

April 25, 2023

VIA ELECTRONIC MAIL

Dr. Debra A. Schwinn
President
Palm Beach Atlantic University
901 South Flagler Drive
West Palm Beach, Florida 33416

Dear President Schwinn:

Thank you for your April 12 letter, responding to ours of March 28 concerning the case of Professor Samuel Joeckel.

Your letter states that Professor Joeckel was “provided an opportunity to address complaints” you received, that the university “followed its procedures,” and that he “was not summarily dismissed.”

Regrettably we do not agree—at least with the statement that Professor Joeckel “was not summarily dismissed.” The appointment of a faculty member with twenty years of apparently unexceptional service at Palm Beach Atlantic University was abruptly terminated prior to the end of its term after complaints were made regarding his teaching a unit on racial justice. The administration terminated Professor Joeckel’s appointment without affording him a hearing before an elected faculty body in which the administration bears the burden of demonstrating adequate cause. We hope you appreciate that if allegations against faculty members were commonly handled in this manner at Palm Beach Atlantic, academic freedom and due process would have little meaning.

Your letter further states that “PBA does not offer tenure” and, therefore, “some of [the university’s] policies and practices are dissimilar to institutions that offer tenure and AAUP statements.”

We understand that Palm Beach Atlantic University does not have a formal tenure system. Long-standing Association policy considers all full-time appointments, with carefully circumscribed exceptions, to be of two kinds: probationary and with continuous tenure. According to the joint 1940 *Statement of Principles on Academic Freedom and Tenure* (enclosed), “After the expiration of a probationary period, teachers or investigators should have permanent or continuous tenure, and their services should be terminated only for adequate

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cause . . . or under extraordinary circumstances because of financial exigencies.” For full-time faculty members the probationary period should not exceed seven years, and those who are reappointed beyond seven years should be recognized as having the protections that would accrue with tenure—termination only for adequate cause and with due process.

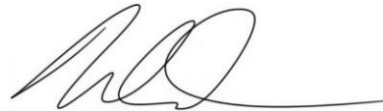
Professor Joeckel had served as a full-time faculty member at Palm Beach Atlantic for twenty years. Thus, according to the 1940 *Statement of Principles* and our recommended standards, he is entitled to the procedural protections that normally accompany tenure as detailed above.

Finally, your letter asserts that “As it relates to academic freedom, Dr. Joeckel was not dismissed for teaching a unit on racial justice.”

In the continued absence of any stated reasons for Professor Joeckel’s dismissal, we remain deeply concerned that it was effected in violation of his academic freedom to teach. In fact, our concern is heightened by an email message, dated February 23, from Dr. Templeton to Professor Joeckel, which closes by stating that “the number and nature” of complaints about Professor Joeckel “raise significant concerns about [his] mission alignment and classroom behavior,” suggesting that the unstated concerns are ultimately what led to his dismissal.

We again urge that you rescind the notice of dismissal issued to Professor Joeckel and that any subsequent action be consistent with the AAUP-supported procedural standards we have cited.

Sincerely,

A handwritten signature in black ink, appearing to read 'MD', with a long horizontal flourish extending to the right.

Michael DeCesare

Senior Program Officer

Department of Academic Freedom, Tenure, and Governance

Enclosure by electronic mail

cc: Mr. Timothy S. Sotos, Chairman, Board of Trustees
Dr. Chelly Templeton, Provost and Chief Academic Officer
Dr. Robert Lloyd, Dean, School of Arts and Sciences
Professor Jenifer Elmore, Chair, English Department
Professor Samuel Joeckel