

**December 1, 2017**

**An Open Letter to the Fort Lewis College Board of Trustees and the FLC Community**

I have been a loyal employee at Fort Lewis College for 17 years both as an administrator and as a tenured professor of History and Environmental Studies. On April 10, 2017 a verbal complaint from Steven G. Baker was received by the president's office and my department chair regarding a newspaper column that I had written for the *Durango Herald*. Eighteen days later without a scrupulous investigation as required by the Handbook and without any personal interview with me, the College moved to fire me.

This is not a personnel issue. This is about disciplinary action and how the College treats its employees. Mine is a case study in ethics, transparency, the College's core values, and the failure of administrators to follow best practices. This is a defining moment for the College and the values it is supposed to represent.

My accuser, Mr. Steven G. Baker, used the same source I did—a 1987 interview transcript. This was a case of parallel research, not plagiarism. The interview transcript is in a U.S. Forest Service office. It is in the public domain for anyone to use.

In 2015 when I had my post-tenure evaluation, Barbara Morris wrote, "*Your positive review is evidence of a high level of teaching performance and academic achievement. We are proud to have you as a valuable and contributing member of our faculty.*"

Yet on April 28, 2017 Barbara Morris demanded a mandatory meeting. She refused to tell me the topic of the meeting. She refused to let me be accompanied by my department chair or the Faculty Senate President, and she did not tell me I could have an attorney present. Instead, Barbara Morris handed me a letter of resignation and a settlement letter, which I did not sign.

I have those documents here in packets for each of you.

I have spent hundreds of hours on my defense and incurred thousands of dollars in legal expenses. I responded to charges May 25, 2017. Maureen Brandon, who wrote the formal charges against me, testified at the hearing that she never even bothered to read my response.

The College claimed I committed plagiarism by using three words together—"master folk artist." Why did no FLC administrator Google those words? Had they done so they would have had 3.1 million hits in .83 seconds. It is impossible to claim that the words "master folk artist" belong to any writer.

At no time did any college administrator speak to me about the alleged charges or attempt to learn about previous misrepresentations from my accuser. Why was I asked to resign before a hearing ever took place?

Dene Thomas took 5-6 telephone calls from my accuser. She never once spoke to me.

A two day hearing was held at the end of August 2017. On September 30<sup>th</sup> the college-appointed hearing officer wrote that no plagiarism had occurred and cleared me of all charges. On October 18<sup>th</sup> Dene Thomas reluctantly dropped charges against me but failed to acknowledge that there had been no misconduct on my part.

Thousands of dollars in Colorado taxpayer funds were needlessly spent. Trustees should have been notified of these unbudgeted expenses. Just the hearing officer alone and the College's expert witness cost taxpayers \$30,000. How many dozens of hours did attorneys with the Attorney General's office spend on this? Colorado citizens, and especially FLC students, have a right to know.

Dene Thomas may argue that the College was only following the Faculty Handbook. I disagree. On page 23, the September 2016 edition of the Faculty Handbook states, *On the question of due process for a faculty member who is the subject of disciplinary action because of alleged plagiarism, see Regulations 5 and 7 of the Association's (AAUP) "Recommended Institutional Regulations on Academic Freedom and Tenure," Policy Documents and Reports, 26-28.*

This disciplinary incident may impact the presidential search as well as recruitment of new faculty. Why would a young untenured assistant professor seek a job at a college where tenured senior professors are threatened with dismissal? An article was published in the *Durango Herald*, which is in the packet I have prepared for you.

As a three-term elected Faculty Senator I can assure you that FLC faculty are deeply concerned about this expensive and unnecessary disciplinary action as well as the mishandling of the allegations by College administrators. The Faculty Senate voted a resolution on November 16, 2017 that the College should pay my legal expenses.

I am asking the Board of Trustees to reimburse me the \$37,000 I have spent on legal fees. If the board chooses not to do that, then I request a fall research semester in 2018 to recover the research and writing time I lost.

The faculty expect that the Board of Trustees will, in the interest of transparency, seek a full understanding of this event, its financial costs, and that the Board will review possible ethical violations by College administrators. The FLC Assurance Agreement of August 8, 2015 states on p. 20 that *"The President and the Provost are also reviewed by the Board of Trustees (BOT) with regard to ethical behavior."*

Earlier this year the Board of Trustees voted a new mission statement and core values for the College. The first value is *We vigorously protect academic freedom as the foundation for learning, inquiry, free expression, and the advancement of knowledge.*

Academic freedom is under attack at this campus when a professor cannot research, write, and publish without being threatened with dismissal under the guise of plagiarism.

Another core value is *We are committed to treating everyone with respect, dignity, and consideration*. I have not been so treated. Under stewardship, the core value is *We work to protect and strengthen the reputation of Fort Lewis College*. That is why these false charges against me are so significant. The College's reputation is at stake.

Transparency and best practices should not wait for a new college president. They should start right here, right now. We are, after all, an institution of higher education. This is a teachable moment, a learning opportunity.

I am honored to work at FLC, and I look forward to more years of teaching, research and service to the college community and to all our students, alumni, friends, and donors.

Sincerely,

A handwritten signature in cursive script that reads "Andrew Gulliford". The signature is written in black ink and is positioned below the word "Sincerely,".

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