

In spite of his and the Association's efforts to obtain a hearing in accordance with standards generally accepted throughout the academic profession, none was permitted him. Committee A accordingly recommends that the administration of Alabama State College be censured.

In making this recommendation, Committee A calls attention particularly to the roles in this dismissal of Alabama Governor John Patterson, as President of the Alabama State Board of Education, and the State Superintendent of Education, Frank R. Stewart, as Secretary and Chief Executive Officer of the State Board of Education, which are set forth in the Winter, 1961, issue of the *Bulletin*. The use of official authority to produce a disregard of academic due process is a serious threat to academic freedom and tenure.

#### *South Dakota State College*

In 1958, the Board of Regents of Education of the State of South Dakota, acting on its own motion, dismissed a member of the faculty of South Dakota State College. A report on this dismissal, published in the Autumn, 1961, issue of the *AAUP Bulletin*, makes clear that it represented a violation of principles of academic freedom and a denial of academic due process. Subsequent to the dismissal, the Board of Regents responded by formal resolution to a faculty request for advice how the Board action could be reconciled with principles and procedures prescribed in a Statement of Tenure Policy previously approved by the Board for State College. In this resolution, which is still in force, the Board asserted its prerogative to initiate and conduct its own dismissal proceedings against a faculty member without regard to the procedures prescribed in the institution's own Statement and quite apparently also those required by accepted principles of academic due process. Inquiry by the Association has indicated only that a new tenure policy statement, in revision of this resolution and also the Statement of Tenure Policy, is now under active consideration. However, no revision has as yet been adopted. Committee A therefore recommends censure of the administration of South Dakota State College, specifically the Board of Regents of Education of the State of South Dakota.

#### VI

##### Other Action

Finally, Committee A adopted the following statement with reference to the complaint involving Dr. Edward V. Sittler and the administration of C. W. Post College of Long Island University. The report of this case was published in the Spring, 1962, issue of the *Bulletin*, pp. 5-9.

#### *Administration of C. W. Post College of Long Island University*

The separation of Dr. Edward V. Sittler, a former member of the Nazi Party in Germany, from the faculty

of C. W. Post College in 1959 was carried out under an unwritten agreement between Dr. Sittler and the Administration of the College that Dr. Sittler would tender his resignation (a) if the College should be subjected to more pressure in opposition to his appointment than the President of the College should think it should stand, or (b) if any of the facts concerning Dr. Sittler's background should later be proved to be other than he had represented them.

Although Committee A appreciates the fact that the action of the College in appointing Dr. Sittler to the faculty was humane and courageous, the Committee concludes that it was improper to impair academic due process by utilizing the agreement-to-resign device. When public pressure arose, the College's resolution of the problem would properly have been to resist resolutely; a faculty member should be dismissed only for adequate cause pursuant to procedures which comply with the requirements of academic due process. The Committee concludes that utilization of the agreement-to-resign device is inconsistent with the 1940 *Statement of Principles on Academic Freedom and Tenure* and the subsequent interpretations of that Statement. Since this was a unique agreement entered into in good faith with Dr. Sittler by the now deceased President Conolly, Committee A does not recommend censure of the present administration of Post College.

#### VII

##### Pending Committee A Cases

On April 25, 1962, there were in the Association's files 55 active academic freedom and tenure cases of sufficient importance and maturity to be classified as "Committee A cases." A matter becomes a "case" at the time the Washington Office first communicates with the administration involved. For purposes of comparison it may be noted that in April, 1961, there were 37 cases with Committee A status, and the previous year 36.

Pending cases may be described as follows:

<i>Cases which have resulted in censure of an administration</i> .....	10
<i>Cases in which a report has been published, but as to which Committee A has not made a recommendation to the Annual Meeting</i> .....	3
<i>Cases in which investigating committees have made their visits and their reports are under consideration by Committee A</i> .....	5
<i>Cases in which investigating committees have made their visits and their reports are now being written</i> .....	5
<i>Cases in which investigating committees have been appointed but visits have not yet been made</i> ....	3
<i>Cases in which an investigating committee has been determined upon but not yet appointed</i> .....	1
<i>Cases under study in the Washington Office</i> .....	28

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