between 1999 and 2003, Dr. Tuttle was rated by his students following each class. Dr. Tuttle averaged approximately 4.33 on a 5.0 scale.

19. Dr. Tuttle was offered a teaching assignment by the Philosophy Department in each semester from 1999 until 2003.

20. By Spring Semester 2003, Dr. Tuttle was approximately seventh in seniority among sixteen instructors in the Philosophy Department.

21. By Spring Semester 2003, Dr. Tuttle had demonstrated his ability to meet or exceed Lakeland's goal of "Experience, Dedication & Excellence in Teaching."

### **Lakeland's Purported Core Values**

22. In 2003, Lakeland issued its Strategic Plan for 2003-2008.

23. In its Strategic Plan, Lakeland set forth Lakeland's purported core values. These core values included:

- Diversity – fostering civility by respecting and celebrating the differences among individuals and communities;
- Integrity – committing to high standards of personal and professional behavior within a culture of honesty and trust; and
- Joy – creating diverse and vibrant learning communities that inspire lifelong learning.

### **The Spring 2003 Semester Introduction to Philosophy Class**

24. In the Spring 2003 Semester, Dr. Tuttle taught two courses at Lakeland: Philosophy 1500-36360: Introduction to Philosophy ("Introduction to Philosophy") and Philosophy 2700-36405: Ethics ("Ethics.")

25. Both Introduction to Philosophy and Ethics are elective courses and are taught by several different instructors in different sections. Interested Lakeland students are free to choose the section and instructor they please.

26. Lakeland students are free to drop courses or transfer to different courses or sections within the first few weeks of each semester.

27. On or before the first day of Introduction to Philosophy, Dr. Tuttle distributed a syllabus (attached as Exhibit A) to his class of over thirty students that explained his teaching methodology. Dr. Tuttle informed students that the class lectures "encourage discussion and individual feedback." Dr. Tuttle further advised students that the class "will proceed primarily in an 'interactive' lecture format" and that students would be provided with the lecturer's notes to

avoid getting “bogged down in extraneous note taking.” The syllabus further disclosed that in “addition to class discussion, the instructor may have a class debate or have outspoken, dissenting, enthusiastic, knowledgeable and/or courageous students conduct orderly but spontaneous disputations with the class for an allotted amount of time (determined by instructor).” (Page 1 of Syllabus.)

28. On page three of the syllabus, Dr. Tuttle incorporated a section entitled “Disclaimer” that stated:

Because this is the topic of philosophy — which largely includes the study of God, faith, religion, ethics, and truth — we are dealing with a very controversial subject. Consequently, since this is a class in which there is a presentation, exchange, and discussion of ideas and beliefs, please be aware that we are here to play tennis with each other (metaphorically speaking) as opposed to jumping over the net and hitting each other over the head. Since your teacher happens to be a Catholic Christian philosopher and theologian — and a passionate, controversial (not politically correct), candid, and zany/earthy one for that matter — please be aware of where I am coming from and where you are coming from. It has been my experience from the past that those who are most critical of me as a teacher are often those who have personal issues with faith religion, morals, and ideology (and find themselves on the opposite side of the net from me). If you initially feel uncomfortable with me as an instructor, please feel free to talk to me outside of the classroom situation, and we can *try* to resolve any problems that might arise later.

29. Over the course of the next few weeks, Dr. Tuttle and his Introduction to Philosophy class followed the course syllabus and examined the following: Beliefs, Philosophy, and Truth; Four Orders of Reality; Self-Referential Inconsistencies/Arguments; and Relativism and Absolutism. Various philosophers were included in the remainder of the curriculum, including prominent Catholic philosophers such as St. Augustine and St. Thomas Aquinas, as well as critics of the Catholicism. (Exhibit A).

30. During this course of study, Dr. Tuttle engaged his students in lively discussions regarding the various philosophy topics. Dr. Tuttle encouraged students to discuss religious

beliefs and philosophies, including the diverse religious beliefs and philosophies held by the students in the class and those held by himself.

31. At no time during these discussions or other classwork did Dr. Tuttle ever advance or inhibit any religious beliefs, including his own Catholic ones, as all participants in the class were free to discuss and defend their personal beliefs, whether religious, agnostic or atheistic. Students' personal beliefs played no role in Dr. Tuttle's grading or recommendations.

### **Defendants' Reaction to a Student Complaint**

32. On February 27, 2003, approximately five weeks into the Spring Semester, a student complained in writing to Dean Brown about Dr. Tuttle's teaching style and the statements made by Dr. Tuttle in class. Among other things, the student described Dr. Tuttle's in-class speech as offensive to the student's religious views as a Pagan.

33. Without holding a hearing or affording Dr. Tuttle the opportunity to confront his accuser, Defendants summarily demoted Dr. Tuttle because he stated his Catholic teachings in the classroom.

34. In Dean Brown's April 21, 2003 confirming letter to Dr. Tuttle (Attached in redacted form as Exhibit B,) Dean Brown noted, "I am more bothered by your disclaimer than anything I read in [the student's] complaint." Dean Brown went on to say, "[f]or reasons unknown to me, you have a deeply-held need to state your case for your beliefs in the classroom. This is unacceptable."

35. Dean Brown further stated in the April 21, 2003 letter, "[f]or the fall semester, I've reduced your teaching load to one section of ethics. I'm going to have Dr. Webb monitor your performance in the classroom. Then, after meeting with him, I'll decide whether or not you will be teaching at Lakeland College for spring semester, 2004."

36. Despite the student's complaint and Defendants' response, the student who initially complained about Dr. Tuttle continued to attend Introduction to Philosophy and ultimately received the second highest grade in the class. Upon information and belief, at no time after the initial complaint did the student make any further complaints about Dr. Tuttle to Defendants.

37. Dr. Tuttle's Introduction to Philosophy students evaluated his Spring 2003 class and gave him a score of 4.384 on a 5.0 scale. Upon information and belief, the student who complained regarding Dr. Tuttle rated Dr. Tuttle a 3.750.

38. Dr. Tuttle's employee file at Lakeland contains no complaints other than the student's complaint described above.

**Defendants' Continuing Efforts to Restrict  
Dr. Tuttle's In-Class Speech**

39. Following the demotion letter, Dr. Tuttle attempted to discuss Defendants' actions with Dean Brown and President Beverage.

40. Meeting with Dr. Tuttle, Dean Brown stated that his main concern was with Dr. Tuttle mentioning his own religious beliefs in class. Dean Brown informed Dr. Tuttle that when Dean Brown taught, it was his personal policy to never disclose the fact that he was an Episcopalian or an Episcopal Deacon, and Dean Brown viewed his instruction as successful if his students could never guess his religious beliefs.

41. By letter of June 4, 2003, Dr. Tuttle offered to cease using the disclaimer in future classes.

42. Dr. Tuttle's courseload was reduced to a single section of Ethics in the Fall 2003 Semester. No one from Lakeland ever monitored Dr. Tuttle's class.



43. During the Fall 2003 semester, Dr. Tuttle was contacted about teaching assignments for the Spring Semester. Rather than follow the ordinary procedure for selecting classes, Defendants retaliated against Dr. Tuttle for exercising his First Amendment rights by offering Dr. Tuttle only the option to teach three sections of Logic.

44. Unlike Philosophy, Ethics, and Comparative Religion, dialogue regarding individual philosophical or religious beliefs is not germane to the instruction of Logic.

45. Logic is not an area of interest or specialization of Dr. Tuttle.

46. Dr. Tuttle requested that Defendants restore Dr. Tuttle to his prior level of seniority and allow him to select from all available courses in the Philosophy Department. Defendants refused.

47. Defendants further retaliated against Dr. Tuttle for exercising his First Amendment rights by refusing to offer him any classes for the 2004 Fall Semester and effectively discharging him from Lakeland.

## **COUNT I**

### **42 U.S.C. § 1983**

#### **First Amendment Free Speech Rights**

48. Dr. Tuttle realleges the prior paragraphs, as if fully set forth herein.

49. Defendants have adopted a policy under which Dr. Tuttle cannot discuss his Catholic philosophy, which is shared by over 60 Million Americans, in a discussion-based class focused on philosophy. Catholic philosophy is the foundation for numerous significant philosophical movements, and are the foundations for the writings of many seminal philosophers including St. Augustine and St. Thomas Aquinas.

50. Academic freedom is a special concern of the First Amendment, which does not tolerate laws that cast a pall of orthodoxy over the classroom.

51. The Catholic beliefs that Dr. Tuttle discussed in philosophy class are a public concern since they directly relate to political, social, and other concerns of the greater community. The Catholic beliefs that Dr. Tuttle discussed are directly germane to the Introduction to Philosophy since such religious views underlie important philosophical movements.

52. Dr. Tuttle has a strong interest in free speech and academic freedom in the classroom.

53. Defendants have a very limited interest in censoring the in-class speech of Dr. Tuttle as Dr. Tuttle's speech in no way affects the efficiency interests of Lakeland as Dr. Tuttle's employer.

54. Dr. Tuttle's right to academic freedom greatly outweighs any interest of Defendants in regulating his speech.

55. In addition, Defendants' efforts to regulate Dr. Tuttle's in-class speech are in no way reasonably related to Lakeland's legitimate pedagogical concerns.

56. Defendants' policy is in direct violation of Lakeland's strategic plan as it wholly fails to "celebrate differences among individuals," bars "a culture of honesty," and destroys "diverse and vibrant learning communities that inspire lifelong learning."

57. Enforced viewpoint neutrality in a college-level philosophy course defies the idea of diversity and multiculturalism, as it requires instructors to abandon their viewpoints and beliefs, rather than exposing students to a variety of viewpoints and beliefs.

58. Defendants have arbitrarily singled out faculty's speech on the topic of religion. Lakeland instructors routinely express their personal views about politics, economics, social issues, and gender issues when germane to the courses that they are teaching.

59. By retaliating against Dr. Tuttle, Defendants have denied Dr. Tuttle's First Amendment rights as secured to him by the Fourteenth Amendment to the Constitution of the United States and enforced through 42 U.S.C. § 1983.

60. By retaliating against Dr. Tuttle, Defendants have denied Dr. Tuttle's substantive due process rights, procedural due process rights, and equal protection rights as secured to him by the Fourteenth Amendment to the Constitution of the United States and enforced through 42 U.S.C. § 1983.

61. Dean Brown and President Beverage's conduct was willful, malicious, and done with reckless and callous indifference to Dr. Tuttle's first amendment rights.

62. As a result of Defendants' conduct, Dr. Tuttle has been damaged by demotion, loss of seniority, loss of income and in other respects to be proven at trial.

## **COUNT II**

### **Religious Discrimination, Ohio Rev. Code §4112.99**

63. Dr. Tuttle realleges the prior paragraphs, as if fully set forth below.

64. Defendants' conduct constitutes discrimination based on Dr. Tuttle's religious beliefs.

65. Defendants' discriminatory treatment of Dr. Tuttle because of his religious beliefs violates Ohio Rev. Code §§4112.02(A) and 4112.99.

66. Dean Brown and President Beverage's discriminatory conduct was willful, malicious, and done with reckless and callous indifference.


67. As a result of Defendants' conduct, Dr. Tuttle has been damaged by demotion, loss of seniority, loss of income and in other respects to be proven at trial.

WHEREFORE, Dr. Tuttle respectfully requests that this Court enter judgment in his favor and against Lakeland and Dean Brown, individually and as an agent of Lakeland, and President Morris, individually and as an agent of Lakeland, and grant the following relief:

- (A) Enter a judgment finding that Defendants have violated federal and state law as described above;
- (B) Order Defendants to reinstate Dr. Tuttle to his prior position or an equivalent position with Lakeland, together with all rights of seniority and benefits, including his selection of classes as is customary with his level of seniority;
- (C) Order Defendants to cease directing Dr. Tuttle to refrain from referencing his own religious views in his coursework at Lakeland;
- (D) Order that Defendants pay to Dr. Tuttle all wages and benefits due and owing as a result of Defendants' retaliatory and discriminatory acts;
- (E) Order Defendants to expunge Dr. Tuttle's record of any reference to the student's complaint and the actions taken by Defendants.
- (F) Against Lakeland, award compensatory damages to Dr. Tuttle in an amount to be determined at trial;
- (G) Against Dean Brown and President Beverage, award compensatory and punitive damages to Dr. Tuttle in an amount to be determined at trial;
- (H) Award Dr. Tuttle his costs and reasonable attorney fees in this action;
- (I) Award pre-judgment and post-judgment interest at the statutory rate; and
- (J) Grant any other relief this Court deems just.

Respectfully submitted,

OF COUNSEL:

  
\_\_\_\_\_  
Jeffrey A. Brauer (0069908)  
Robert L. Fogarty (0006818)  
Sonja C. Rice (0073773)

HAHN LOESER & PARKS LLP

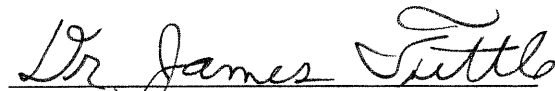
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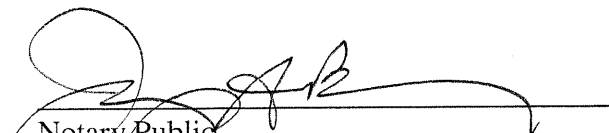
**VERIFICATION**

STATE OF OHIO                    )  
  )     SS:  
COUNTY OF LAKE                )

Now comes James Tuttle and states that he has reviewed the allegations of the Verified Complaint in this action and, upon his knowledge, information or belief, believes that the information alleged in the Complaint is true.

  
\_\_\_\_\_  
Dr. James Tuttle

Sworn and subscribed to before me this 30<sup>th</sup> day of June, 2004.

  
\_\_\_\_\_  
Notary Public  
My Commission Does Not Expire

JEFFREY A. BRAUER  
ATTORNEY AT LAW  
NOTARY PUBLIC  
STATE OF OHIO



Exhibit A

## PHILOSOPHY 1500-36360: INTRODUCTION TO PHILOSOPHY

Spring 2003 Semester

Instructor: Dr. James Tuttle

Time: TTh 11:00 – 12:50 p.m.

Location: Lakeland Community College (Kirtland Main Campus, A 2016)

**Office Hours:** By appointment. Please notify me before or after class if you need to talk to me or make an appointment. I can make myself available in the part-time faculty office, if necessary. If I am not on campus at the time, I would suggest that students call me at my home.

**Home Phone:** (440) 918-1759

### Catalog Description

This course introduces students to various intellectual and philosophical problems that have troubled thoughtful people throughout the ages. The areas in which these problems occur include reality, being, knowledge, free will, values, and religion. Class lectures encourage discussion and individual feedback.

### Course Objectives

- A. That the student become familiar with the fundamental questions, concepts, explanations, and terminology encompassing the discipline.
- B. That the student appreciate the *worldviews* of the major philosophers throughout history, especially in reference to the following: 1) God/ultimate reality/being; 2) this world/afterlife; 3) suffering/pain/evil/death; 4) human person/freedom/determinism; 5) ethics/happiness/harmony/fulfillment/liberation; and 6) enlightenment/knowledge/truth.
- C. To appreciate how individual philosophers were influenced by previous philosophers, that no philosopher lives and thinks in a vacuum.
- D. That the student learn to take both a *sympathetic* and *critical* approach to the major philosophical positions throughout history, taking in the strengths of each while being aware of their major weaknesses and differences.

### Class Style

This class will proceed primarily in an “interactive” lecture format from the instructor. Since the students will be given the instructor’s notes, this should make the class lectures go more smoothly and more quickly. Moreover, it will help the students to better understand the material being presented, without getting bogged down in extraneous note taking. In order to make classes go more smoothly, the student is responsible for being prepared for class, which means reading the assigned material, answering any appropriate questions, and taking quizzes on the assigned reading. In addition to class discussion, the instructor may have a class debate or have outspoken, dissenting, enthusiastic, knowledgeable, and/or courageous students conduct orderly but spontaneous disputations with the class for an allotted amount of time (determined by instructor).

## Required Reading

Kreeft, Peter. A Refutation of Moral Relativism: Interviews with an Absolutist. San Francisco: Ignatius Press, 1999.

An entertaining, modern Platonic-like dialogue/interview between a “sassy Black feminist” reporter (representing the *relativist* position) and a “Muslim fundamentalist” philosophy professor (representing the *absolutist* position) that will help students understand the foundations and worldviews of both relativism and absolutism. This book will help students integrate the history of “abstract” philosophical thought with one of the most controversial problems facing the West today: the debate between moral relativism and moral absolutism.

Palmer, Donald. Visions of Human Nature: An Introduction. Mountain View, CA: Mayfield Publishing Company, 2000.

An entertaining, picturesque approach to the history of philosophy. In this book, Palmer writes about the ten most influential philosophical positions on human nature throughout history. Not only does Palmer discuss the philosophers’ views on human nature, but he also includes their personal biography and the historical/cultural context in which they wrote. This book should help the individual student to use his or her senses and imagination to begin to grasp what can otherwise be unclear and complex.

## Required Internet Article:

Paul C. Vitz. “The Psychology of Atheism” (14 pages).

<http://www.leaderu.com/truth/1truth12.html>

## Required Library Reserve Article:

Grisez, Germain. “Faith, Philosophy, and Fidelity.” Fidelity 3 (July 1984): 18-23.

Lee, Patrick. “The Goodness of Creation, Evil, and Christian Teaching.” The Thomist 64 (2000): 239-269.

## Grading System (based on 520 total points)

468 - 520 pts. = A

416 - 467 pts. = B

364 - 415 pts. = C

312 - 363 pts. = D

0 - 311 pts. = F

## Grading Evaluation. Your final grade will be determined in the following ways:

- A. *One large take-home exam (180 pts. X 1 = 180 pts.).* The student will be required to answer six questions from a larger selection of questions. Each essay will be single-spaced and no less than one page and no more than one-and-a-half pages long. The exam will be due by April 24<sup>th</sup> (Thursday). Ten points will be docked for each day that it is late.
- B. *Twelve of fifteen quizzes (20 pts. X 12 = 240 pts.).* Because there will be many quizzes, students will *not* have to write a paper this semester. Quizzes are helpful in *motivating* students to read the assigned material, to participate more fully in class, and to better understand what they are reading. If students want to get the maximum amount of points,



they are required to take a *minimum of twelve quizzes* and a *maximum of fifteen quizzes*. The teacher will average the *twelve highest quizzes* for the semester and drop the lowest one to three quizzes. Quizzes will last no longer than ten minutes.

- C. *Matching Test (100 pts.  $X 1 = 100$  pts.)*. This will be a matching quiz based on the book concerning relativism and absolutism. You will have up to 35 minutes for this test.
- D. *Class Attendance* (based on lack of absences, not leaving during middle of class, or tardies).
- |  |                   |
|--|-------------------|
| Perfect attendance (no absences and no tardies)          | = 30 extra points |
| Excellent attendance (one to two absences or tardies)    | = 25 extra points |
| Very Good attendance (three to four absences or tardies) | = 20 extra points |
| Good attendance (five to six absences or tardies)        | = 15 extra points |

### Class Rules

- A. Everyone is expected to attend each class. Attendance will be taken every day.
- B. There will be fifteen small quizzes and one test given in class throughout the semester. They will be given at various times during the class, depending on where we are with the material.
1. If taken at the beginning of class, you will have up to 11:10 AM to *finish* the quiz (I will take attendance during the time of the quiz). If you come in at 11:05 AM, you will have five minutes to take the quiz, but that is better than not taking it at all).
  2. If quiz is administered at the middle or end of class, you will have ten minutes to finish it.
  3. *No make-ups* will be given for missed quizzes. They will be taken at the time they are administered.
  4. As mentioned earlier, there will be a total of fifteen quizzes.
    - a. If you take fifteen quizzes, the three lowest will be dropped.
    - b. If you take fourteen quizzes, two will be dropped.
    - c. If you take thirteen quizzes, one will be dropped.
    - d. If you take twelve quizzes, none will be dropped.
    - e. If you eleven quizzes or less, you will be docked twenty points for each quiz that was missed.
- C. Quizzes will be returned to instructor after students have seen their quiz grade.
- D. Cheating will not be tolerated during quizzes or exams. Any answer on the exam that looks exactly like someone else's can result in a zero for that specific question for both persons.

### Disclaimer

Because this is the topic of philosophy—which largely includes the study of God, faith, religion, ethics, and truth—we are dealing with a very controversial subject. Consequently, since this is a class in which there is a presentation, exchange, and discussion of ideas and beliefs, please be aware that we are here to play tennis with each other (metaphorically speaking) as opposed to jumping over the net and hitting each other over the head. Since your teacher happens to be a Catholic Christian philosopher and theologian—and a passionate, controversial (not politically correct), candid, and zany/earthy one for that matter—please be aware of where I am coming from and where you are coming from. It has been my experience from the past that those who are most critical of me as a teacher are often those who have personal issues with faith, religion, morals, and ideology (and find themselves on the opposite side of the net from me). If you initially feel uncomfortable with me as an instructor, please feel free to talk to me outside of the classroom situation, and we can *try* to resolve any problems that might arise later.

## TENTATIVE COURSE OUTLINE

- Jan. 14      **INTRODUCTION TO PHILOSOPHY**
1. Student roster and student note cards
  2. Pass out syllabus, class notes, and take-home exam
  3. Lecture/discussion on class notes (pp. 1-3) and handout on *Beliefs, Philosophy, and Truth*
- Jan. 16      **INTRODUCTION TO PHILOSOPHY**
1. Lecture/discussion on class notes and handout on *Beliefs, Philosophy, and Truth*, if necessary (pp. 1-3)
  2. 1<sup>st</sup> Quiz on pp. 1-3
  3. Lecture/discussion on class notes (pp. 3-7)
- Jan. 21      **INTRODUCTION TO PHILOSOPHY**
1. Lecture/discussion on class notes, if necessary (pp. 3-7)
  2. 2<sup>nd</sup> Quiz on class notes (pp. 3-7)
  3. Lecture/discussion on class notes (pp. 7-8)
- Jan. 23      **INTRODUCTION TO PHILOSOPHY**
1. Lecture/discussion on class notes, if necessary
  2. 3<sup>rd</sup> Quiz on class notes (pp. 7-8)
  3. Lecture/discussion on *Four Orders of Reality* (in notes)
- Jan. 28      **INTRODUCTION TO PHILOSOPHY**
1. Lecture/discussion on *Four Orders of Reality*, if necessary
  2. 4<sup>th</sup> Quiz on *Four Orders of Reality*
  3. Lecture/discussion on *Self-Referential Inconsistencies/Arguments*
- Jan. 30      **INTRODUCTION TO PHILOSOPHY**
1. Lecture/discussion on *Self-Referential Inconsistencies/Arguments*
  2. 5<sup>th</sup> Quiz on *Self-Referential Inconsistencies/Arguments*
- Feb. 4      **RELATIVISM VS. ABSOLUTISM**
1. Discuss book on moral relativism (Chps. 1-3: pp. 15-52)
- Feb. 6      **RELATIVISM VS. ABSOLUTISM**
1. Discuss book on moral relativism (Chps. 4-6: pp. 53-100)
- Feb. 11      **RELATIVISM VS. ABSOLUTISM**
1. Discuss book on moral relativism (Chps. 7-9: pp. 101-149)
- Feb. 13      **RELATIVISM VS. ABSOLUTISM**
1. Discuss book on moral relativism (Chps. 10-11: pp. 150-175)
  2. Matching Test on relativism and absolutism
- Feb. 18      **PLATO (Palmer, 13-38)**
1. Lecture/discussion on Pre-Socratics, Sophists, and Socrates
  2. Lecture/discussion on Plato

- Feb. 20      **PLATO (13-38)**  
1. Lecture/discussion on Plato
- Feb. 25      **ARISTOTLE (39-65)**  
1. Lecture/discussion on Aristotle
- Feb. 27      **ARISTOTLE (39-65)**  
1. Lecture/discussion on Aristotle  
2. Lecture/discussion on Epicurus (Hedonism) and Epictetus (Stoicism)
- March 4      **BUDDHISM (66-94)**  
1. 6<sup>th</sup> Quiz on Classical Philosophers  
2. Lecture/discussion on Buddhism
- March 6      **BUDDHISM (66-94)**  
1. Lecture/discussion on Buddhism
- March 18      **MEDIEVAL CHRISTIAN PHILOSOPHY (95-122)**  
1. 7<sup>th</sup> Quiz on Buddhism  
2. Lecture/discussion on context of Medieval Christian Philosophy
- March 20      **MEDIEVAL PHILOSOPHY: ST. AUGUSTINE and ST. THOMAS AQUINAS**  
1. Lecture/discussion on St. Augustine and St. Thomas Aquinas
- March 25      **MEDIEVAL PHILOSOPHY: FAITH AND REASON**  
1. 8<sup>th</sup> Quiz on Medieval Philosophy, Augustine, and Thomas Aquinas  
2. Lecture/discussion on the relationship between *faith & reason* in St. Thomas' Summa Theologiae (in notes) and Grisez's *Faith, Philosophy, and Fidelity* (library reserve)
- March 27      **MEDIEVAL PHILOSOPHY: THE PROBLEM OF EVIL**  
1. Lecture/discussion on faith & reason continued, if necessary  
2. 9<sup>th</sup> Quiz on faith & reason (St. Thomas and Grisez)  
3. Lecture/discussion on Patrick Lee's *The Goodness of Creation, Evil, and Christian Teaching* (library reserve)
- April 1      **MEDIEVAL PHILOSOPHY: THE PROBLEM OF EVIL**  
1. Lecture/discussion on Lee's *The Goodness of Creation, Evil, and Christian Teaching*  
2. 10<sup>th</sup> Quiz on the problem of evil (Lee article)  
3. Lecture/discussion on pre-Cartesian philosophy, if possible
- April 3      **DESCARTES (123-149)**  
1. Lecture/discussion on Descartes  
2. Lecture/discussion on post-Cartesian philosophy
- April 8      **DARWIN (175-204)**  
1. 11<sup>th</sup> Quiz on Descartes and pre-Cartesian & post-Cartesian philosophy  
2. Lecture/discussion on Darwin  
3. Lecture/discussion on Three Evolutionary Theories chart

- April 10      **MARX (205-240 )**
1. **12<sup>th</sup> Quiz** on Darwin and Three Evolutionary Theories chart
  2. Lecture/discussion on pre-Marxist thought (Kant, Hegel, and Mill)
  3. Lecture/discussion on Marx
- April 15      **FREUD (241-270)**
1. Lecture/discussion on Marx, if necessary
  2. Lecture/discussion on Freud
- April 17      **KIERKEGAARD (150-174) and NIETZSCHE**
1. **13<sup>th</sup> Quiz** on Kant, Hegel, Mill, Marx, and Freud
  2. Lecture/discussion on Kierkegaard
  3. Lecture/discussion on Nietzsche
- April 22      **SARTRE (271-294) and THE PSYCHOLOGY OF ATHEISM**
1. Lecture/discussion on Sartre
  2. **14<sup>th</sup> Quiz** on Kierkegaard, Nietzsche, and Sartre
  3. Discuss article on *The Psychology of Atheism* (Internet article)
- April 24      **THEISM AND ATHEISM**
1. Discuss article on *The Psychology of Atheism*, if necessary
  2. Lecture/discussion on the Twenty Proofs of God's Existence (in notes)
  3. **15<sup>th</sup> Quiz** on *The Psychology of Atheism* article and *Twenty Proofs of God's Existence*
  4. **Take-home** exam due today
- April 29      **GUEST SPEAKER, CLASS DEBATE, MOVIE, OR SPARE CLASS**
- May 1        **GUEST SPEAKER, CLASS DEBATE, MOVIE, OR SPARE CLASS**

Exhibit B



**Lakeland**  
Community College

7700 Clocktower Drive, Kirtland, Ohio 44094-5198 • 440/953-7000

April 21, 2003

Dr. James Tuttle  
38325 North Lane Unit H-206  
Willoughby, OH 44094

Dear Jim,

I am more bothered by your disclaimer than by anything I read in complaint.  
In my 35 years of work in the community college, the very need to attach a disclaimer to a syllabus in a general education, lower-level class is bothersome. In essence, you are saying, "This is Dr. Tuttle's philosophy and style - now take it or shut-up." This class is not about your philosophy. It is a survey class and that only.

For reasons unknown to me, you have a deeply-held need to state your case for your beliefs in the classroom. This is unacceptable. The level of arrogance is unnerving.  
I'm beginning to question your suitability to teach in a public school classroom. I think that you would be happier in a sectarian classroom.

For the fall semester, I've reduced your teaching load to one section of ethics. I'm going to have Dr. Webb monitor your performance in the classroom. Then, after meeting with him, I'll decide whether or not you will be teaching at Lakeland College for the spring semester, 2004.

Sincerely,

James L. Brown, Ph.D.  
Dean, Arts and Humanities Division