



Press Release

NAS Supports U of Alaska President, Censures OCR

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PRINCETON, NJ -- 3 April 2001 -- The National Association of Scholars today congratulated University of Alaska President Mark Hamilton for his courageous and uncommonly principled defense of free speech in a case involving a university faculty member. Simultaneously, the NAS deplored the decision of the U.S. Department of Education's Office of Civil Rights to pursue a complaint against the same faculty member, Professor Linda McCarriston, based on related allegations.

The case first arose as a result of a claim by one of Professor McCarriston's students that a poem she had published was offensive to some Alaska Natives. After an initially equivocating response from University administrators at the Anchorage campus where Professor McCarriston teaches, President Hamilton, who heads the entire Alaska system, issued a statement clearly reaffirming McCarriston's free speech rights. He then went on to say that he expected that in similar cases, administrators' responses to "demands for action regarding constitutionally guaranteed freedoms of speech cannot be qualified." "Replies," continued President Hamilton, to the effect that " 'the university supports the right of free speech, but we intend to check into the matter' or 'I have asked Dean X or Y to investigate the circumstances' are unacceptable. There is nothing to check into, nothing to investigate."

Last week, however, the university received a complaint against Professor McCarriston from the U.S. Department of Education's Office of Civil Rights based on a student's allegation that Professor McCarriston had racially discriminated against the student in awarding a grade of only "B." The OCR has now begun an investigation.

According to NAS President Stephen H. Balch, "The OCR's action in investigating such a complaint is as

appalling as President Hamilton's is praiseworthy. One would anticipate that an 'Office of Civil Rights' would respect the rights of others, and not lend itself to a political vendetta against a professor exercising her constitutional freedoms. This is not the first time the OCR has been willing to use its investigatory power against academics exercising their free speech rights. With new leaders assuming control of the Department of Education, and a new head of OCR soon to be appointed, we hope it will be the last."

The National Association of Scholars is America's foremost higher education reform group. Located in Princeton, it has forty-five state affiliates and more than four thousand professors, graduate students, college and university administrators and trustees as members.

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