



June 1, 2021

Dean Theodore Ruger
University of Pennsylvania Law School
3501 Sansom Street
Philadelphia, Pennsylvania 19104

Sent via Next-Day Delivery and Electronic Mail (deanruger@law.upenn.edu)

Dear Dean Ruger,

As you may recall from our past correspondence, the Foundation for Individual Rights in Education (FIRE) is a nonpartisan, nonprofit organization dedicated to defending liberty, freedom of speech, due process, academic freedom, legal equality, and freedom of conscience on America's college campuses.

It has come to our attention that University of Pennsylvania Law Professor Amy Wax may be facing an investigation or disciplinary action by your administration based on a complaint alleging a violation of university policy. Despite being notified of this situation on May 18 and making repeated requests to your office for copies of the relevant complaints, Wax has yet to receive written notice of the charges against her.

Penn Law's Faculty Handbook clearly provides that "[s]hould a question arise regarding the possible infraction of University behavioral standards ... [t]he dean or Provost shall provide a written description of the charges to the respondent, if requested by the respondent in writing."¹

A two-week delay in providing this most basic information to a faculty member accused of misconduct is patently unreasonable.

To uphold the due process standard Penn Law promises to its faculty, your office must provide Wax with a written description of all relevant information about the charges against her without further delay. Failure by Penn Law to timely meet its obligations in this matter

¹ FACULTY HANDBOOK; II.E. TERMS AND CONDITIONS OF FACULTY APPOINTMENTS, UNIV. OF PA., *available at* <https://catalog.upenn.edu/faculty-handbook/ii/ii-e/> (last visited May 27, 2021).

imperils Wax's ability to address the charges and adequately prepare for upcoming meetings. It also raises additional concerns about whether she is being afforded procedural due process.

Given the urgent nature of this matter, we request receipt of a response to this letter no later than the close of business on Friday, June 4, 2021.

Sincerely,

A handwritten signature in black ink, appearing to read 'Alex Morey', with a stylized flourish at the end.

Alex Morey
Program Officer, Individual Rights Defense Program

Cc: Wendy S. White, Senior Vice President & General Counsel