



## Foundation for Individual Rights in Education

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210 West Washington Square, Suite 303 · Philadelphia, PA 19106

Tel: 215-717-3473 · Fax: 215-717-3440 · fire@thefire.org · www.thefire.org

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December 5, 2003

President Morris W. Beverage, Jr.  
Lakeland Community College  
7700 Clocktower Drive  
Kirtland, Ohio 44094-5198

*Sent By U.S. Mail and Facsimile (440-953-7011)*

Dear President Beverage,

The Foundation for Individual Rights in Education (FIRE) unites leaders in the fields of civil rights and civil liberties, scholars, journalists, and public intellectuals across the political and ideological spectrum on behalf of liberty, legal equality, voluntary association, due process, and, in this case, academic freedom, freedom of religion, and freedom of speech on America's college campuses. Our website, [www.thefire.org](http://www.thefire.org), will give you a greater sense of our identity and activities.

FIRE is deeply concerned about the Lakeland Community College administration's decision to punish Dr. James Tuttle for explaining his religious beliefs in his philosophy classes. We hope that after bringing this to your attention, you will take steps to resolve this matter. This is our understanding of the facts. Please inform us if you believe that we are in error. During Lakeland's Spring 2003 semester, Dean James L. Brown of the Arts and Humanities Division received a letter from a student in Dr. Tuttle's "Introduction to Philosophy" class stating that she found Dr. Tuttle's views "very offensive," claiming that Dr. Tuttle "looked distastefully" at her when he found out she was a "pagan," and suggesting that he should receive "counseling for tolerance."

In response to this complaint, Dean Brown reviewed Dr. Tuttle's syllabus and forwarded him a copy of the student's letter. In a letter dated April 21, 2003, Dean Brown informed Dr. Tuttle that he was disturbed by a "disclaimer" that Dr. Tuttle had included in his class syllabus. This statement informed students that Dr. Tuttle is a "committed Catholic Christian philosopher and theologian" and asked students to "please be aware of where I am coming from." He also asked those students who might be "uncomfortable" or whom he might "rub the wrong way" to "feel free to talk to [him] outside of the classroom situation, and we can try to resolve any problems that might arise later." In his letter to Dr. Tuttle, Dean Brown stated that he was "more

bothered by your disclaimer than by anything I read in [the student]'s complaint.”

The April 21 letter also informed Dr. Tuttle that his class load was being reduced to one section of ethics for the Fall 2003 semester and that Dr. Webb, chair of the Philosophy Department, would now observe Dr. Tuttle's classes. In the letter, Dean Brown told Dr. Tuttle that “you have a deeply-held need to state your case for your beliefs in the classroom. This is unacceptable...I'm beginning to question your suitability to teach in a public school classroom. I think that you would be happier in a sectarian classroom.” Dean Brown then informed Dr. Tuttle that after a meeting with Dr. Webb at some undefined time in the future, he would make a decision about whether to fire Dr. Tuttle at the end of the semester.

Dean Brown's objections to Dr. Tuttle's “disclaimer” are mystifying. Dr. Tuttle used it to disclose his philosophical viewpoint to his students ahead of time and to urge students to talk to him if they felt uncomfortable in class or objected to his teaching style. Such candor from an instructor should be welcomed rather than condemned. By openly disclosing his beliefs at the beginning of the course, Dr. Tuttle gave his students the opportunity to consider the moral framework that he would use when approaching course material. Dr. Tuttle did not attempt to impose beliefs on his students or to indicate that beliefs contrary to his own would be considered unacceptable. Moreover, FIRE's experience has shown that a professor could have just as easily been punished for *not* including such a disclaimer in his syllabus if he offended the sensibilities of any of his students. All too often, students lash out based on a mistaken belief that they have the right not to have their deepest beliefs challenged. If universities truly wish to create an atmosphere where open exchange and candor is welcome, they must teach students that having their beliefs challenged is essential to—not the enemy of—education.

Furthermore, the treatment of Dr. Tuttle shows a distressing disregard for academic freedom. How can a professor, when faced with an administrative ban on discussing his personal views, challenge the unexamined views of his students or expose his own views to reasoned criticisms? Lakeland must not ignore its moral duty to be open to students and instructors of *all* religious and philosophical beliefs. Dr. Tuttle's personal religious beliefs are not problems that must be solved; rather, respect for the religious faith of others is integral to maintaining the intellectual diversity of Lakeland's instructors.

Religious beliefs have always been strongly linked with philosophical theories. Philosophers from Plato, to Lao Tzu, to Maimonides, to Thomas Aquinas, to Bishop George Berkeley espoused theories that regarded religion and philosophy as integrated parts of one whole rather than as discrete and severable entities. Which of these thinkers would Dean Brown punish for intellectual honesty at Lakeland Community College? Further, one's worldview is necessarily and intimately tied to one's religious beliefs, and understanding the nature of our own worldviews and assumptions is essential to understanding philosophy. By prohibiting Dr. Tuttle from discussing his faith in class, Dean Brown ignores the pervasive historic, intellectual, and cultural ties between the worlds of religion and philosophy. He also ignores the canons of “relevance” enshrined in American academic life.

Lakeland has constitutional and moral duties not only to defend its faculty's free speech and academic freedom but also not to discriminate on the basis of religion. In the case of *Rosenberger v. Rector and Visitors of the University of Virginia* (1995), the Supreme Court ruled that a public institution could not discriminate against a religious student newspaper simply because of its religious perspective. Writing for the Court, Justice Kennedy pointed out that "when the government targets not subject matter, but particular views taken by speakers on a subject, the violation of the First Amendment is all the more blatant." In a passage that should have great resonance in this case, Justice Kennedy wrote:

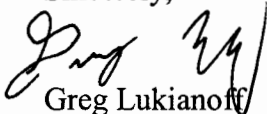
It is, in a sense, something of an understatement to speak of religious thought and discussion as just a viewpoint, as distinct from a comprehensive body of thought. The nature of our origins and destiny and their dependence upon the existence of a divine being have been subjects of philosophic inquiry throughout human history.

Lakeland Community College, as a state institution, should carefully ponder this judicial wisdom when it considers punishing the speech of its professors.

FIRE requests that Lakeland Community College desist in its unfair persecution of Dr. Tuttle. We request that Dr. Tuttle be restored to his full rights and privileges and that no further contrivance be used to censor his religiously based philosophical point of view. FIRE is committed to Dr. Tuttle's case and will use all available resources to reach a just conclusion to this matter. Because the start of the next semester is approaching, we request a response to this letter by December 15.

I look forward to your reply.

Sincerely,



Greg Lukianoff  
Director of Legal and Public Advocacy

cc:

Frederick W. Law, Executive Vice President for Academic & Student Affairs, Lakeland Community College  
James L. Brown, Dean, Arts and Humanities Division, Lakeland Community College  
Douglas Webb, Assistant Professor of Philosophy, Lakeland Community College  
Kathleen T. Malec, Chair, Board of Trustees, Lakeland Community College  
Kenneth M. Iwashita, Vice Chair, Board of Trustees, Lakeland Community College  
James Tuttle