

AAUP

American Association of University Professors

Academic Freedom for a Free Society

November 16, 2009

VIA FACSIMILE (610-683-4693)

Dr. F. Javier Cevallos
President
Kutztown University of Pennsylvania
303B Stratton Administration Center
Kutztown, Pennsylvania 19530

Dear President Cevallos:

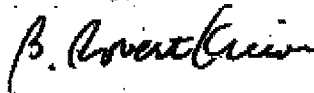
The American Association of University Professors has been advised by Mr. William C. Plouffe, Jr., until recently an assistant professor in the Department of Criminal Justice in his second year of service at Kutztown University, of your letter dated October 9, 2009, notifying him of your decision to dismiss him from the faculty effective that day and to have him vacate the campus. "The reason for this termination," you stated, "is that you have failed to develop constructive working relationships within your department and your behavior has contributed to significant conflicts that inhibit the ability of the department to function appropriately"—grounds that he has sharply challenged. We understand that you held a pre-disciplinary conference with Professor Plouffe, who was accompanied by a representative of the faculty union, on October 6, that the collective bargaining agreement does not provide for a faculty hearing, but that the union has filed a grievance as provided under Articles 5 and 15.F.2. of the agreement. We understand further that the courses Professor Plouffe had been teaching at the time of his dismissal were reassigned to another instructor who apparently had already been engaged to replace him. We are troubled by reports from Professor Plouffe that the actions against him may have been taken because of displeasure with his outspoken criticism of the administration and the operation of his department.

Assuming the essential accuracy of the information about Professor Plouffe's case that we have received, we are writing to advise you that action to dismiss a faculty member within the term of an appointment without having demonstrated adequacy of cause in a pre-termination hearing before a faculty body appears to be fundamentally at odds with the enclosed 1940 *Statement of Principles on Academic Freedom and Tenure* and the complementary 1958 *Statement on Procedural Standards in Faculty Dismissal Proceedings*. The administration's action against Professor Plouffe is therefore a matter of key concern to this Association. We are additionally concerned that the reasons for the action may well raise issues of academic freedom.

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We urge that the Kutztown University administration take appropriate steps, consistent with the enclosed principles and procedural standards, to resolve this matter. We look forward to your response.

Sincerely,



B. Robert Kreiser
Associate Secretary

BRK:ld
Enclosures (sent via surface mail)

cc: Dr. Anne E. Zayaitz, Acting Dean, College of Liberal Arts and Sciences
Ms. Sharon M. Picus, Executive Director, Department of Human Resources
Professor Alexander W. Pisciotta, Chair, Department of Criminal Justice
Professor Paul Quinn, President, KU-APSCUF
Professor Richard P. Mulcahy, President, AAUP Pennsylvania Division
Professor William C. Plouffe, Jr.