



April 16, 2013

VIA ELECTRONIC MAIL

Dr. Mary Jane Saunders
President
Florida Atlantic University
Administration Bldg., Room 339
777 Glades Road
Boca Raton, FL 33431

Dear President Saunders:

I am writing to convey the concern of the American Association of University Professors about the formal letter of reprimand issued by Interim Dean Heather Coleman to Dr. James Tracy, an associate professor of communications at Florida Atlantic University. According to an April 11 article in the online version of the *Chronicle of Higher Education*, the letter stated that Professor Tracy, by mentioning his affiliation with FAU and posting references to the university, did not adequately distinguish his personal views from those of the university and thereby damaged the university.

The *Chronicle* reported, further, that in a December 24, 2012, blog post questioning some aspects of the Sandy Hook school shooting, Professor Tracy stated, "While it sounds like an outrageous claim, one is left to inquire whether the Sandy Hook shooting ever took place—at least in the way law enforcement authorities and the nation's news media have described." We understand that the administration initially responded to the furor that erupted by resisting calls to remove the controversial professor, while insisting that Professor Tracy did not speak for the university. We understand, further, that it also pressed him to disassociate himself from FAU in his blog.

Such a stipulation accords with AAUP policy, as enunciated in the following paragraph from the joint (AAUP and AAC&U) 1940 *Statement of Principles on Academic Freedom and Tenure*, endorsed by over 200 higher education and professional organizations:

College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens,

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they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and *should make every effort to indicate that they are not speaking for the institution.* [Italics added.]

The information we have, however, indicates that Professor Tracy did disassociate his blog from the university. His website contains the requisite disclaimer—in boldface:

All items published herein represent the views of James Tracy and are not representative of or condoned by Florida Atlantic University or the State University System of Florida. James Tracy is not responsible for and does not necessarily agree with ideas or observations presented in the comments posted on memoryholeblog.com.

We appreciate that the FAU administration can respond to the hostility aroused by Professor Tracy's commentary by disassociating itself from that commentary. But, particularly in the light of Professor Tracy's clear statement that his blog comments "are not representative of or condoned by" the university, the issuance of a written reprimand, which threatened "additional disciplinary action," is unacceptable under principles of academic freedom. Professor Tracy may indeed have posted highly controversial statements on his website; but it is such speech, in particular, that requires the protection of academic freedom.

In a recent report titled *Ensuring Academic Freedom in Politically Controversial Academic Personnel Decisions*, the Association emphasized the observation that the renowned economist and former AAUP president Fritz Machlup made more than fifty years ago:

[S]ome scholars, through their writings, teachings, speeches, or associations, offend the sensibilities of people in power, or of pressure groups so potently that complaints of "abuse" of academic freedom are made and interventions against the perpetrators of the "abuse" are demanded. . . . [W]hen these pressures and temptations to interfere are resisted and offenders are assured of their immunity, then, and only then, is academic freedom shown to be a reality.

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In our time, when the Internet has become an increasingly important vehicle for free intellectual and political discourse around the world, the FAU administration's action, if allowed to stand, sets a precedent that potentially chills the spirited exchange of ideas—however unpopular, offensive, or controversial—that the academic community has a special responsibility to protect. We hope that you, as FAU's chief administrative officer, will see fit to issue a statement recognizing the university's responsibility to protect academic freedom in the context of the Tracy incident.

Sincerely,

A handwritten signature in blue ink that reads "Gregory F. Scholtz". The signature is written in a cursive style with a long horizontal flourish at the end.

Gregory F. Scholtz

Associate Secretary and Director

Department of Academic Freedom, Tenure, and Governance

cc: Dr. Brenda Claiborne, Provost and Chief Academic Officer

Dr. Heather Coltman, Interim Dean, College of Arts and Letters

Professor Chris Robé, President, United Faculty of Florida-FAU

Professor James Tracy