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## News

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### Bowdoin Punishes Professor Who Provoked

April 24, 2009

The president of Bowdoin College has endorsed a faculty committee's finding that an economist engaged in misconduct in research -- research that he continues to maintain the college examined only because it made Bowdoin look bad.

The complicated and contested history of Jonathan P. Goldstein's dispute with Bowdoin was examined in [an article on Inside Higher Ed](#) two weeks ago. The gist of it is that Goldstein wrote a scholarly article that, he said, showed that Bowdoin overemphasized athletics; ran afoul of the college's dean and other administrators when he sought to distribute it to parents and prospective students (interrupting college tours and intimidating a student employee, Bowdoin officials charged); and became the subject of a series of accusations and campus investigations.

Although several of the charges originally made against him -- including harassment and plagiarism -- did not stick, the second of two campus panels that examined the allegations against him recommended that he be censured for misconduct, on two fronts: failing to fully cite the source of data about student grades, despite having characterized the paper as "complete and fully documented," and for breaching confidentiality by publishing the data despite the original paper's warning that it was not to be replicated.

The committee also acknowledged, however, the "distinct" possibility that none of Goldstein's errors had been intentional, which the professor and his supporters at the [Foundation for Individual Rights in Education](#) insist should have cleared him of any wrongdoing, per the guidelines in the Faculty Handbook. The matter was left to the college's president, Barry Mills, who sent Goldstein [a six-page letter](#) on Tuesday.

In his letter, Mills backs the committee's findings and the contested process, led by Dean Cristle Collins Judd, that resulted in those findings. "In sum, you have been found guilty of research misconduct and violation of confidentiality by a faculty committee of your peers in a process conducted in strict compliance with the Faculty Handbook," he writes. "No amount of obfuscation of the fact and misdirection of the arguments relieves you of these violations." Mills says the censure recommended by the investigative panel "should be afforded great respect because it was rendered by your faculty peers," and warns Goldstein that he is "hereby on notice that similar offenses in the future will yield more severe sanctions."

The president also chastises Goldstein for discussing details of his case with *Inside Higher Ed* and other publications. "The Faculty Handbook is explicit in its requirement that all parties involved in the investigation should 'strive to maintain confidentiality.' Your willful violation of this provision is regrettable and shows profound disrespect for your faculty colleagues," Mills told Goldstein. "I believe you owe them a personal apology."

That last point especially troubles Goldstein and Adam Kissel, a FIRE lawyer who has advocated for him. "I think the faculty might be surprised to learn that Bowdoin's president believes that the administration can charge a faculty member with an infraction and then ban the faculty member from discussing his or her own case," Kissel wrote on a blog post about the case' outcome. "This is an easy recipe for abuse, scaring professors who are charged with infractions into keeping quiet on penalty of further punishment. We have seen this pattern [all too often](#). When a faculty member believes he or she has been charged unjustly, it compounds the injustice when the faculty member is banned from seeking additional help from FIRE, the American Association of University Professors, or the faculty member's professional association."

More broadly, Kissel writes, "it is important to remember that there is no way Goldstein's paper would have been investigated at all if

it had not been so embarrassing to the college and had not been distributed to prospective students and their families. There is no way it would have received footnote-by-footnote scrutiny. ... The result of all this investigative brouhaha is a chilling effect on faculty members who might want to publish results that are embarrassing to Bowdoin College."

— **Doug Lederman**

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