

Jb AAVT

The Case of Robert McClellan

1. Statement of Facts

On July 28, 1967, Dr. Robert McClellan, Assistant Professor of History, was informed in a letter from President Harden that he would not be reappointed following the 1967-1968 academic year. No reasons were given.

Established procedure in such matters at Northern Michigan University, as stated publicly by President Harden on a number of occasions and as described in the Faculty and Administrative Guide issued in June, 1967, is as follows: "Evaluations of faculty members are made by the department head who makes his recommendations to his dean. Following a review by the dean, the recommendations are sent to the Vice President for Academic Affairs with the dean's approval or modifications. The Vice President for Academic Affairs then makes his recommendations to the President. In each case of transmittal, conferences are held to discuss modifications of evaluations" (p. 10--Italics added).

It is also stated in the Guide: "If a faculty member who is not on tenure is not to be reappointed, the University practice is to give written notice as follows: . . . Notification at least twelve months before the expiration of an appointment, after more than 2 years of service." This would presumably mean about June 15 of the year before the termination of the appointment, after the academic year has been completed and the last salary check has been received--if the person is being paid on a ten months basis.

Dr. McClellan came to Northern Michigan University in September, 1965. In February, 1966, at the regular time for evaluating first year faculty members, Dr. Anthony Forbes, Head of the History Department, recommended that Dr. McClellan be reappointed with a normal salary increment. In April, after Dr. McClellan had made some adverse criticisms of the Four Course Plan and of the Common Learning Program in one of his classes, Dr. Forbes modified his evaluation and recommended that Dr. McClellan be reappointed with "less than a normal increment" and that his work be "carefully re-evaluated" during the following year. President Harden, however, decided to give Dr. McClellan a double increment, and informed Dr. Forbes of this fact.

In November, 1966, at the regular time for evaluating second year faculty members, Dr. Forbes wrote that in his opinion Dr. McClellan had demonstrated great potential as a teacher and that he would normally have recommended reappointment with a double increment

but that since Dr. McClellan had received a double increment the year before, it seemed fair to give a single increment at this time.

During the second semester of 1966-1967, Dr. Forbes and Dr. McClellan "team-taught" a course, and Dr. Forbes judged that Dr. McClellan was without question one of the best teachers he had ever known. He communicated this judgment orally to President Harden. When President Harden commented that other factors than teaching had to be considered in regard to Dr. McClellan, Dr. Forbes stated that he was not in a position to express an opinion on these other factors.

This exchange took place in the course of series of informal conversations between Dr. Harden and Dr. Forbes in which Dr. McClellan was sometimes the subject of discussion, and in which President Harden's feeling about Dr. McClellan appeared to vary from time to time. On June 13, however, he told Dr. Forbes in effect, that he had decided to give Dr. McClellan a terminal appointment.

In reaching his decision, Dr. Harden did not consult, even in the informal manner just described Dr. David Dickson, who was Dean of the School of Arts and Science during 1966-67, and who assumed the duties of Vice President for Academic Affairs about August 1, 1967; Dr. Thomas Griffith, who was Associate Dean of the School of Arts and Science during 1966-1967 and assumed the duties of Dean when Dr. Dickson became Vice President; or Dr. Vito Perrone, Dean of Common Learning, under whom Dr. McClellan had played an important part in planning and administering the Common Learning courses in Humanities. Essentially, the decision was a personal one, overriding the recommendations of the Department Head and the Dean.

The only academic administrator who approved this decision was the Acting Vice President for Academic Affairs during 1966-1967, Dr. Clarence Bjork, who had already announced his resignation from the University. President Harden also, on June 13, 1967, had announced his resignation, initially to take effect on September 1. Later the effective date was changed to October 31, but presumably the resignation became effective when Mr. Ogden Johnson assumed the duties of Interim President on September 1.

When it became known that Dr. McClellan was not to be reappointed, the members of the Faculty Senate who were then in Marquette met to consider the situation, and requested a meeting with President Harden

in the hope of obtaining clarifying information. President Harden declined to comply with the request.

When the full membership of the Faculty Senate met on September 12, the McClellan case became the first order of business, and a committee composed of the Chairman, Mr. Farrell, Dr. Dickson (an ex-officio member), Dr. Griffith (recently appointed Dean of Arts and Science, who had retained his membership in the Faculty Senate at the request of the other members), and Dr. O'Dell (former Head of the History Department), was instructed to request a meeting with the Interim President, Mr. Ogden Johnson, to discuss the case.

The meeting took place on September 18. Mr. Johnson listened to the committee, but stated that he considered the case to be closed. At its regular meeting on September 22 the Faculty Senate heard the report of the committee, and voted to request Mr. Johnson to meet with the full Senate. This meeting took place on September 29. All members of the Senate urged a reopening of the case, stressing among other things the irregularity of the procedure, the unsoundness of the decision as they saw it, and the inevitable injury to the University through lowering of student and faculty morale and the consequent loss of good students and valuable faculty members. Mr. Johnson, however, repeated that he considered the case closed. He also declined to discuss the reasons for terminating the appointment of Dr. McClellan; although in answer to a question he said they had nothing to do with Dr. McClellan's moral character or private life. His position was that President Harden and Dr. Bjork had decided that termination of Dr. McClellan's appointment was in the best interests of the University. He said he did not see that any question of academic freedom was involved. In answer to a direct question, he said he saw no likelihood that the decision would be changed.

The discussion was conducted at all times without acrimony and with strict attention to the issues.

After Mr. Johnson left, the Faculty Senate voted to request a meeting with the Governing Board, or with the Board's Executive Committee, at the earliest possible date, and also to ask that the request for such a meeting be granted or denied before the next meeting of the Senate on October 6.

The Faculty Senate met on Thursday evening, October 5, and was told by Mr. Farrell that as of 5 P.M. that day, Mr. Johnson had given no answer to the request for a meeting with the Board, but that he had been trying to get in touch with the Chairman and Vice

Chairman of the Board. Mr. Farrell also reported that a special meeting of the Administrative Council had been called for 9 A.M. Monday, October 9, at which reasons would be presented for giving Dr. McClellan a terminal appointment.

On Friday, October 6, Mr. Farrell met with Mr. Johnson and was told that the Board saw no reason to meet with the Faculty Senate.

At the meeting of the Administrative Council on Monday, October 9, the reasons for terminating Dr. McClellan's appointment were presented orally. The following is a second-hand account. (Those who were present were given to understand that they could pass on the information.) It appears that there were four items in the indictment.

The first was that after the faculty had approved the 4-course plan during the academic year 1965-1966, Dr. McClellan criticized the plan in one of his classes and implied that it was approved only because of pressure from the then Vice President for Academic Affairs, Dr. Milton Byrd.

The second was that as chairman of the Committee on Student Affairs, in the fall of 1967, he had encouraged student protests against conditions in the new dormitories (no furniture and no hot water) during the first weeks of the semester, leading to threats by some students to sue the University for a rebate on their board and room payments.

The third was that during the academic year 1966-1967, when it became known the University would expand into the North Marquette area and that many people would lose their homes, Dr. McClellan espoused the cause of these people without being fully familiar with the situation, and, at a public meeting, harassed and humiliated the representatives of the University.

Finally, during the summer of 1967, Dr. McClellan sent his students in Humanities 2 to interview residents of North Marquette as to how they felt toward the University. (This seems to have been done in connection with a general discussion of the issue of private interests in conflict with the public interest.)

If this account is inaccurate, it can be corrected by a written statement of the charges.

The Faculty Senate met at 12:00 on Monday, October 9, following the meeting of the Administrative Council. The members agreed that

they would offer their resignations as members of the Senate at the general faculty meeting, and to recommend that a new election of Senate members be held. It was also agreed to distribute to the faculty a factual account of the McClellan case as far as the facts have been made known; and also to present a resolution to the faculty deploring the Administration decision in the McClellan case and urging reconsideration of it (the voting on this resolution to be by secret ballot).

(This statement was prepared by the Faculty Senate.)