

March 24, 2005

President Dennis H. Holtschneider
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John B. Simon
Chairman of the DePaul University Board of Trustees
Jenner & Block

the table. During this debate, Professor Klocek cited an article by Neil Steinberg of the *Chicago Sun-Times* that quoted the general manager of the Al-Arabiya television network as saying, “It is a certain fact that not all Muslims are terrorists, but it is equally certain, and exceptionally painful, that almost all terrorists are Muslims.” A heated but strictly verbal argument ensued, during which time Professor Klocek argued that a Christian viewpoint, not merely a Muslim or Jewish one, should be considered in dealing with the issue at hand. The argument concluded when Professor Klocek walked away from the SJP and UMMA tables and thumbed his chin at the students in what he believed to be an Italian hand gesture meaning “I’m outta here.”

On September 24, 2004, nine days later, Dean Susanne Dumbleton of the School for New Learning and Loop Campus Coordinator Michael DeAngelis met with Professor Klocek about complaints that had been filed by the students involved in the argument. Professor Klocek reports that at that meeting, Dean Dumbleton suspended him with pay and ordered him to stay off campus. Dumbleton reportedly further instructed Professor Klocek not to talk to the campus newspaper in regard to a possible upcoming story about his situation and told him that the School for New Learning would reply on his behalf.

Professor Klocek notes that he did not receive a hearing regarding his suspension and was not given a written copy of the students’ charges against him or of any charges that DePaul might have filed against him. This failure to grant Professor Klocek even the minimal due process of a written charge of wrongdoing denied him the opportunity to prepare an effective defense. He

freedom and the way it treats its employees. Dean Dumbleton's treatment of Professor Klocek did not fulfill DePaul's obligations in these areas.

Academic freedom is explicitly protected in DePaul's faculty handbook. The 2000-2001 version of the handbook (the latest available on DePaul's website) states that "DePaul accords academic freedom a prominent position as an integral part of the university's scholarly and religious heritage." It goes on to state:

Not only the faculty, but students and other members of the university community enjoy this freedom as they participate in the various forms of open inquiry and debate, as for example, classroom presentation and discussion, research and publication, public statements made as a citizen in one's own name, and other forms of creative expression.

DePaul's handbook further states that it has adopted the AAUP's 1940 Statement of Principles on Academic Freedom and Tenure together with its interpretative comments, although it reserves the right to make changes to this statement through the Faculty Council. The AAUP is very clear that professors should enjoy a great deal of

freedom is truly tested. While the students may have been offended by Professor Klocek's words, hurt feelings are a risk that every citizen in an open society must take if freedom is to

administrators. DePaul's argument that Professor Klocek's speech constituted an "emergency" is completely unsupportable in light

