

April 12, 2016

VIA ELECTRONIC AND U.S. MAIL

Dr. Nancy A. Roseman  
President  
Dickinson College  
Carlisle, Pennsylvania 17013

Dear President Roseman:

Professor Crispin Sartwell, formerly an associate professor in the Department of Philosophy with tenure at Dickinson College, has sought the advice and assistance of the American Association of University Professors as a result of an April 6, 2016, e-mail message from associate vice president Debra Hargrove informing him that his appointment had been terminated effective March 31, 2016.

The interest of the Association in Professor Sartwell's case stems from its longstanding commitment to principles of academic freedom, tenure, and due process as enunciated in the 1940 *Statement of Principles on Academic Freedom and Tenure*. Derivative procedural standards are set forth in the complementary 1958 *Statement on Procedural Standards in Faculty Dismissal Proceedings* and the Association's *Recommended Institutional Regulations on Academic Freedom and Tenure* (copies are attached for your convenience). The 1940 *Statement*, as you are no doubt aware, is a joint formulation of this AAUP and the Association of American Colleges and Universities and has received the endorsement of more than 240 professional organizations and learned societies. The 1958 *Statement*, also a joint statement of the AAUP and the AAC&U, provides detailed guidelines on due-process standards applicable in dismissal cases, and further elaboration on dismissal procedures is found in Regulations 5 and 6 of the *Recommended Institutional Regulations*.

The general academic community recognizes that the dismissal for cause of a faculty member with tenure should occur only after the affordance of requisite safeguards of academic due process. The following specific procedures are among those set forth in Regulation 5 of the *Recommended Institutional Regulations*: “a statement of charges, framed with reasonable particularity by the president or the president’s delegate”; a formal hearing of record on the charges, conducted by an elected faculty body; the faculty member’s right to have legal counsel; the faculty member’s right to have evidence introduced at the hearing and placed in the record; the administration’s bearing the burden of demonstrating adequate cause for dismissal through clear and convincing evidence in the record considered as a whole; and opportunity for the affected faculty member to confront and cross-examine witnesses. The applicable provisions of Dickinson’s academic handbook are consistent in most essential respects with these AAUP-supported standards.

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According to the information we have received, on March 3 Professor Sartwell was summoned to a meeting with Provost Neil Weissman and general counsel Dana Scaduto to discuss posts he had made on his personal blog involving allegations of plagiarism against two academics. One post included a video of the country music song "Time to Get a Gun." Professor Sartwell was notified during the meeting that he was being suspended from his teaching duties and banned from campus on grounds that the blog post in which he embedded the music video constituted a death threat. We understand that he was also informed that he would be permitted to return to teaching on the condition that he undergo a compulsory psychiatric examination. Professor Sartwell states that he refused to comply with that condition and was promptly escorted off campus. We understand further that Professor Sartwell, in a March 8 e-mail message to the provost, stated that he was "not coming back" and requested "the best severance package you reasonably can under the circumstances." Provost Weissman responded with a March 10 "separation agreement and release," which stated in part,

This letter is being sent to confirm our e-mail exchanges earlier today which took place in response to your notes over the last two days indicating your interest in entertaining an offer from the college that would allow you to retire early. Your overture was consistent with similar comments and interest you expressed at the outset of our meeting on March 3. While we are willing to discuss this approach with you, I must reiterate that Dickinson College is not asking you to leave your position as an associate professor and member of its faculty.

The proposed agreement provided for the payment of Professor Sartwell's salary and benefits through the end of June 2016 with the continuation of the campus ban pending a psychiatric evaluation. Professor Sartwell rejected the offer by a March 10 e-mail to the provost, while alleging that the administration's handling of the blog posts violated his academic freedom. Provost Weissman responded, also on March 10, by sending a revised separation agreement, stating that it was in response "to various e-mails you have sent over the last several days indicating that you have retired from Dickinson." The revised agreement provided for a lump sum payout and stipulated a deadline of March 31 for its execution. Professor Sartwell responded by e-mail of March 30 to the provost and the general counsel, stating, "I do not accept the separation agreement dated March 10. Nor do I resign my position; you will have to go through the Handbook procedure for removing me." Ms. Scaduto responded as follows by e-mail of April 4: "asserting that you unquit in your message of March 30 is a position without merit. We do not have any obligation to invoke the dismissal procedures of the Academic Handbook as you are no longer an employee of the College."

We appreciate that the administration has construed Professor Sartwell's e-mail messages and public comments on his case as evidence of his intention to resign his tenured position. We also understand that the administration has taken the position that it therefore has no obligation to initiate dismissal proceedings in the case of Professor Sartwell. We disagree. We do not think the academic community at-large would understand those statements to constitute a formal resignation. Given the academic

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freedom issues raised by this case, we are concerned that no proceeding has taken place in which the administration would assume the burden of demonstrating adequate cause for dismissing Professor Sartwell from his tenured appointment.

The information in our possession on Professor Sartwell's case has come to us largely from him and from media accounts, and we appreciate that you may have additional information that would contribute to our understanding of what has occurred. We would accordingly welcome your comments. Assuming the essential accuracy of what we have stated in this letter, we urge the Dickinson College administration rescind the notice of termination issued to Professor Sartwell pending a hearing consistent with the dismissal procedures set forth in Dickinson College regulations and AAUP's recommended standards.

Sincerely.

A handwritten signature in cursive script that reads "Anita Levy".

Anita Levy, Ph.D.  
Associate Secretary

Enclosures via Email

Cc: Dr. Neil Weissman, Provost  
Ms. Dana Scaduto, General Counsel  
Professor Crispin Sartwell