

Academic Freedom and Free Speech: Prof. James Tracy Files Civil Rights Suit against Florida Atlantic University

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WEST PALM BEACH, Florida – *Former Florida Atlantic University ('FAU') Professor James Tracy, who was fired from his tenured faculty position in January, has filed a civil rights lawsuit against the University, several top school officials, and his faculty union representatives, alleging that the firing violated his First Amendment right to free speech and other constitutional rights, including his rights to due process and academic freedom.*

Dr. James Tracy, filed the lawsuit today in a U.S. federal court in the Southern District of Florida, in West Palm Beach, represented by the Florida Civil Rights Coalition and Medgebow Law. The suit raises constitutional challenges to Florida Atlantic University's vague and confusing "Conflict of Interest/Outside Activities" policy and also alleges that the manner in which Professor Tracy was fired by FAU officials—including the President, University trustees, and several senior administrative officials—violated Tracy's constitutional rights to free speech and due process of law.

The suit also accuses FAU of violating the University's own long-standing principals of academic freedom and breaching its collective bargaining agreement with FAU's faculty union. Additionally, the suit names as defendants the United Faculty of Florida ("UFF") and Florida Education Association ("FEA") and two FAU faculty union representatives and officials, who conspired with and aided the University's Administration in violating Tracy's contractual and constitutional rights.

Dr. Tracy, an award-winning American academic with expertise in communications, media, and conspiracy studies, was awarded lifetime tenure by Florida Atlantic University in 2008. He holds a Ph.D. in mass communications and taught courses at FAU in Communications, including a course entitled "Culture of Conspiracy". Tracy won a Project Censored award in 2013 for the story, "Wireless Technology: A Looming Health Crisis," which was featured in Censored 2013: Dispatches From the Media Revolution.

FAU school officials first threatened Tracy with disciplinary action after a defamatory local and national media attack concerning Tracy's online postings in early 2013. However, the University's administration withdrew its initial threats following intervention by Tracy's union representatives at UFF and FEA.

In late 2015, Professor Tracy was again threatened with disciplinary action for requesting clarification on and questioning changes made to the University's vague and confusing "Conflict of Interest/Outside Activities" policy. Instead of coming to his aid, Tracy's faculty

union representatives, including representatives and officials from UFF and FEA, conspired with and aided the University in terminating Tracy's tenured employment—denying him meaningful representation and defense against the University's threatened discipline.

Despite repeated assurances made by Tracy's union representatives that a response and grievance would be filed for Tracy in a timely manner, as required by the University's collective bargaining agreement, Tracy's representatives failed to ever file a response or grievance, resulting in Professor Tracy's automatic termination on January 6, 2016.

The lawsuit seeks Tracy's reinstatement and monetary relief, including compensation for economic and reputational damage suffered.

"Both Florida Atlantic University administrators and the University's faculty union claim they are committed to protecting constitutional rights and principles of academic freedom, but their actions speak loud and clear..." said Louis Leo IV of the Florida Civil Rights Coalition and Medgebow Law.

"Tenure, free speech, due process and academic freedom are under attack. Without judicial intervention, employees and faculty at Florida Atlantic University and other universities around the United States, will continue to be censored, deterred or chilled from sharing unpopular information or opinions for fear that they will be disciplined on a pretext."

Inquiries may be directed to info@floridacivilrights.org.

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James F. Tracy was a tenured Associate Professor of Journalism and Media Studies at Florida Atlantic University from 2002 to 2016. He was fired by FAU ostensibly for violating the university's policies imposed on the free speech rights of faculty. Tracy has filed a federal civil rights lawsuit against the university, with trial set to begin November 27, 2017. Tracy received his PhD from University of Iowa. His work on media history, politics and culture has appeared in a wide variety of academic journals, edited volumes, and alternative news and opinion outlets. Additional information is available at

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