

Academic Freedom AND TENURE, edited by
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Chapter II
Model Case Procedure

This "model case procedure," describing the stages of a proceeding, is essentially a hypothetical construction. The Association's actual operations involve colleges and universities—extremely complicated and ever-changing social organisms—and professional persons, similarly complex and variable. Each of the two hundred or more complaints received during the year by the General Secretary, the Association's chief administrative officer, soon reveals its significantly unique qualities. The individuality of a complaint becomes even more apparent if it is one of the fifty or more which each year reach "case" status by virtue of the fact that the Association formally requests the administration of an institution to comment upon the complaint. And if the final stage of report publication is attained, an actual case becomes as individual as an episode in history or a chapter in biography.

Thus, the model case procedure presented below does not show the effect of the key forces of institutional and personal individuality. The narrative is also unreal in that no single case is likely to require all the available procedures here described. This model case procedure is designed mainly to reveal the whole range of available procedural resources.

A. THE COMPLAINT; POSSIBLE MEDIATION

1. Formulation of a complaint¹

The faculty member who believes that his academic freedom or his tenure has been infringed, or that in some important degree he

¹For ease in reference, the headings which describe the main steps in the Model Case Procedure are numbered consecutively, 1-25, without subordination to the four group headings.

has been denied academic due process, should first define the issues present in his situation, and then consider the proof he can offer in support. In these efforts he may be helped by colleagues who are both familiar with the local scene and informed about national standards. The local chapter of the Association is likely to be a good source for such guidance. In addition to giving specific help in formulation of the complaint, the leadership of the chapter can do much to set the general tone of exchanges, with particular reference to avoiding publicity about the controversy.

The preparation of a complaint will ordinarily call for assembling the documents pertinent to a teacher's appointment and contractual history, and those institutional regulations which bear on the situation out of which the complaint arises. The teacher's own views are customarily presented in a narrative account accompanied by available proof.

A complaint may be submitted directly to the Association's General Secretary if a teacher believes that such a procedure is best suited to his interests. It is not necessary that a complainant be a member of the Association.

2. Receipt of a complaint

The General Secretary receives, on behalf of Committee A and the Association, complaints relating to actions by college or university authorities, which are alleged to have occurred or to be threatened. In addition, he takes cognizance of incidents coming to his attention through other channels, if in his judgment those incidents are likely to be of concern to the Association. Preliminary examination indicates whether a complaint is of a kind which the Association handles, whether the matter is within the jurisdiction of a committee other than Committee A, or whether the complaint appears in fact to embody an issue of academic freedom, tenure, late notice, or academic due process.

3. Acknowledgment of a complaint

In acknowledging receipt of a complaint, the General Secretary informs the writer whether the matter appears to be within the Association's purview; if so, he usually indicates whether it is a matter for Committee A or some other group. Frequently he will re-

quest further factual information, copies of written matter, or the development of the complainant's views. If it appears likely that study will go forward, the complainant will be asked to authorize communication by the Association with the administration and other knowledgeable persons. Clarification of issues and advice concerning the selection of an academic counsellor may be offered.

At this point or later, the General Secretary may explore with the complainant the risks which are inseparable from controversy and notoriety.

4. Communication with the local chapter of the Association

The chapter of the Association at the institution may already have been informed of or involved in the problem of the complainant. It may already have been in communication with the Washington Office, perhaps even being the agent of first information. At least by this point the General Secretary will in all ordinary situations communicate with the chapter. Sections on the relations of the local chapter, and of the conference, to a case conclude this review of model case procedure (see below, pp. 24-29).

5. Decisions regarding the possibility of a violation and the usefulness of mediation or investigation

In time the General Secretary has available the information necessary to determine whether adequate ground exists for pursuing the matter further. In other words, he has before him evidence which, if it stands up on further investigation, would support a conclusion that there has been a violation of the principles of academic freedom, tenure, or notice, or a significant denial of academic due process. Such a decision is reached only after appropriate consultation among staff members, and at times with the chairman of Committee A and the officers of the Association. If the decision is affirmative, action is taken under step 6 or step 7, mediation or assignment of case status.

6. Attempted mediation

If circumstances offer hope, the General Secretary may at this time attempt to bring about an adjustment through mediative efforts. He may work with the parties concerned, often through

other members of the faculty at the institution, chapter members and officers, Council members and officers of the Association, members of the Association's Panel of Consultants, and all other persons who might be helpful. The interests of the academic profession will in some instances require that any agreement reached will correct a general situation or establish an important principle, as well as settling the particular issue between the parties. In other situations, it may be wiser not to involve issues of principle and to allow agreement to embrace only the material aspects of a particular complaint. In all instances the General Secretary must be reasonably well satisfied that the situation which led to the complaint will not again arise. This assurance of good prospects must be all the more firmly based when mediation takes place because in almost all instances mediation precludes publicity; it thereby also precludes alerting the profession to the possibility of academic issues of the kind raised by the complaint.

B. CASE STATUS; INVESTIGATION

7. Case status; letter from the General Secretary to the chief administrator of the institution

In attempting mediation the General Secretary may have been in direct communication with the chief administrator of the institution concerned. If there is no hopeful prospect for mediation or if such efforts fail, the General Secretary writes to the chief administrator of the institution concerned, setting forth:

- (a) The fact that a complaint has been received from a member of the institution's academic professional staff.
- (b) The main elements of the complaint.
- (c) The principles involved and the Association policy which supports those principles.
- (d) A request for the view of the administration regarding the situation, accompanied by any controlling factual information not noted by the General Secretary in his letter.
- (e) An offer to assist in achieving an amicable resolution of the problem. Although the General Secretary may advance a tentative

recommendation based on the facts already at hand, the chief administrator is assured that final judgment must await an opportunity to study the further information he can supply.

At this same time the General Secretary writes to the complainant and the chapter president informing them that a letter of inquiry has been written to the chief administrator.² The letter to the chief administrator gives the complaint "case status" in the Washington Office.

8. Decision to appoint an *ad hoc* investigating committee

The reply by the administration may result in further correspondence, interviews, or other communications which may turn the parties toward mediation or may even achieve a solution at this point. But if all such prospects fail of realization, the General Secretary must determine whether to ask an *ad hoc* committee to investigate the case. He may seek the advice of the chairman of Committee A and the officers of the Association, but the decision rests with him. He will bear in mind that an accomplished investigation more often than not leads to the publication of a report, and that such an event must be viewed in relation to the good of the whole faculty at the institution, and the general good of the academic profession, as well as the interests of the parties in a specific case.

9. Special and emergency investigations

In rare instances, where the violation of academic freedom and tenure has been admitted or where the total evidence to be considered is a matter of undisputed record, the General Secretary may proceed to have a report written by a member of the Association's professional staff without a visit to the institution by an *ad hoc* committee. In any situation, an Association representative will

¹In the course of correspondence about a case, the General Secretary informs each party of the fact of his having been in communication with the other party, in such detail as to chronology and substance as will serve the ends of objective and fair investigation; but copies of letters received in and sent from the Washington Office are not ordinarily furnished except to the persons originally writing or receiving them, and to other persons who have "a need to know" such as the members of the *ad hoc* committee.

normally visit the campus if request is made by the complainant, the administration, or a representative faculty group such as the Association chapter.

In emergencies of great importance, Committee A itself, with the aid of preliminary inquiry by one or more of its members, may proceed to determine the facts and render a report without resort to an *ad hoc* committee.

10. Appointment of the *ad hoc* committee

One or more persons are asked by the General Secretary to serve as an *ad hoc* committee to investigate, and to report both upon a particular complaint and upon general conditions of academic freedom and tenure at the institution; in almost all instances a visit to the campus will be made. In selecting members, consideration may be given to their professional standing, their disciplines, their varieties of institutional connection, and their locations, with particular regard to the import of these elements for the complainant and the institution in the case at hand.

11. Briefing of the *ad hoc* committee

The General Secretary provides the *ad hoc* committee with these aids:

- (a) An account of the facts as presented by the parties, with particular notice of factual contradictions which require investigation, or of significant gaps in the factual structure.
- (b) A formulation of the issues which appear to arise from the facts as known at this point.
- (c) A statement of the apparently applicable standards and procedures embodied in Association policy statements, and otherwise supported by the Association. References to published reports which may throw light on the present case.
- (d) Lists of the persons who are to be interviewed; such lists are ordinarily furnished by the complainant, the administration, and the chapter officers upon the request of the General Secretary, and he may compile his own.
- (e) Copies of supporting documents and relevant correspondence.
- (f) A statement of Association procedures in academic freedom and tenure cases.

In addition, the *ad hoc* committee may receive advice regarding its activities and function, as follows:

(g) The *ad hoc* committee normally waits upon the president of the institution, thus expressing its respect for the college or university. If there is a local chapter one or more chapter officers usually introduce the members of the committee to the president.

(h) All expenses incurred by the *ad hoc* committee are met by Association funds, and no indebtedness to the complainant or the institution is incurred by the visiting group. However, in arranging for the visit the General Secretary may request the administration to provide rooms suitable for interview purposes; the *ad hoc* committee should also be available for interviews at its lodgings or some other off-campus place. The committee will use its judgment about accepting secretarial or other similar services which may be of help in the investigation.

(i) The *ad hoc* committee maintains effective relations with the officers of the local chapter but not of a social kind (see below, p. 27).

(j) The *ad hoc* committee refrains from publicizing its activity. If approached by representatives of the news media, the committee members will merely identify themselves and state that their function is to report to Committee A of the Association regarding conditions of academic freedom and tenure at the institution. All other questions, depending upon their nature, are referred to the president of the institution or to the General Secretary of the Association.

(k) The *ad hoc* committee is informed that its function is to present to Committee A its independent judgment on all the relevant facts it can assemble, viewed in the light of the principles and procedures supported by the Association. The *ad hoc* committee is informed that it is free to make recommendations to Committee A, but that such recommendations are advisory and should be presented in a communication separate from the report. The *ad hoc* committee is asked to note that Committee A has the official responsibility for deciding upon publication and for making recommendations, if any, for endorsement by the Council and for action by the Annual Meeting.

(l) The *ad hoc* committee is asked to bear in mind its status as a

professional group representing a professional academic association, and that its investigation should be conducted as a rigorously objective inquiry into the facts of a situation, and into those elements of community or institutional history, which have bearing on the conditions of academic freedom and tenure at the college or university.

12. The investigation

The *ad hoc* committee is usually on a campus for two or three days, but shorter or longer visits may occur depending upon the scale and complexity of the inquiry. Normally the committee interviews persons separately, but it may be useful to meet small groups. Depending upon need, interviews may be held with the complainant, administrative officers, faculty members, members of the governing board, and other persons with knowledge of the facts at first hand.

When matters are complex, or for other good reasons, the committee may read back to an interviewee its notes on their conversation in order that accuracy of understanding shall be established. The committee should, in so far as possible, give each person against whom material adverse information has been received an opportunity to rebut this information with knowledge of its source. Committees do not normally make a tape recording of their interviews; if they feel the need of an exact record, they should secure the permission of the person being interviewed before making use of a tape recorder.

On occasion, the *ad hoc* committee may, after prior consultation with the chairman of Committee A, substitute for the customary investigative procedure of holding separate interviews, a hearing procedure at which both parties are present during the examination of documentary evidence and during interviews between the *ad hoc* committee and persons giving oral testimony. The manner of conducting such a hearing will rest entirely in the hands of the *ad hoc* committee.

If the dismissed faculty member was entitled to a hearing by a faculty committee, the *ad hoc* committee should determine:

(a) whether the dismissed faculty member was accorded academic due process and, if not, whether the shortcomings in the procedure actually accorded invalidated the dismissal;

(b) whether the record of the dismissal hearing, if such was accorded, contains substantial evidence in support of the factual conclusions which led to the dismissal (not whether the committee itself would have reached these conclusions); and

(c) whether the grounds for dismissal accord with the 1940 *Statement of Principles*.

In short, the committee should determine whether the decision was fairly reached and is rationally supported in the light of the Association's principles, both procedural and substantive.

At the end of the interviews, the committee will review its experience, note such tentative conclusions as seem immediately possible, and plan for further exchange of opinion. Provision will be made for further correspondence and interviews which may be needed to check facts and to establish full understanding. Further interviews may require the return to the campus of one or more members of the *ad hoc* committee. Written questions or summaries of evidence may be submitted to key persons interviewed for their comments. The members of the *ad hoc* committee will decide upon their division of labor and establish a working schedule for the writing and submission of the report.

13. Avoidance of publicity

It is the hope of the Association that all parties to an academic controversy will refrain from publicizing their differences in order to protect the investigative procedure from the impact of uninformed or uncritical reactions and in order that the door may be held open to mediation. After publication of a report, and sometimes for special reasons at an earlier point, it may be necessary for the interested persons to address themselves to the public; such declarations should be characterized by professional restraint and accuracy.

C. THE REPORT AND ACTION THEREON

14. The received report

The report of an *ad hoc* committee, bearing the signatures of its authors, is sent in confidence to the General Secretary for trans-

mission to Committee A. A number of steps are then taken so that the report shall have as satisfactory a form as possible. Since changes are likely to occur in the text as it receives a series of approvals, the General Secretary has the special responsibility to determine whether any section, or the whole report, has at any point become so materially changed as to require resubmission to those who approved it before the material change.

As a first step, the General Secretary reviews the report to determine whether any significant unexplained omissions or conflicts exist with respect to matters of fact, the views of the interested parties, the issues, and the applicable Association principles and procedures. Style is normalized to the degree necessary for Committee A consideration and possible publication.

After significant revisions have been approved by the *ad hoc* committee, the report is sent to the members of Committee A with a request for comment and with a ballot on which a vote may be entered for or against publication of the report in the *AAUP Bulletin*.

15. Committee A consideration of the report

Committee A may criticize freely both the substance and the form of the report. It may request further consideration of the facts by the *ad hoc* committee, reject a body of evidence on a point, or take any other action which will test or illuminate the facts, the findings, and the conclusions; changes in the structure or language of the report may also be made. Significant points made by Committee A members are generally circulated for study by the group.

If the new evidence to be incorporated, or the changes to be made, relate to fundamental determinations, an individual member of Committee A may reserve his vote until he has had opportunity to study the modified report. In this connection, it should be noted that the vote of Committee A on the publication of a report is by no means a matter of a numerical majority. The General Secretary, mindful of the Association's responsibility to the broad interests of higher education, will take cognizance of both the extent and the weight of all expressed views; if there is a significant minority opinion, he will usually recommend further discussion, having as his aim the elimination of major differences and the attainment of a genuine consensus.

On occasion Committee A may disapprove publication of a report. It may decide that the facts developed in the report do not support a firm conclusion, that the case investigated has not proved sufficiently significant to be called to the attention of the academic profession, or that, because of favorable developments at the institution since the investigation, publication of the report will serve no useful purpose.

16. The submission of the report to the parties

If publication of a report is authorized by Committee A, a further substantive and editorial check occurs. When the *ad hoc* committee has agreed to the revised text, the report is sent, under confidential restrictions, to the complainant, the administration, and the chapter president; some parts of the report may be sent to interviewees whose described actions or opinions are sufficiently central to require direct confirmation, or whose personal involvement is sufficiently serious to require its being checked. A time limit for the submission of comments is determined by the General Secretary.

Those receiving the text are requested to note any error of fact or any inaccuracy in the presentation of a position taken or opinion expressed. The General Secretary gives careful study to all information and comment received in reply; he may consult the *ad hoc* committee or Committee A if necessary.

At no phase of the proceedings is it more important that confidentiality be observed.

17. Publication of the report

When all final corrections and clarifications have been accomplished, the text is given to the editor of the *AAUP Bulletin*. Ordinarily the report appears in the next issue of that journal to be published. By long tradition a report must be published four weeks or more before an Annual Meeting if it is to be considered on that occasion; this period of time is designed to give the members of the Association full opportunity for study.

The report is published over the names of the members of the *ad hoc* committee; then follow the names of the members of Committee A, the body authorizing publication. Each report carries as its first footnote this or a similar statement:

The text of this report was written in the first instance by members of the investigating committee. In accordance with Association practice that text was submitted for consideration by (a) the Association's standing Committee on Academic Freedom and Tenure (Committee A), (b) the teacher(s) in whose interests the investigation was conducted, (c) the administration [named institution(s)]. In the light of the suggestions received, and with the editorial assistance of the Association staff, the report has been prepared for publication.

When published, copies of the report are sent to the complainant and to the chief administrator and governing board members of the institution.

18. Recommendations of Committee A before the Council and the Annual Meeting

Committee A meets immediately before the first session of the spring meeting of the Association's Council, which in turn immediately precedes the Annual Meeting. Committee A may make a recommendation based upon any report which has been published, and may request endorsement by the Council before it seeks approval by the Annual Meeting.

If a report documents a violation or unsatisfactory conditions of academic freedom and tenure, the General Secretary attempts, in the interval between the publication of the report and action upon it by the Annual Meeting, to persuade the administration to take corrective measures; if such measures are taken, Committee A weighs them when it frames its recommendation to the Annual Meeting. If a case has resulted in part from absent or inadequate regulations, advice will be available concerning appropriate innovations or changes. If redress to the dismissed faculty member is an issue, the General Secretary is available as an agent for bringing the parties together.

If a serious situation has not been corrected, Committee A's normal recommendation to the Annual Meeting is for a vote of censure. The Annual Meeting is the sole body within the Association which has the authority to take this action, and its censure is imposed only upon the administration of the institution.

19. Publication of Annual Meeting action

The action taken by the Annual Meeting is at once communicated to the institution in each case involving censure. Since the Association report and action are on behalf of the academic profession, appropriate national and local press notices are released. In the issue of the *AAUP Bulletin* which describes the Annual Meeting there is printed the report by the chairman of Committee A, which indicates actions taken thereon.

Each issue of the *Bulletin* carries a list of censured administrations;³ the names of the institutions are arranged in the chronological order of action taken by succeeding Annual Meetings, and there are references to the *Bulletin* issue in which the *ad hoc* committee report appeared and to the year in which censure was imposed.

20. Withdrawal of censure

The bases for a recommendation by Committee A to an Annual Meeting that censure be withdrawn are that (a) the conditions which led to censure are essentially corrected, and (b) there is reason to believe that observance and protection of academic freedom and tenure will in the future meet the standards of the academic profession. A significant factor in determining whether these conditions have been met will, in many situations, be the steps which the institution has taken to right a wrong done. Committee A proceeds to consideration of withdrawal of censure after receiving the recommendation of the General Secretary that such action be taken.

In a recommendation which leads to censure, Committee A will not ordinarily specify the grounds for the removal of censure. In extraordinary cases, as where an administration has overtly challenged and refused to comply with the provisions of the 1940 *Statement of Principles*, withdrawal of censure may have to be accomplished by a specified action which was recommended, at the time of censure, by Committee A, endorsed by the Council, and voted by the Annual Meeting.

³ See Chapter VII, List A, Censured Administrations (below, pp. 143-46.).

During the period that the name of an institution remains upon the list of censured administrations, the General Secretary endeavors to assist the administration, in every way compatible with the principles of the Association, to take action which can lead to withdrawal of censure. Each year, in the March issue of the *Bulletin*, he reports to the profession in an article entitled "Developments Relating to Censure by the Association." Also, at each Annual Meeting, the chairman of Committee A reports concerning the reasons for not recommending withdrawal of censure.

The fact that the name of an institution appears upon the list of censured administrations does not establish a boycott of a college or university, nor does it visit censure upon the faculty, student body, or alumni. The position taken by the Association with respect to appointments is set forth in language adopted by Committee A:

Members of the Association have often considered it to be their duty, in order to indicate their support of the principles violated, to refrain from accepting an appointment to an institution so long as it remains on the censure list. Since circumstances differ widely from case to case, the Association does not consider it advisable to assert that such an unqualified obligation exists for its members; it does urge that, before accepting appointments, they seek information on present conditions of academic freedom and tenure from the Association's Washington Office and prospective departmental colleagues. The Association leaves it to the discretion of the individual possessed of the facts to make the proper decision.

D. CHAPTER ACTION IN ACADEMIC FREEDOM AND TENURE CASES

Chapter members and officers are likely to be better informed, at least in the early stages of a case, than persons outside the institution. Their status as faculty members gives them knowledge and sensitivity not immediately possible for strangers; their known membership in an organization which concerns itself with faculty protection may have brought them confidences or requests for advice from faculty colleagues. But significant intervention by chap-

ter leaders, particularly if feelings run high, may subject them to administrative animosity. Consequently, the chapter must balance usefulness and vulnerability. This fact, and other considerations, have led to a series of fairly explicit guidelines for chapter action in academic freedom and tenure cases.

21. Before case status

(a) *Before the complaint.* During the period in which events are taking form as an issue, and before the issue becomes a complaint, the role of the chapter can be very important. As noted on pp. 12-21, the chapter can be of great assistance to the teacher as he formulates his complaint; help can be given in the definition of issues and in the mustering of evidence and the preliminary weighing of its usefulness as supporting proof. It may offer the teacher, the faculty, and the administration advice as to standards and procedures, and should call attention to any formal institutional means for reviewing complaints. It can give guidance which will exclude irrelevant issues and minimize others, will prevent premature hardening of positions, and will direct attention to available channels of communication, mediation, and remedy. In some cases one or more members of the chapter's executive committee may be able to resolve the problem through conferences with administrative officers and the faculty member.

In this first phase, and in all later ones, the chapter should be careful to distinguish between its status as an organized group of informed academic persons and the status of the faculty and its duly constituted committees and agencies. A large measure of identity of persons may exist, but the functions, authority, and other formal characteristics of the two bodies are significantly different.

(b) *The framing of a complaint; selection of counsel* (see above, pp. 11-12, sects. 1 and 2). If a teacher wishes to lodge a complaint with the General Secretary, he will in many instances be helped by the chapter in the presentation of his account and the assembling of his supporting documents. At this same time it will usually be necessary for the complainant to obtain an academic advisor or counsel, who will accompany him, guide him, and represent him in various ways throughout the course of the contro-

versy. The chapter is often in an especially good position to assist in the selection of such counsel; it may be particularly helpful if a person outside the institution is needed. The chapter may also be able to offer advice, of the kind that comes from reasonable men, regarding a need for legal counsel.

(c) *Communication with the General Secretary* (see above, pp. 12-13, sect. 3). Before or at the time of the complaint, the chapter and the General Secretary are normally in communication about the situation. Such exchange can often continue usefully and with much variety of form throughout a case. Officers of the chapter or appropriate committee members normally serve as its agents; their frank analysis of the situation, on a confidential basis, can be of great help to the General Secretary. Also, if there is division of, or a shift in, opinion in the faculty or in the chapter, the General Secretary should be informed.

(d) *Mediation* (see above, p. 13, sect. 5). The circumstances of different situations are so variable that it is inadvisable to attempt to define in specific terms the part which the chapter can play if mediation is attempted. But the variety of possible action in this phase of a case does not lessen the importance of the chapter role. In some situations the mediation is largely the work of the chapter; the Association, nationally, assists the local mediators.

22. During case status (see above, pp. 14-22, sects. 6-17)

(e) *Realignment of relations; chapter disengagement*. When it becomes necessary for the General Secretary to communicate formally with the administration of an institution, stating that a complaint has been received and asking for information and comment, the complaint becomes a case. At this point the matter passes into the jurisdiction of Committee A, acting for the concern of the Association's members and the academic profession in terms of national and local interests. The General Secretary henceforth acts on behalf of Committee A.

Committee A ultimately performs a judicial function. Informalities permissible in the past may have to be discarded; the now visible possibility of a publicly declared judgment by the Association introduces new and weighty considerations. The new procedural phase requires concentration of authority and responsibility at the

level of national action, in the hands of Committee A and the General Secretary. This transformation of a local complaint into an issue for investigation and possible report by a national professional organization also permits effective emphasis upon the gravity of the situation. For these reasons the local chapter should at the point of case status disengage itself from organizational responsibility or action.

In this same phase, it is likely that at some institutions members of the faculty will differ in their views of a situation; a variety of complicated internal faculty personal relations may grow out of a case. These developments, which are the commonplaces of controversy, are intimately related to the increasing vulnerability of faculty members in a time of stress. Ordinary caution therefore presents a further reason why a chapter will refrain from organizational involvement.

(f) *Chapter services.* Relieved of official responsibilities, the chapter is now in a position to perform services of great value to the Association and of the highest order of importance for the achieving of a sound professional judgment in the area of academic freedom and tenure. The chapter's chief responsibilities are:

1. To assist the General Secretary by reporting on significant developments which he may not hear of because they are superficially marginal or unrelated to a case.
2. To be constantly on the alert for any possibility of conciliation or mediation, and to notify the General Secretary about such prospects.
3. To assist in maintaining lines of communication.
4. To assist in the orderly conduct of an investigation by arranging interviews and providing the *ad hoc* committee with the information at its disposal.

23. Following publication of an *ad hoc* committee report

In addition to assisting in maintaining all possible lines of communication, the local chapter may be helpful to Committee A and the Association by having available considered statements of faculty opinion on the case at this critical phase. Committee A may request the view of the chapter before it gives formal consideration to the recommendation it will make to the Annual Meeting, and in

especially complex cases it may invite chapter representatives to meet with it in advance of the Annual Meeting.

24. During censure status (see above, p. 22, sect. 18)

At an institution whose name appears upon the Association's list of censured administrations, the local chapter may be in a conspicuous and delicate position but also one in which it may do much good. It will probably be well advised, in the first instance, to protect itself by indicating that it ceased to act organizationally at the point where a complaint became a case and that further action lay in the hands of the Committee A, the General Secretary, and the Annual Meeting.

But the local chapter during the censure period has a great potential for effecting conditions which will make the removal of censure possible. The chapter is ordinarily in a strong position to become the chief agent for the promotion of conversations which can lead to corrective action. Such explorations are likely to be especially effective if there is need for the revision of institutional regulations.

25. The general responsibility of the chapter

The foregoing description of the role of a chapter at an institution where a case arises focuses upon particular obligations. But the most important opportunity and responsibility of a chapter in a case situation covers the entire scene and extends from the beginning to the end. It is the chapter which by precept and example can best demonstrate the fact that the American Association of University Professors is an organization of professional academic persons, and is so acting. Inflexible devotion to principle, courtesy toward colleagues and administration alike, objective and dignified utterance, have great power to create a context worthy of scholars and of institutions devoted to higher education, and in that setting to achieve a solution.

E. CONFERENCE ACTION

A state or regional conference of the Association can also play an important role in ending the censure status of an administration, and sometimes during the early stages of a complaint. It can furnish advice on Association principles and procedures to the chapter at an institution when a case has been reported, and can assist the General Secretary by calling his attention to developments relative to a complaint and by suggesting competent mediators, or advisors, for aggrieved faculty members, when these are desired. After censure has been imposed the conference can publicize in its area the burden which is placed upon the whole community by the fact of censure, it can approach the natural area concentration of the alumni of the institution concerned and ask them to use their good offices for correction, and in numerous other ways give proper interpretation and perspective to the censure situation.

