

# Academic Freedom and Tenure:

## Frank Phillips College (Texas)<sup>1</sup>

### I. Introduction

Frank Phillips College is a public, two-year community institution located in Borger, a Texas Panhandle town of approximately 20,000 people. The college admitted its first students in September of 1948, following the creation of a local college district and the voting of a tax levy for the operation and maintenance of the institution. Until 1956, it shared the facilities of the Borger Senior High School. A subsequent building program has provided it with its own facilities on a 50-acre campus. The college, which awards the Associate in Arts diploma upon graduation, offers terminal programs in business and in technical areas and introductory offerings in the arts and sciences and a variety of professional fields. There are both day and evening classes. As of 1965, the student body numbered somewhat in excess of 700 and the faculty, some of whom served on a part-time basis, approximately 45. The college is accredited by the Southern Association of Colleges and Schools.

The governing body of Frank Phillips College is an eight-man Board of Regents, elected by the voters of the college district. Mr. J. W. Dillard is the President, and Dr. R. E. Darnell, who also serves as Registrar, is the Dean. Department heads are not designated and academic rank has not been instituted. There is no faculty manual, nor have regulations been adopted or policies established concerning tenure or academic due process. Contracts are not issued; instead, during the summer, the President or Dean corresponds with the members of the faculty, advising them when they should report for the coming year.

<sup>1</sup> The text of this report was written in the first instance by the members of the investigating committee. In accordance with Association practice, the text was sent to the Association's Committee A on Academic Freedom and Tenure, to the professor at whose request the investigation was conducted, to the administration of Frank Phillips College and to other persons directly concerned in the report. In the light of the suggestions received, and with the editorial assistance of the Association's Washington Office staff, the report has been revised for publication.

Faculty members are normally expected to teach summer school and payment of salary is on a twelve-month basis. The President reportedly has assured the faculty at meetings that they can assume their services are satisfactory and that their affiliation with the college will continue unless he or the Dean calls them in for a conference and indicates the reason for dissatisfaction and what the consequence of such dissatisfaction would be. In summary, it may be said that authority appears to rest with the administration and that written regulations concerning policies and practices with respect to the faculty are nonexistent.

Mrs. Aileene Ledford Gauntt, a native of Missouri, received the B.A. and M.A. degrees from Northeast Missouri State Teachers College. She was first appointed to the faculty of Frank Phillips College as a full-time member in September, 1955, and was reappointed on an annual basis for nine subsequent years. She offered instruction in physical education for women, served as assistant librarian, and occasionally taught classes in biology. The termination of Mrs. Gauntt's services at Frank Phillips College is the subject of this report.

### II. The Facts of the Case

During the fall semester of the 1964-65 academic year, symptoms of physical disorder prompted Mrs. Gauntt to confer with President Dillard and Dean Darnell on the possibility of obtaining a sick leave or, if one could not be granted, to determine whether they would wish her to submit her resignation. She stated that her physicians at the time thought a ten-day period of leave for treatment would suffice. According to Mrs. Gauntt, both administrators told her that a ten-day absence would not necessitate a resignation but, in the event that she would have to be absent for a longer period of time, she should request a leave of absence for the entire second semester because a substitute instructor was available and a change of instructors during the semester could be confusing to the students.

Mrs. Gauntt remained on duty through registration for the second semester but did not begin to meet with her classes since further symptoms caused her to confer with a physician in Kansas City in whom she placed great confidence. At that time, Mrs. Gauntt states, she was in an emotional turmoil. Her father was seriously ill and the man she was shortly to marry (he taught technical industrial education in the Borger Senior High School) was suffering a great deal of mental anxiety. Therefore, in January, 1965, Mrs. Gauntt informed the administration that she needed to absent herself temporarily from the campus for the purpose of undergoing surgery and because of responsibilities occasioned by the failing health of her father. She was told by President Dillard that, since she expected to be away for a period of longer than two weeks' duration, she would be placed on leave of absence from January 25, 1965, to September 1, 1965. A January 27 memorandum prepared by President Dillard stipulated the following financial arrangements for Mrs. Gauntt in light of the leave: since she was not to teach in the 1965 summer school, her salary would be calculated at a figure reduced from the sum originally set; she would receive payment for services from September 1 through three-fourths of the month of January; and she would be paid one additional month's salary as sick leave. After receiving the memorandum, Mrs. Gauntt left Borger, underwent the necessary medical treatment, and did not return until late in May.

During the early months of her leave of absence, Mrs. Gauntt's father died. Since the leave of absence stated a period of time from January 25 to September 1, 1965, and since she was confronted with two sets of medical and hospital expenses, funeral costs and living expenses, she contacted a placement bureau for the purpose of seeking a summer position, and President Dillard was presumably asked by the bureau to write a letter of reference for her. In addition, she wrote to the college to request requisition blanks for books and materials for the following academic year. The President wrote to her, by date of May 4, as follows:

It has become most apparent over the past few years that you have grown more and more dissatisfied with your teaching situation here. I have concluded from the last note you sent us that the situation here is unpleasant for you and that you will remain unhappy, therefore for your benefit and that of the college I suggest that you resign your position with us effective immediately.

Since you are seeking employment elsewhere, it will be much better for you to resign than to have your services terminated by us. In this manner, we can assist you in securing another position without the blemish of being dismissed.

I trust I may hear from you in the near future concerning this action.

Her answer, she reports, confined itself to her reasons for seeking summer work and requesting the requisition forms. Thereupon, on May 21, 1965, President Dillard wrote to Mrs. Gauntt:

This will advise you that we are terminating your services as of the first (1st) of September, 1965, and you will no longer be employed by Frank Phillips College, Borger, Texas.

Thank you for the services you have given us over the years, and we will be glad to assist you in any way we can in helping you get employment elsewhere.

It should be noted that the *Eighteenth Annual Catalogue* of Frank Phillips College, published in June, 1965, contains the following footnote after Mrs. Gauntt's name: "Resigned effective January 20, 1965."

On May 11, Mrs. Gauntt addressed an inquiry to the Washington Office of the American Association of University Professors concerning procedures to be followed in securing Association assistance. She was asked to supply requisite information and did so in late September. In the interval between the first and second communication with the Washington Office, Mrs. Gauntt accompanied her husband to the University of Wyoming, where they attended summer school, and then returned to Borger. On September 15, Mr. Gauntt took his own life and she was compelled because of financial exigency to dispose of their property and move to Missouri. Following receipt of authorization from Mrs. Gauntt, the Association's General Secretary on October 19, 1965, addressed a communication to President Dillard. The letter referred to the 1940 *Statement of Principles on Academic Freedom and Tenure* as calling for a maximum probationary period of seven years, with faculty members who have served beyond the period subject to dismissal only for cause and entitled to a properly constituted hearing and other basic elements of academic due process. The President was invited to comment on the contents of the letter and on any other aspects of the discontinuance of Mrs. Gauntt's services. A brief reply from President Dillard, dated October 26, stated that the Association's request for information was well taken and that he would be happy to discuss the situation with an Association representative.

The Washington Office accordingly asked a professor experienced in Association affairs from a university in Texas to act as its representative and meet informally first with Mrs. Gauntt and then with President Dillard. The meeting with Mrs. Gauntt was held in Missouri on November 12. Possible causes for the termination of her services were discussed at some length. Mrs. Gauntt described one confrontation with the President in December, 1964, and reviewed some actions on her part which she thought could have incurred some displeasure, but she maintained that she was unaware of anything having happened which was of sufficient severity to lead to the action taken against her in May of 1965.

On December 2, the Association's representative met with President Dillard in Borger. The President stated that the reason for the action of May lay in characteristics exhibited by Mrs. Gauntt that he had come to regard as unacceptable. He suggested that these personal characteristics had been evident from the outset, that they had worsened over the past three or four years, and that instances of her behavior during the 1964-65 academic year precipitated the decision to terminate her services. He explained the reference to a resignation in the college catalog as having been inserted in order to facilitate her finding another position. He stated that the Board of

Regents of Frank Phillips College had fully concurred in his view that the termination was justified, that the Board would not consider any possible recommendation of reinstatement, and that in all probability it would oppose the payment of any further reimbursement to Mrs. Gauntt. President Dillard conceded the absence of any provisions at the college for tenure or academic due process. He told the Association's representative that he would be willing to make proposals to the Board of Regents for the adoption of standards in these areas, but he added that he anticipated difficulty in securing the Board's consent.

Following the receipt of the report from the representative of the Association, the Washington Office, on January 20, 1966, wrote to President Dillard recommending as the most proper resolution of the case the rescinding of the action of termination and the offer of reinstatement to Mrs. Gauntt. The letter then noted that, in view of the fact that Mrs. Gauntt had already left the campus and the community, the payment of appropriate compensation to her could be viewed as alternately acceptable. Such compensation was described as money that appeared to be due Mrs. Gauntt for the remainder of the 1964-65 academic year (from the date her salary stopped until the termination of her services as of September 1) and for an additional year's salary as a substitute for reinstatement. Failing to receive a reply from President Dillard, the Washington Office wrote again, on February 23, and on March 23 sent him a telegram. The Washington Office was informed by letter dated March 28 and signed by Mr. Ernest H. Dunning, a member of the Board of Regents and an attorney, that the administration and the Board of Regents considered themselves wholly justified in the action taken and that no further consideration would be given to demands for additional compensation for Mrs. Gauntt. The Washington Office on April 5 sent a reply to Mr. Dunning, to which he did not respond. On May 17, President Dillard was informed that the General Secretary had authorized the appointment of an *ad hoc* committee to investigate the case.

Mr. Dunning, replying on May 20 to the notification that an investigation had been authorized, stated: "The attitude of our administration and board is that we will not sanction an investigation, will not assume any burden of proof, and will not require the presence of our faculty, administration or board members at any hearing."

The response of the member of the Washington Office staff to Mr. Dunning, sent on May 24, included the following paragraphs:

I would be less than candid if I attempted to suggest that Frank Phillips College is the first institution, in our half century of experience in this area, which has indicated reluctance to cooperate in an Association investigation. However, and with full sincerity, I can report it to be a source of deep satisfaction to this Association that cases of an administration's failure to participate have been extremely rare and that the overwhelming majority of cases have witnessed the complete cooperation of the institution. We are not asking the administration and board to assume a burden of proof, nor are we asking them to require the presence of anyone at a hearing. We are simply requesting

that the chief administrative officers of the institution allow themselves to be available to meet with our investigating committee and that they take no steps to prevent faculty members or others from doing likewise.

When there is indication of a possible violation of accepted standards of the academic community, we cannot refuse to undertake an investigation and refrain from reaching a considered judgment simply because an institution is unwilling to participate. Such a course would be neither fair to the faculty member concerned nor consonant with the basic purpose of the academic community. It is of equal importance that any judgment be fair to the institution, whether or not it chooses to cooperate in the inquiry. Therefore we can assure you that, in any event, every effort will be made both by the *ad hoc* investigating committee and by our standing Committee on Academic Freedom and Tenure to appreciate and to give full consideration and proper regard to the position of Frank Phillips College.

We hope, for the reasons stated above, that the administration and the board will choose to be receptive to the visit of our *ad hoc* committee. We shall contact you again when the membership of the committee has been established and specific dates for the visit can be suggested.

On December 7, 1966, the Association's Washington Office advised President Dillard of the *ad hoc* investigating committee membership, suggested certain dates for the visit, requested knowledge of any preference for dates the administration of the college might have, and asked again for names of persons suggested for meetings with the committee. In the absence of a reply, the Washington Office informed President Dillard on December 27 that the *ad hoc* committee planned to be in Borger on January 25 and 26, 1967, and reiterated a request for the names of persons whom the administration would care to suggest for meetings with the committee. The reply, from Mr. Dunning, stated: "You do not have the consent of the administration of Frank Phillips College to meet with any group or individual on the campus. You may, of course, meet with any individual on the board or the faculty on a personal basis." The Washington Office then asked Mr. Dunning if he would himself agree to a meeting with the *ad hoc* committee. In a letter dated January 6, 1967, Mr. Dunning advised the Association that he had been authorized to speak for the Board of Regents and would be available to the committee on January 25 and 26.

When the *ad hoc* committee arrived in Borger on January 24, Mr. Dunning, reached by telephone, reiterated the position that President Dillard would not meet with the committee. Mr. Dillard, contacted the next morning by telephone, confirmed this. The Board of Regents, he said, had decided only Mr. Dunning should talk with the committee. President Dillard gave assurance, however, that no restrictions had been placed on faculty members. As he put it, "We don't have our battlements up here." Nevertheless, both gentlemen indicated that the committee would not be welcome on the Frank Phillips campus, and the committee therefore did not visit the college grounds.

Arriving at Mr. Dunning's office for its scheduled conference, the committee also met Mr. Jerry Brice, another member of the Board, who attended the meeting. At the outset, Mr. Dunning made it clear that he was speaking for the Board as its attorney only. He stated that in such capacity he must inform the committee that the Board did

not acknowledge the committee's authority or responsibility in the matter of Mrs. Gauntt's separation from the college and that his meeting with the committee in no way constituted a recognition of its authority or of that of the Association it represented. He went on to state that the members of the Board of Regents entertained a strong feeling of civic responsibility for the college, that they felt completely justified in their decision to support the termination of Mrs. Gauntt's relationship with the college, and could not understand the interest of the American Association of University Professors in the matter.

Early in the discussion, Mr. Dunning quoted from the act of the Texas legislature which had provided for a Coordinating Board of the Texas College and University System to adopt a statement on academic freedom, tenure, and responsibility. His Board of Regents, he said, would be happy to adopt whatever provisions might be set forth. He stated that the Board could not be expected to act according to a definite standard for dismissal procedure until the Coordinating Board adopted one. Moreover, he volunteered, in any future dismissal the Board would undoubtedly be guided in its procedure by the standards of the American Association of University Professors.

When asked if the termination of Mrs. Gauntt's relationship with the college might be termed a dismissal, Mr. Dunning replied initially that she had left the administration in doubt as to whether she would return. In response to further questioning, he then stated unequivocally that Mrs. Gauntt had, in fact, been dismissed.

On the question of whether Mrs. Gauntt was entitled to formal charges and the opportunity for a hearing, Mr. Dunning stated that to his knowledge she had never requested a hearing. He said to the committee that had she requested one she would have received it. Observing that he had himself never met Mrs. Gauntt, he expressed confidence that such a hearing would have been fair and would have resulted in confirmation of President Dillard's action.

Asked if any circumstances existed relating to the action that, in the interests of Mrs. Gauntt, might warrant the withholding of due process, Mr. Dunning replied immediately and unequivocally that none had existed.

As to academic freedom and tenure at Frank Phillips College, Mr. Dunning repeated his position that the Board was awaiting statewide guidelines and then observed that the Board nonetheless had always followed the policy that satisfactory service led to continued employment. Regarding academic freedom, he stated, he could speak from personal experience: he had felt no restraints while he was doing part-time teaching at the college before his election to the Board.

Advance attempts to schedule meetings for the *ad hoc* committee with faculty members at Frank Phillips College had been unsuccessful. There was no local chapter of the Association and indeed Mrs. Gauntt had been the only member of the faculty who held Association membership. Letters to individuals on the faculty requesting appointments had not yielded results. Accordingly, the committee endeavoured while in Borger to telephone faculty members at random and invite them to come to be inter-

viewed. All but one of the faculty members thus contacted stated that they had evening engagements and that registration duties would prevent their appearing during the following day. One refused even any telephone conversation about Mrs. Gauntt's case; others agreed to answer several questions. Two instructors stated that they knew nothing about Mrs. Gauntt, that she had always been very uncommunicative. A third was more informative, stating that before leaving the local public school system to join the Frank Phillips staff she had known Mrs. Gauntt well and had attended professional meetings with her. Mrs. Gauntt, she said, had suffered much tragedy and had never been a "happy person," but had never complained to her about any difficulties at the college.

The only faculty member who met with the committee came under the mistaken assumption that the AAUP was an insurance company. He stated that he knew very little about Mrs. Gauntt herself, although he had joined the faculty only a year later than she. He described her as having been unpopular with the students in one of her courses; perhaps, he said, because her predecessor had taught the subject so long. He also reported that she had been unable to win full cooperation from her students in physical education and that she was alleged to cry when they made unpleasant comments to her.

The comments of these faculty members left the *ad hoc* committee with the impression that Mrs. Gauntt was a very shy person, so retiring that she made very few friends. They indicated no antagonism towards her, but rather sympathy over what they had heard of her personal difficulties.

None of the faculty members who were contacted indicated dissatisfaction with conditions of academic freedom and tenure at Frank Phillips College. The fact that they held their positions only on an annual basis seemed not to bother them. As for Mr. Dillard and his work as President, these faculty members had only praise for him.

Mrs. Gauntt, who now works as a school librarian in Missouri, met with the *ad hoc* committee on January 27. The members of the committee found in her a sense of poise and a quiet demeanor that was not unattractive. She expressed agreement with the comments of her former colleagues about Mr. Dillard. She admired him, she said, because he had devoted so much of his life to the establishment of the college and to keeping it alive. However, she added, she sometimes felt that he was too much involved in what she termed the "wrappings and trappings"—the things that impress the public—and did not concern himself sufficiently with substantive matters.

Mrs. Gauntt stated that she had never heard any mention of tenure, but had always assumed she "would be around a good long while." She stated that over the years the only expressions of dissatisfaction to her regarding her work had been on the subject of grades: the Dean had suggested that she raise certain grades in physical education and in biology. Asked if anyone else had received similar requests, she responded that she had reason to believe that a similar suggestion had been made to one former colleague.

Mindful of the references to her assumed unhappiness contained in President Dillard's letter to her of May 4, 1965, the committee asked Mrs. Gauntt about her feeling toward her work at the college. She made it clear that she had never been comfortable having to teach physical education at Frank Phillips College. She stated that during a period of about five years her total workload had seemed very burdensome, with her work in physical education and in the library making conflicting demands upon her time and energy, but that subsequently it had been lightened. Whatever her feelings about her work at the college, she said, she had never threatened to resign, and never before January of 1965 had she asked for a leave of absence. She did recall, however, that a month earlier, when President Dillard had been unable to locate her requisitions for material for the gymnasium (leading to the confrontation of December, 1964, that she noted in her earlier interview with the Association's representative), she had commented that this was enough to make one want to ask for sick leave.

Mrs. Gauntt stated that President Dillard's action terminating her services came as a great shock to her and she did not know what to do. She said that her husband thought there must be some misunderstanding that could be resolved; he suggested that she talk to President Dillard, but she was "too hurt" and "too emotionally torn up" to consider a confrontation. She stated that she feared an interview with either her or her husband would only antagonize Mr. Dillard further and might even jeopardize her husband's position in the high school. According to Mrs. Gauntt, there was no question in her mind about the finality of the action and she never wrote to President Dillard to take issue with it. She recalled that her husband did make inquiry of President Dillard when he saw him in the local post office. Mr. Dillard reportedly responded that there was no possibility that Mrs. Gauntt might be reinstated, since a successor had been engaged who had already resigned from her current position.

Asked if she had considered applying to the Board of Regents for a hearing and if she believed a hearing could have been harmful to her interests, Mrs. Gauntt again referred to her fear of possible retaliation against her husband.

The *ad hoc* committee's lengthy interview with Mrs. Gauntt confirmed in the minds of the committee members the implication conveyed by those on the Frank Phillips College faculty of an extremely shy person who had been beset with personal troubles. The committee members saw her as someone of sufficiently passive disposition to have endured for many years heavy and overlapping burdens at the college, some of them perhaps unsuitable to her personality. The committee noted that, while she had not appealed in Borger against the action terminating her services (apparently because she thought any local appeal would be futile), she had not been so shy as to hesitate in bringing her case to the attention of the Association and she gave indication that she would persist in taking issue with what she regarded as a severe administrative injustice against her.

### III. The Issues

#### 1. Tenure

The 1940 *Statement of Principles on Academic Freedom and Tenure* calls for a probationary period which does not exceed seven years, with permanent or continuous tenure to be in effect after the expiration of that period. At Frank Phillips College, no regulations with regard to tenure were found to exist, and a system whereby a probationary period would be succeeded by tenure simply had not entered into practice. The absence of a concept of tenure at Frank Phillips College notwithstanding, Mrs. Gauntt, having completed nine and a half years of full-time service at that institution, had attained tenure under generally accepted practices in American higher education. Her service could therefore have properly been terminated only for adequate cause and with the safeguards of academic due process that the 1940 *Statement* sets forth.

#### 2. Dismissal

While on unpaid leave of absence for illness, Mrs. Gauntt was asked by letter of May 4, 1965, from President Dillard to submit a resignation which would go into immediate effect. The reasons for this request, as stated in President Dillard's letter, were his conclusions that she had "grown more and more dissatisfied," that the situation at the college was "unpleasant" for her, and that she would "remain unhappy." Apparently no discussion of these matters had preceded the issuance of the May 4 letter. Mrs. Gauntt did not resign and, by letter of May 21, President Dillard advised her that her services at Frank Phillips College were being terminated as of September 1 (the end of her leave of absence). The action of May 21, 1965, clearly constituted a dismissal and Mr. Dunning of the Board of Trustees stated to the *ad hoc* committee that in fact Mrs. Gauntt had been dismissed.

#### 3. Due Process

No cause for the action of May 21 was contained in President Dillard's letter, nor is there evidence of any having been issued to Mrs. Gauntt beforehand (if one may disregard the reasons offered in Mr. Dillard's May 4 letter for suggesting that she resign) or afterwards. Mrs. Gauntt was not offered a hearing, and none of the elements of academic due process were employed. Mr. Dunning stated to the *ad hoc* committee that no circumstances existed which might have warranted the withholding of due process. He also said that a hearing would have been given to Mrs. Gauntt had she requested one. However, there had been no response from President Dillard or Mr. Dunning to earlier Association recommendations that Mrs. Gauntt be afforded the opportunity to be heard, and the availability of any hearing procedure was apparently never made known to her. Mrs. Gauntt later informed the committee of her reluctance to initiate a confrontation or to apply for a possible hearing at that time, noting her fear of endangering her husband's position in the local school system. It would appear that the burden of providing for hearing procedures rested with Frank Phillips College, but in any event the issuance of specific

cause by the administration would have had to precede an appropriate hearing and serve as its basis.

#### 4. *Reasons*

Again, the action of dismissal was unaccompanied by a statement of cause. President Dillard, when he spoke with a representative of the Association some months after the dismissal, referred to acts and personal characteristics on the part of Mrs. Gauntt which he had come to view as unacceptable. The *ad hoc* committee could not discuss these with President Dillard when it was in Borger because Mr. Dillard was not available to the committee. Mr. Dunning, who met with the committee in behalf of the Board, stated that he had not known Mrs. Gauntt personally and he offered no particulars on the background of the dismissal. The committee talked with Mrs. Gauntt about the specific incidents reported to the Association's representative by President Dillard and was favorably impressed with her responses. She in turn made mention of incidents over the years which she described as bringing unpleasantness upon her. These various incidents that were brought to the committee's attention, some of them with conflicting versions, need not be related in this report. On their face, frankly they do not appear to the committee to constitute a valid basis for the action that was taken against Mrs. Gauntt, but they have not been set forth as charges, they have not been tested through due process, and therefore no suitable determination can be reached with respect to their weight, accuracy, or relevance.

#### 5. *Terms*

The financial conditions under which Mrs. Gauntt was separated at the end of ten years from the faculty of Frank Phillips College are worthy of note. Under the 1940 *Statement of Principles*, "Teachers on continuous appointment who are dismissed for reasons not involving moral turpitude should receive their salaries for at least a year from the date of notification of dismissal whether or not they are continued in their duties at the institution." Needing a medical operation and needing to attend to her dying father, Mrs. Gauntt was placed on leave of absence from January 25 to September 1, 1965. Under the provisions for sick leave prevailing at the college, she received salary for one month of that period. Because it was decided that her leave of absence would extend through the 1965 summer school (she was not consulted in this decision), her rate of salary was reduced proportionally and thus she actually received for the 1964-65 academic year less than half of the salary that had originally been set. On leave of absence and undergoing heavy personal and financial difficulties, she was notified by letter of May 21—a date severely late for notice to a first-year faculty member, let alone one in her tenth year—of the termination of her services. She received no further salary from Frank Phillips College.

#### 6. *Ramifications*

Under the conditions which were found to exist at the

college—no written regulations; no system of tenure; no provisions for due process; all appointments on an annual basis and at the pleasure of the President—presumably any member of the faculty whom the administration wished to dismiss could be separated from the institution in a manner similar to that experienced by Mrs. Gauntt. The few faculty members with whom the *ad hoc* committee managed to speak indicated satisfaction with these conditions and with the administration of the college. Perhaps the faculty as a whole is quite content; the committee was not welcomed to the campus, was not able to talk with large numbers of the faculty, and thus cannot say. The committee can say that the practices at Frank Phillips College which have been discussed in this report are unreceptive to the development of academic freedom and foreign to its nature.

### IV. *Conclusions*

1. In dismissing Mrs. Aileene Ledford Gauntt without providing cause, without providing for a hearing and the other requisite elements of academic due process, and without providing for any payment of salary beyond the date of notification of dismissal, the administration of Frank Phillips College acted in violation of the 1940 *Statement of Principles on Academic Freedom and Tenure*.

2. With the absence of any relevant institutional regulations, with no system of tenure, and with highly inadequate practices relating to faculty appointment, the concepts of academic freedom and tenure were found to be absent at Frank Phillips College.

James H. Fribourgh (Biology), Little Rock University,  
*Chairman*

Mary R. Dearing (History), Montgomery Junior College  
Stanley Allen Self (Business), Texas Christian University

*Investigating Committee*

Committee A on Academic Freedom and Tenure has by vote authorized publication of this report in the *AAUP Bulletin*:

Sanford H. Kadish (Law), University of California, Berkeley, *Chairman*

*Members:* Richard P. Adams (English), Tulane University; Clark Byse (Law), Harvard University; Bertram H. Davis (English), Washington Office, *ex officio*; David Fellman (Political Science), University of Wisconsin; William P. Fidler (English), Washington Office; C. William Heywood (History), Cornell College; William J. Kilgore (Philosophy), Baylor University; Walter P. Metzger (History), Columbia University; C. Dallas Sands (Law), University of Alabama; Jerome L. Rosenberg (Chemistry), University of Pittsburgh; Victoria Schuck (Political Science), Mount Holyoke College; Winton U. Solberg (History), University of Illinois.