

MURRAY STATE UNIVERSITY (KENTUCKY)¹

Introduction

Murray State University is a multipurpose institution of higher education of the Commonwealth of Kentucky. The University, located in the town of Murray in the western part of the state, was founded as Murray State Normal School in 1922. It received the power to confer baccalaureate degrees in 1926. After being designated in turn as Murray State Teachers College and Murray State College, its name was changed to Murray State University in 1966. The University's enrollment stood at about 6,500 in 1966 and 7,000 in 1970, and it has increased slightly in each subsequent year, reaching about 7,350, with a faculty numbering about 350, at the beginning of the academic year 1974-75.

In May, 1974, the administration of Murray State University notified twenty faculty members, out of forty-five then under consideration for tenure, that they would not be receiving tenure and that their appointments for the 1974-75 academic year would be terminal. Thirteen of the twenty faculty members had served in excess of seven years, or in a couple of cases had received appointments that would extend their service beyond seven years, at Murray State University. Three of the thirteen subsequently resigned and one was subsequently granted tenure. Thus nine faculty members were involuntarily separated from the University after their service on the faculty had exceeded the maximum probationary period allowed under the 1940 *Statement of Principles on Academic Freedom and Tenure*.

¹ 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 teachers at whose request the investigation was conducted, to the administration of Murray State University, to the chapter president, 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.

In discussions and correspondence with President Constantine W. Curris of Murray State University, representatives of the Association asserted that the nine faculty members could not properly be treated as probationers. They urged that the nine be continued on the faculty unless adequate cause for dismissal was demonstrated. The President and the University's Board of Regents declined to rescind the notices, and the Association's General Secretary authorized an investigation.

The undersigned *ad hoc* investigating committee, after examining available documentation, visited Murray State University from January 26 to 29, 1975. The committee met twice with President Curris and the Vice-President for Academic Affairs. It also met with the Vice-President for Administration and Finance, who chaired the Leave, Tenure, and Promotion Committee; with two deans; with several department chairmen; with the faculty member who serves on the Board of Regents; with most of the faculty members who were the subjects of the actions of concern; with officers of faculty organizations; with other faculty members; and with several students. The investigating committee was courteously received by everyone and was provided with all needed facilities and assistance.

Background

Dr. Ralph A. Woods served as President of Murray State from 1945 until 1968. Under his administration, the policy on faculty tenure, adopted by the Board of Regents in 1949, stated simply that those of the rank of professor and associate professor would acquire the protections of tenure after having served in excess of three years. There is some current disagreement among faculty members and administrators as to whether the policy meant service at Murray State University at any rank followed by promotion to Associate Professor or three years as an Associate Professor or Professor at Murray State University. Members of the faculty and administration do agree, however, that under President

Woods faculty members were seldom notified of non-retention and tenure came after three years of service, without formal evaluation and without action by the Board of Regents.

In 1968 Dr. Harry M. Sparks became President. He had previously served as a member of the Education faculty at the University for 18 years, including a period as chairman, and had then been elected for a four-year term as Superintendent of Public Instruction of the Commonwealth of Kentucky. With the advent of a new administration, some of the older faculty members expressed concern about whether their tenure, which was not granted by action of the Board of Regents, might remain in force under various circumstances. Shortly thereafter, a committee consisting of the three vice-presidents and the academic deans formulated a new statement on tenure for Murray State University. The Board approved the statement in 1969 and at the same time formally approved tenure for all of the faculty members who qualified for tenure under the preceding 1949 policy.

The 1969 statement, according to the 1973-74 *Faculty Handbook*, provided that:

To be eligible for tenure, a faculty member shall have completed the minimum of a master's degree with a major or its equivalent in his principal area of responsibility.

The recommendation for tenure will be a deliberate and thoroughly considered act. Tenure may be granted only by formal action of the Board of Regents of Murray State University upon the recommendation of the President. Following a probationary period of three to six (3-6) academic years at Murray State University, faculty members holding the rank of Instructor, Assistant Professor, Associate Professor, or Professor *may* be recommended for tenure. After six academic years of full-time, active service to the university, exclusive of leaves, the faculty member *shall* be recommended for tenure or be notified that he will be employed for only one additional year.

An additional provision, formulated by the administration and published in the *Faculty Handbook* after 1969, stated that "during the implementation period of this policy a maximum of three academic years of full-time, active service at Murray State University prior to September 1, 1969, may be considered in recommending a faculty member to a tenure position." Dr. Thomas B. Hogancamp, Vice-President for Administration and Finance and Chairman of the Leave, Tenure, and Promotion Committee, stated to the investigating committee that under the 1969 statement years of service prior to 1969 did not count, but that the administration had the latitude of considering individuals for tenure after three years of service beyond 1969. In any event, no one was granted tenure during the academic year 1972-73, the last year of the administration of President Sparks, and very few were granted tenure during the prior year.

Dr. Constantine W. Curris, who had been Vice-President for Academic Affairs at West Virginia Institute of Technology, assumed office as President of Murray

State University at the beginning of the 1973-74 academic year. He later stated to the investigating committee that when he began his new position his analysis of the budget indicated a deficit of approximately \$460,000 and quickly diminishing reserves. He sought reductions in expenses which would reduce the deficit for the 1974-75 academic year to approximately \$300,000 and which would balance the budget for the academic year 1975-76. Approximately half of the reductions were to come from faculty salaries and to be made during a time, given the impending expiration of what the administration viewed as probationary periods commencing in 1969 and given the paucity of tenure decisions in preceding years, when an unusually large number of faculty members were to be considered for tenure.

On December 7, 1973, President Curris sent a memorandum to Dr. William G. Read, Vice-President for Academic Affairs, attaching an outline to be used in preparing a written evaluation of each individual to be judged for tenure. The form asked for evidence of teaching excellence, of continuing scholarship, of concern for students and contributions to student development, of involvement in and contributions to the University community, of external recognition, of promise (projected development), and of other related factors. The form also asked for information on the strengths and weaknesses of the individual's department, the long-range goals for the department, the desired percentage of tenured faculty in the department compared with the current percentage, the needs of the department in terms of faculty backgrounds and special talents not present among existing faculty, the qualities not present among the tenured faculty that the candidate for tenure could add, and the extent to which the granting of tenure to the candidate would help the department achieve its long-range goals. Finally, the form called for a recommendation on granting tenure. The completed evaluation was to be accompanied by an updated transcript, a résumé, and other supportive materials that the candidate might wish to submit.

The memorandum from President Curris stated that "the primary input for a tenure decision should come from the Dean of the candidate's school. While a Dean may wish to respect the judgment of a chairman or senior professors, the written evaluation is the responsibility of the Dean and *his* evaluation and recommendation will provide the substantive base for the tenure decision."

Early in the second semester of the 1973-74 academic year, without prior consultation with the faculty and in at least some instances with only a few hours notice to the deans, the University's Board of Regents approved a recommendation from President Curris for a structural reorganization of the University. The School of Arts and Sciences was split into the College of Humanistic Studies and the College of Environmental Sciences (to which agriculture, agricultural-vocational education, and military science were added). Other new colleges were the College of Business and Public Affairs (formerly

political science and the School of Business), the College of Creative Expression (the former School of Fine Arts together with the former Communications Department), and the College of Human Development and Learning (the former School of Education together with the Departments of Criminology-Correction, Home Economics, Nursing, and Recreation and Physical Education). For the central administration, the number of vice-presidencies was increased from two to four.

At a faculty meeting in February, 1974, President Curris discussed budget difficulties and means to overcome them, including a reduction in the size of the faculty and several potential alternative measures. After asking for volunteers, President Curris appointed committees to study some of the alternatives. One committee looked into the possible elimination of the education laboratory school. Other alternatives that were considered included reducing the University's payment under the group plan for medical insurance, eliminating summer leaves of absence, reducing the anticipated 5.5 percent increase in faculty salaries to 1.5 percent, and lowering the mandatory age for retirement from 70 to 65. At a subsequent faculty meeting, the faculty voted to support the new age for retirement, but the faculty did not vote to accept any of the other specific alternatives. President Curris has interpreted the lack of further faculty action as indicating acceptance of a reduction of the faculty, while faculty members have asserted that they were urging at the meeting that other measures to reduce expenses could and should be explored. One resolution that was adopted at the faculty meeting has been interpreted by President Curris as approving the elimination of twenty-two faculty positions, while faculty members have described the resolution as calling for certain procedures in implementing any reductions in faculty positions that were to be made. The investigating committee is unable to report the results of the February meeting with accuracy, since an exact text of the resolution in question could not be found.

The April 12 issue of the student newspaper, the *Murray State News*, carried an article intitled "Faculty Cutbacks," in which a reference to a reduction of twenty-two positions was attributed to Vice-President Hogancamp and President Curris stated that the new retirement policy "will enable the University to keep some younger faculty members who add a breath of life to their departments without unduly hurting older faculty members." Against the background of the above events the tenure decisions were made.

Those who were to be judged for tenure at Murray State University in the spring of 1974 were given notice ranging from several days to only several hours to submit the information called for by the complex new evaluation forms. In a couple of cases departmental faculties as a whole or departmental committees were included in the evaluating process, but the investigating committee determined that in most cases only the department chairman and the candidate furnished information to the dean.

The recommendations of the deans went to the Leave, Tenure, and Promotion Committee, a body consisting of two vice-presidents, five deans, and five faculty members, some of whom also held administrative positions. That committee, after opportunity for discussion with the recommending dean but without having been provided with the materials that had been submitted to the dean, added its own recommendation to those of the department chairman and dean. The recommendation then went to President Curris.

President Curris's decisions resulted in notice by letter dated May 15, 1974, to twenty members of the faculty that their services to Murray State University would end on May 31, 1975. As stated at the outset of this report, thirteen of the twenty had taught at the University for over seven years or had already been appointed to service beyond the seventh year. Three later resignations and one rescission of notice among the thirteen left nine faculty members whose services were involuntarily terminated after they had taught at Murray State University for eight years or longer.

Meeting on August 2, 1974, the Board of Regents of Murray State University acted to grant tenure to twenty-five faculty members recommended by President Curris. An amendment to the action offered by Professor Mark Cunningham, the faculty member serving as a member of the Board of Regents, that would have granted tenure to "all other members of the faculty who had completed seven years continuous service since an initial appointment at the rank of instructor, assistant professor, associate professor or professor" was tabled by the Board.

On September 7, the Board rejected the amendment of Faculty Regent Cunningham by vote of seven to three. The Regents also denied a request for a hearing before the Board by one of the faculty members who had been denied tenure and "all other similar requests." In addition, the Regents adopted a motion to create a committee to study the University's policy on tenure.

A meeting of the entire faculty was scheduled on September 11 by the Murray State Faculty Organization, which had been created in July as a result of the notices to the twenty faculty members. Well over half of the faculty were present. The following motion was presented, discussed, and passed without amendment:

The faculty of Murray State University hereby requests of President Curris and the Board of Regents that the issues of *de facto* tenure and the right to due process be re-opened at a specially called meeting of the Board no later than Saturday, October 26, 1974, or the faculty of Murray State University will implement one or more of the following actions.

- 1) a vote of no-confidence in the Curris administration
- 2) a formal censure of President Curris and the Board of Regents
- 3) stronger courses of action appropriate to the circumstances at that time.

In addition, a formal response to this motion by President

Attainment of Tenure through Length of Service

Curriss or the Chairman of the Board of Regents be in the hands of the officers of the Faculty Organization by Monday, September 23, 1974. Failure to so respond will be considered a refusal of this request and a reconvening of this faculty will take place immediately to determine appropriate action.

The Chairman of the Board of Regents sent a memorandum to all members of the faculty on September 30. It stated that the Board of Regents would form a committee composed of two Board members and one faculty member to receive applications for a hearing from those faculty members who were issued notice on May 15. The written requests, including the grounds for the request and any supporting evidence, were to be submitted prior to October 10. If the Board's committee found evidence of "arbitrary or capricious action or evidence of a violation of First Amendment rights in the application of the tenure process" it was to report such facts to the Board of Regents "along with its recommendation for a formal hearing before the full Board (or before such body as the Board may direct)." The final decision as to whether or not a requested hearing would be granted was to be made by the Board.

On October 10, the Murray State Faculty Organization passed (first by a show of hands and later, after several of those who had voted had left the meeting room, by a count of ninety-one to twelve) the following resolution:

Whereas, a termination notice to certain faculty members at Murray State University, with the possibility of hearings under restricted conditions, is not and never has constituted due process, and

Whereas, President Constantine Curriss and the Murray State University Board of Regents have thus reaffirmed their previous decision of denial of due process to certain faculty members at Murray State University, and

Whereas, President Constantine Curriss and the Murray State University Board of Regents have reaffirmed their refusal to recognize faculty who should be considered as having tenure on the basis of continued employment beyond the stated probationary period,

Therefore, be it resolved that the Faculty of Murray State University expresses a vote of censure on the Curriss Administration and the Murray State University Board of Regents.

Fourteen of the twenty faculty members appealed to the committee established by the Regents. Four were granted a review before the full Board. Following a review of the four cases by the Board in December, President Curriss recommended to the Board that it reverse the negative decisions on tenure in the cases of two of them (one who had served beyond seven years and one whose service had not exceeded seven years). The Board approved the recommendation.

In January, 1975, several of the faculty members who had been notified of denial of tenure entered litigation against the Board of Regents in the United States District Court. In a judgment entered on June 25, the court dismissed their complaint. The faculty members have indicated that they will appeal.

The 1940 *Statement of Principles on Academic Freedom and Tenure* is the joint production of the Association of American Colleges and the American Association of University Professors, and it has been officially endorsed by ninety-seven learned societies and educational organizations. Among the endorsers of the 1940 *Statement of Principles* are the American Historical Association, the Modern Language Association of America, the American Political Science Association, the Association of American Geographers, the American Mathematical Society, the National College Physical Education Association for Men, the College Art Association of America, and the American Musicological Society, which are the principal national academic bodies for most of the academic departments of the faculty members of Murray State University who were notified of denial of tenure.

Under the 1940 *Statement of Principles*, the maximum probationary period for full-time faculty members, irrespective of their particular academic rank, is not to exceed seven years. Faculty members who do not receive notice of nonretention beyond the probationary period (the 1940 *Statement* calls for a year of notice) and who are appointed for further service thereby acquire the protections of tenure. The concept of a fixed period of probation which is enunciated in the 1940 *Statement* assumes that a considered decision is reached at the appropriate time. If, however, a conscious decision on tenure is not reached in timely fashion, whether purposely or through neglect, the 1940 *Statement* provides that service beyond the maximum probationary period should be accompanied by the safeguards of tenure. Failure to adhere to a probationary period of fixed and reasonable limit serves to allow faculty members to continue excessively or indefinitely on term appointments at the pleasure of the institution, eroding academic tenure and thereby jeopardizing academic freedom.

The *ad hoc* investigating committee is aware of the fact that the Board of Regents and the administration of Murray State University adopted institutional policies on tenure that differ from the provisions of the 1940 *Statement of Principles*. The Association, however, has repeatedly made it clear that it considers the 1940 *Statement of Principles* the norm for the protection of academic freedom in American higher education, to be applicable whether or not the official policies and practices of a particular institution happen to be consistent with it.²

The services of nine faculty members of Murray State University were terminated after they had been on the faculty from one to five or more years in excess of the seven-year maximum period of probation set forth in

² See "Academic Freedom and Tenure: Dean Junior College," *AAUP Bulletin*, 53 (Spring, 1967), p. 66, and "Academic Freedom and Tenure: Rider College," *AAUP Bulletin*, 59 (Spring, 1973), p. 98.

the 1940 *Statement of Principles*. These faculty members were allowed to serve so long, while still regarded officially by the institution as probationers, essentially as a result of an administrative procedure that declined to count probationary time served prior to September 1, 1969, and classified faculty members who in fact had already served at the University for several years as if their service commenced with the 1969-70 academic year. The investigating committee finds this procedure to be wholly inconsistent with the spirit as well as the letter of the 1940 *Statement of Principles*.

Academic Due Process

While President Curris was reported as linking decisions on the retention of faculty members with financial pressures upon the University, he later stated emphatically that the decisions to deny tenure were not related to financial considerations, and in some cases those not retained were in fact replaced with new appointees. While the investigating committee assumes that the replacement of older faculty members resulted in some savings of money, it accepts the President's assurance that considerations of financial exigency or discontinuance of academic program did not determine his decisions against retention.

In the absence of financial exigency or discontinuance of program as governing considerations, the nine faculty members entitled under the 1940 *Statement* to the safeguards of tenure thus should have received a statement of cause of dismissal, the opportunity for a full hearing before a faculty body with the administration carrying the burden of demonstrating the adequacy of cause, and the other protections of academic due process when dismissal is contemplated, as provided by the 1940 *Statement of Principles* and the 1958 *Statement on Procedural Standards in Faculty Dismissal Proceedings*.

The nine faculty members at Murray State University did not receive statements of cause. Some have stated that they were not advised of all the reasons for the decision to terminate their services. They had no opportunity to be heard before a faculty body. They were allowed, only after strong protests, merely to apply to the Board of Regents for a chance to appeal under limited grounds, bearing the burden of convincing the Board that the decision in the particular case was unsound. Even this procedure was clouded by a statement from President Curris, included in a letter of October 1, 1974, to the faculty, that any reversals would lead to decisions to terminate the services of others. Faculty members informed the investigating committee that they viewed this statement by the President as a clear threat. The investigating committee finds that the nine faculty members were denied the academic due process to which they were entitled under the 1940 *Statement of Principles* and the 1958 *Statement on Procedural Standards*.

Other Procedural Concerns

As was explained earlier, the procedure for reaching

the decisions on tenure provided, by direction of President Curris, for the major source of recommendations to come from the deans, with a review of these recommendations by a committee dominated by administrative officers before the recommendations were acted upon by the central administration. This procedure is counter to the principle—enunciated in the *Statement on Government of Colleges and Universities*, jointly formulated by the American Association of University Professors, the American Council on Education, and the Association of Governing Boards of Universities and Colleges—that “faculty status and related matters are primarily a faculty responsibility; this area includes appointments, reappointments, decisions not to reappoint, promotions, the granting of tenure, and dismissal.”

While President Curris has asserted that the financial situation played no part in the decisions to grant or deny tenure, at least one of the deans, those whom he held primarily responsible for the recommendations on tenure, does not appear to have recommended on the basis of academic merit, independent of financial considerations. The Dean of the College of Humanistic Studies informed two faculty members being denied tenure (one who had served in excess of seven years and another who had not) by letter of May 24, 1974, that “your instructional performance has been entirely satisfactory.... Please be assured that had there not been a necessity for staff reduction I would have been pleased to have recommended you for tenure....” On October 1, however, President Curris stated in his letter to the faculty that “no faculty member was denied tenure because his position was eliminated.”

The case of one faculty member whose service did not exceed seven years reflects the concerns held by the investigating committee as to the soundness of the decisions on notices of nonretention to those who served less than seven years as well as those who should have received the protections of tenure.

This faculty member had previously been recommended favorably at every level until his name reached President Curris in 1974. In 1972, he had been approved for reappointment at all levels and promoted to associate professor. In 1973, President Sparks had placed a moratorium on granting tenure that year. In 1974, the faculty member was recommended for tenure by his chairman and his dean. The investigating committee was informed that he was unanimously recommended for tenure by the Leave, Tenure, and Promotion Committee, whose membership included both the Vice-President for Academic Affairs (who had recommended him for tenure the previous year) and the Vice-President for Administration and Finance. The central administration then rejected the recommendation.

President Curris told the faculty member and later told the investigating committee that the faculty member was given a terminal appointment because his department needed someone with another specialty more than someone with his own specialty. Members of the

faculty member's department emphasized to the investigating committee that, although the department had requested an addition in the other specialty, as soon as any issue arose they made it very clear that if it were a choice between the addition and the retention of the faculty member in question, both the desire of the department and the need of the department were strongly in favor of retaining the faculty member. In a second discussion with President Curris, the investigating committee inquired if he were not aware of the strong preference of the department. He responded that the department had never informed him of this. He added that at the Board of Regents meeting of December, 1974, when the faculty member's case was one of the four reviewed by the Board of Regents, the dean then opposed the granting of tenure and, although his chairman supported the granting of tenure, the answers which the chairman gave to questions could have led one to believe that the greater need of the department was for the addition in another specialty. Others had different recollections of the December meeting, the dean's position, and the chairman's answers. The chairman's written recommendation, examined by the investigating committee, makes a strong and unequivocal case that the faculty member's experience and skill were what the department needed. The faculty member was replaced at the beginning of the 1975-76 academic year by someone with very similar qualifications.

The administrative procedure for decisions on tenure at Murray State University, published in the *Faculty Handbook*, provides that "tenure recommendations should initiate with the department chairman and be routed through the dean of the school by October 15, the Vice-President for Academic Affairs by November 1, and the Leave, Tenure, and Promotion Committee by November 15. The Committee's recommendations will be forwarded to the President and Board of Regents for official action."

Much later and tighter deadlines were used during the 1973-74 academic year. In most cases, faculty members had only a few days to gather and assemble their answers to the new evaluation form for tenure decisions, the contents of which were not previously known to them. The investigating committee was told by one individual that he was asked to supply all of the information for his form between his 9:30 class and noon. Copies of the information presented by the faculty members were not submitted to the Leave, Tenure, and Promotion Committee, which, as stated earlier, included the deans who passed on these cases among its membership.

In his letter of October 1 to the faculty, President Curris wrote that "in five cases sharply conflicting recommendations were received and as President I made a substantive decision. In one case tenure was recommended and in four cases, tenure denied." President Curris recalled to the investigating committee that in two instances the only negative recommendations were from the vice-presidents. The published adminis-

trative procedure for decisions on tenure provided that the Leave, Tenure, and Promotion Committee's "recommendations will be forwarded to the President and Board of Regents for official action." No mention is made of the additional step of consultation with the vice-presidents, with whom President Curris has stated that he consulted in all cases.

The statements made to the investigating committee during the course of its interviews indicate that at least three of the nine faculty members who were not retained after service exceeding seven years were recommended for tenure not only by their department chairman but by their dean and by the Leave, Tenure, and Promotion Committee. Two others among the nine were not recommended on the basis of an alleged need, denied by President Curris as a factor in the decisions, to reduce faculty positions. The five faculty members who were to leave involuntarily upon completion of seven years of service included one individual whose services were terminated because of an alleged need to reduce faculty positions, one individual who had been recommended favorably for tenure by department and dean and the Leave, Tenure, and Promotion Committee, and a third individual who had received the support of one of the few departmental committees that had played a part in the decisions. In none of these cases did President Curris act in accordance with the admonition in the *Statement on Government* that the "President should, on questions of faculty status, as in other matters where the faculty has primary responsibility, concur with the faculty judgment except in rare instances and for compelling reasons which should be stated in detail."

New Statements of University Policy

The action of the Board of Regents on September 7, 1974, to undertake a study of the existing policy on tenure led to the creation of an *Ad Hoc* Tenure Policy Review Committee. This body produced a new statement of policy and procedures, part of which was adopted by the Board on April 7, 1975. The Board's statement includes several improvements, in terms of adherence to Association standards, over the statement originally adopted in 1969, and it also includes several departures from Association standards. These shortcomings are currently the subject of correspondence between the Association's staff and President Curris. Most regrettably, the new statement, which assures tenure for all full-time faculty members who serve continuously in excess of seven years, includes the proviso that it "shall not apply to those faculty members for whom a tenure decision has been made under prior policies."

New provisions for faculty senate, a student senate, and a range of university committees were formulated during the 1974-75 academic year and submitted to the Board of Regents. President Curris has informed the Association that he anticipates implementation of these provisions in the academic year 1975-76. The investigating committee hopes that the provisions will

lead to collegiate deliberations at Murray State University of the kind envisioned in the *Statement on Government of Colleges and Universities* and thus to correction of the severe weaknesses in administrative procedures and practices that have been discussed in this report.³

Conclusions

1. The administration of Murray State University terminated the services of nine members of the faculty who had attained tenure under the provisions of the 1940 *Statement of Principles on Academic Freedom and Tenure*. These nine faculty members therefore should have been subjected to the termination of their services only for adequate cause and with requisite academic due process as set forth in the 1940 *Statement of Principles* and the 1958 *Statement on Procedural Standards in Faculty Dismissal Proceedings*. Adequate cause for terminating their services has not been demonstrated, and they have been denied the safeguards of due process. The administration's actions to terminate the services of these nine faculty members are violations of the 1940 *Statement of Principles on Academic Freedom and Tenure*.

2. The policy of not counting probationary service of Murray State University prior to 1969, formulated by the previous administration and implemented by the current administration, runs counter both to the spe-

³ President Curris, in commenting on a draft text of this report prior to publication, noted its citation of the provisions in the *Statement on Government of Colleges and Universities* for primary faculty responsibility for questions of faculty status, and he pointed to the provision in the *Statement on Government* that "The President must at times, with or without support, infuse new life into a department; relatedly, he may at times be required, working within the concept of tenure, to solve problems of obsolescence."

cific provisions and to the basic purposes of the 1940 *Statement of Principles*.

3. The administration of Murray State University, in making decisions on tenure in the spring of 1974 in the cases both of faculty members who had attained tenure under the 1940 *Statement* and of faculty members who had not, disregarded the appropriate role of the faculty, as enunciated in the *Statement on Government of Colleges and Universities*, in reaching decisions on faculty status.

Daniel H. Pollitt (Law), University of North Carolina at Chapel Hill

Harry F. Snapp (History), North Texas State University

Investigating Committee

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

Ralph S. Brown, Jr. (Law), Yale University, *Chairman*.

Members: Clark Byse (Law), Harvard University; Bertram H. Davis (English), Florida State University; Joseph Duffey (Urban Studies), Washington Office, *ex officio*; William J. Kilgore (Philosophy), Baylor University; Jordan E. Kurland (History and Russian), Washington Office; Hans A. Linde (Law), University of Oregon; Walter P. Metzger (History), Columbia University; Winton U. Solberg (History), University of Illinois; Peter O. Steiner (Economics), University of Michigan; Carol Simpson Stern (Interpretation), Northwestern University; Judith J. Thomson (Philosophy), Massachusetts Institute of Technology; William W. Van Alstyne (Law), Duke University, *ex officio*; Robert K. Webb (History), University of Maryland, Baltimore County.