



June 27, 2017

VIA ELECTRONIC MAIL AND USPS

Dr. Joanne Berger-Sweeney
President
Trinity College
300 Summit Street
Hartford, Connecticut 06106

Dear President Berger-Sweeney:

Dr. Johnny Williams, an associate professor of sociology with twenty-one years of service at Trinity College, has sought the advice and assistance of the American Association of University Professors as a result of a voicemail message left him this past weekend by Dr. Timothy Cresswell, dean of the faculty. The message informed him that he had been placed on a leave of absence, effective immediately. On June 26 you issued "An Update on the Events Concerning Professor Johnny Williams" in which you stated that your administration had "determined that a leave is in the best interest of both Professor Williams and the college" and that a "review by the Dean of the Faculty of the events concerning Professor Williams will continue." Neither the message left by Dr. Cresswell nor your public announcement indicated a terminal date for the suspension, although we understand that Dr. Cresswell had previously asked Professor Williams to take a voluntary leave until January, a proposal Professor Williams declined.

The interest of this Association in the case of Professor Williams stems from our longstanding commitment to academic freedom, tenure, and due process, the basic tenets of which are enunciated in the enclosed 1940 *Statement of Principles on Academic Freedom and Tenure*. That document, a joint formulation of the AAUP and the Association of American Colleges and Universities, has received the endorsement of more than 250 scholarly and educational organizations. Derivative procedural standards relating to the suspension of a faculty member are set forth in Regulations 5 and 7a of the AAUP's *Recommended Institutional Regulations on Academic Freedom and Tenure* (also attached).

The AAUP regards the suspension of a faculty member from his or her primary responsibilities as a severely adverse personnel action, because of what it implies about the faculty member's professional fitness and because of the resulting effect on the faculty member's reputation (see the enclosed *Use and Abuse of Faculty Suspensions*). Under AAUP-recommended standards, a faculty member can be suspended for only two reasons—(1) to sanction serious misconduct and (2) to protect the faculty member or others from “immediate harm” during the process leading to dismissal or the imposition of another serious sanction. When an administration wishes to impose a suspension as a stand-alone sanction for serious misconduct, it must first demonstrate adequacy of cause for doing so in an adjudicative hearing before an elected faculty body (Regulation 7a). When an administration is taking steps that may lead to a faculty member's dismissal, which can only be effected after the same sort of faculty hearing just described, it may suspend the faculty member “only if immediate harm to the faculty member or others is threatened by continuance.” Prior to imposing a suspension under these circumstances, the administration must consult with a duly constituted faculty committee “concerning the propriety, the length, and the other conditions of the suspension” (Regulation 5c[1]).

There is nothing in the record to indicate that the administration has imposed a suspension upon Professor Williams as a penalty for misconduct, so Regulation 7a does not appear to be applicable. With respect to Regulation 5, the June 26 announcement does not explain how Professor Williams's suspension is “in the best interest of both Professor Williams and the college.” It does not suggest that the dean's review is a prelude to proceedings that could lead to dismissal or other severe sanction. It does not say that the action responds to a threat of immediate harm, but such a consideration may indeed be an underlying rationale for the decision. If the suspension were indeed intended to address a threat of immediate harm, we are not aware that the administration consulted an appropriate faculty body about its propriety, its duration, or its other conditions. It thus appears that the action taken against Professor Williams is entirely at odds with normative standards of academic due process.

The suspension and the review to be conducted by Dr. Cresswell relate to Professor Williams's postings on Facebook, which have attracted significant attention and resulted in threats against him and against Trinity College. We join others in the higher education community in deploring the targeted harassment to which Professor Williams and Trinity College have been subjected. However, we must stress that the AAUP has long held that academic freedom includes “the freedom to address the larger community with regard to any matter of social, political, economic, or other interest,

President Berger-Sweeney

June 27, 2017

Page 3

without institutional discipline or restraint, save in response to fundamental violations of professional ethics or statements that suggest disciplinary incompetence" (*Protecting an Independent Faculty Voice: Academic Freedom after Garcetti v Ceballos*). Appendix B.1 of the Trinity College faculty manual includes excerpts from the 1940 *Statement* that similarly recognize freedom of extramural utterance. We are concerned that the actions taken by the administration may have violated Professor Williams's academic freedom.

We appreciate that you may have additional information that might contribute to our understanding of what has occurred. We shall therefore welcome your comments. If the facts as we have recounted them are essentially accurate, we urge Professor Williams's immediate reinstatement to his normal faculty duties. As to any further action in his case, we urge that it be consistent with the procedural standards outlined in this letter.

We look forward to your response.

Sincerely,



Hans-Joerg Tiede
Associate Secretary

Enclosures by electronic mail

cc: Dr. Timothy Cresswell, Dean of the Faculty
Professor William Church, Chair, Trinity College Committee on Academic Freedom
Professor Isaac Kamola, President, Trinity College AAUP Chapter
Professor Uchenna Nwachuku, President, Connecticut State AAUP Conference