

February 2, 2016

VIA ELECTRONIC MAIL

Dr. Hank Foley
Interim Chancellor
University of Missouri
105 Jesse Hall
Columbia, Missouri 65211

Dear Chancellor Foley:

While I understand that my colleague Anita Levy has been in correspondence with you in another matter, I am today contacting you regarding Professor Melissa Click, assistant professor in the Department of Communication at the University of Missouri, Columbia, who has sought the advice and assistance of the American Association of University Professors as a result of an e-mail communication from you, dated January 27, 2016, informing her of her immediate suspension “pending the outcome of an investigation to begin shortly.” Your message came two days after the Columbia city prosecutor filed charges of third-degree assault against Professor Click for allegedly pushing a student videographer on November 9, 2015. These charges were subsequently dropped pursuant to an agreement between Professor Click and the city prosecutor. On the same day as your e-mail message to Professor Click, Ms. Pamela Quigg Henrickson, chair of the University of Missouri System Board of Curators, issued a public statement announcing the curators’ decision to suspend Professor Click and further “direct[ing] the General Counsel, or outside counsel selected by General Counsel, to immediately conduct an investigation and collaborate with the city attorney and promptly report back to the Board so it may determine whether additional discipline is appropriate.”

The interest of this Association in the case of Professor Click stems from our longstanding commitment to academic freedom, tenure, and due process, the basic tenets of which are set forth in the enclosed 1940 *Statement of Principles on Academic Freedom and Tenure*. That document, a joint formulation of the AAUP and the Association of American Colleges and Universities, has received the endorsement of more than 240 scholarly and educational associations. Derivative standards relating to the imposition of sanctions against faculty members are set forth in Regulations 5 and 7 of the AAUP's *Recommended Institutional Regulations on Academic Freedom and Tenure* (also attached).

An action to separate a faculty member from ongoing academic responsibilities prior to demonstration of stated cause in an appropriate proceeding is considered to be a suspension, which is justified, under Regulations 5c(1) and 7a, “only if immediate harm to the faculty member or others is threatened by continuance.” No threat of immediate harm has been suggested in Professor Click’s case. In fact, you are quoted in the *Kansas City Star* on January 25, 2016, as stating, “We are confident she does not pose any danger to any student.” Moreover, it seems clear that, in not affording her a hearing prior to placing her under suspension, she has been denied the safeguards of academic due process called for under the aforementioned standards. In addition to the apparent departure from standards promulgated by the

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Association, the suspension of Professor Click appears to depart from the university's stated procedures, as the Executive Committee of the University of Missouri Faculty Council on University Policy noted in a statement released on January 29, 2016.

We appreciate that you may have additional information that would contribute to our understanding of what has occurred. We shall therefore welcome your comments. If the facts as we have recounted them are essentially accurate, we urge Professor Click's reinstatement to her normal faculty duties. As to any further action in her case, we urge that it be consistent with the procedural standards we have set forth.

Sincerely,

A handwritten signature in cursive script, appearing to read "Hans-Joerg Tiede", is enclosed in a light blue rectangular box.

Hans-Joerg Tiede

Associate Secretary

Enclosure

Cc: University of Missouri Board of Curators
Michael A. Middleton, Interim President, University of Missouri System
Professor Ben Trachtenberg, Chair, University of Missouri Faculty Council
Professor Galen Suppes, President, University of Missouri Chapter of the AAUP
Professor David Robinson, Chair, Committee A on Academic Freedom and Tenure,
Missouri Conference of the AAUP
Professor Gregory Comer, President, Missouri Conference of the AAUP
Professor Melissa Click