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Hauser Losing Tenure Not Likely, Harvard's History Shows

A review of recent cases of faculty misconduct reveals tenure termination is rare

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As psychology professor Marc D. Hauser faces allegations of research misconduct—which the American Association of University Professors states may be grounds for revocation of tenure—some in the scientific community question whether Hauser should keep his teaching position at Harvard.

But a review of Harvard's recent history of faculty scandals suggests those calling for the University to dismiss Hauser should not hold their breath.

The Faculty of Arts and Sciences has never begun dismissal proceedings against a faculty member because of research misconduct, according to FAS spokesman Jeff Neal.

Several incidents from the past two decades show that tenured Harvard faculty have kept their jobs, whereas junior faculty resigned from their positions.

Take the case of Shervert H. Frazier. In 1988, the then-head of the Harvard Medical School psychiatry department and the Harvard-affiliated McLean Hospital resigned after the school found him guilty (<http://www.thecrimson.com/article/1988/11/29/med-school-professor-resigns-after-admitting/>) of four instances of plagiarism, according to The Crimson's archives.

Three months later, he was rehired by the McLean Hospital (<http://www.thecrimson.com/article/1989/2/11/forced-to-resign-frazier-rehired-pa/>) as a staff psychiatrist and received the title “psychiatrist-in-chief, emeritus.”

But junior faculty facing similar accusations of research misconduct saw their affiliation with Harvard end.

In 2009, Medical School associate clinical professor Lee S. Simon resigned after being accused of plagiarism

(<http://www.thecrimson.com/article/2009/3/13/hms-professor-simon-resigns-a-harvard/>). Harvard School of Public Health assistant professor Ali A. Sultan, also accused of plagiarism, resigned in 2004

(<http://www.thecrimson.com/article/2004/12/6/professor-barred-from-research-a-former/>) and took a position at Cornell that same year. In 1995, Weishui Y. Weiser, an assistant professor of medicine at Harvard-affiliated Brigham and Women's Hospital, resigned

(<http://www.thecrimson.com/article/1995/12/12/nih-cites-two-researchers-for-misconduct/>) after the National Institutes of Health concluded that he had committed “falsification of data in biomedical research.”

Though some junior faculty find other appointments, others who lack the protections of tenure may not be able to continue in academia with a record of serious misconduct.

“An assistant professor or an associate professor would probably resign, with the logical outcome being that they'd lose their job anyway,” said Cathy A. Trower, research director of the Collaborative On Academic Careers in Higher Education at the Harvard Graduate School of Education. “Some tenured professors might have decided to resign under these conditions rather than face the sanctions and the lawsuits, but they have the extra protections of tenure.”

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According to Trower, a 1994 study found that between 50 and 75 tenured professors are dismissed annually nationwide. Trower said that number is unlikely to have changed since the study was published.

The AAUP states misrepresentation, falsification, and ethical or policy violations—including scientific misconduct—can all be grounds for tenure termination.

“If the administration and the faculty believe that a professor has engaged in research misconduct, certainly according to our standards, they would be in a position to initiate dismissal proceedings,” said Gregory F. Scholtz, director of the AAUP's Department of Academic Freedom, Tenure, and Governance. “Tenure is not supposed to protect academic misconduct or academic incompetence.”

In Hauser's case, some have suggested Harvard's investigation, which found him “solely responsible” for eight instances of scientific misconduct, should preclude him from his teaching duties.

“One view of teaching is that you are an ambassador for the science you are teaching and for the institution at which you are teaching,” Gerry T. M. Altmann, a psychology professor at the University of York and editor of *Cognition*, the

journal that retracted a 2002 article written by Hauser, in an e-mail to The Crimson late last month. “I personally do not believe that someone who is found guilty of misconduct is ambassador material.”

Misconduct has led to dismissals of both tenured and non-tenured faculty at Harvard’s peer institutions. In 2008, Madonna G. Constantine, a tenured professor at Columbia Teachers College, was fired for plagiarism, and in 2005, Luk Van Parijs, associate professor of biology at MIT, was dismissed after admitting to falsifying data (<http://www.thecrimson.com/article/2005/10/31/mit-professor-fired-for-faking-data/>).

But tenure terminations remain a rarity. A 2005 Yale Daily News article stated only two Yale professors have ever had their tenure revoked.

A copy of Harvard statutes revised in 2004 states that only the Harvard Corporation, the University’s highest governing body, can dismiss a permanently appointed faculty member for “grave misconduct or neglect of duty.”

The Corporation can also require a faculty member to resign due to “ill health” or serious disability.

For example, during the McCarthy era, the Corporation found that Wendell H. Furry, an associate professor of physics and former member of the Communist party, had committed “grave misconduct” for providing a government agent with false information. But the Corporation stopped short of revoking his tenure because he had left the party due to the “increasing violence and untruth of its propaganda and its growing hostility to the United States,” according to a statement it made in 1953.

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It is unclear whether the statutes have been revised since 2004, and a request to Neal for information on Harvard’s procedures on terminating tenure was not returned in time for this article.

Government professor Harvey C. Mansfield ’53, who has been on the faculty since 1962, said he could not recall a tenured professor being removed for misconduct.

“People [leave when they] don’t get tenure, but that’s a perfectly honorable departure. And often people leave for a better job. But hardly anyone is dismissed,” he said.

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