

**Committee on Academic Freedom
Annual Report, 2004-05**

To the Academic Senate, Santa Cruz Division:

Issues brought before the Committee on Academic Freedom:

The Committee on Academic Freedom (CAF) met three times during this academic year. One issue was brought before the committee, which was judged not to fall within the scope of CAF's purview. A member of the committee reported that lecturers who teach the Core courses in Colleges 9 and 10 are not involved in the planning of those courses and are given such detailed instructions in regard to teaching these courses that they have little autonomy and feel that they are being treated as TAs. The Committee on Academic Freedom felt that this was not an issue of academic freedom, and that grievance procedures should be followed to deal with this situation.

PATRIOT Act Resolution: Follow Up

In the Spring of 2004 the UCSC Academic Senate unanimously passed a resolution on the PATRIOT Act, which called upon then Acting Chancellor Chemers to report any actions directed to the UCSC campus with the potential to restrict civil liberties and also to report on the impact of the PATRIOT Act on the functioning of the campus, for instance in cases in which foreign students or faculty might be prevented from entering the United States. CAF and the Committee on Faculty Welfare (CFW) jointly sponsored this resolution. The Resolution also called upon the Acting Chancellor to take various actions to inform the UCSC campus of the dangers posed by the PATRIOT Act, such as posting notices in campus libraries and bookstores. Provisions in the resolution called for follow up.

In November 2004, CAF Chair Barbara Epstein and CFW Chair Paul Ortiz met with Acting Chancellor Chemers to discuss implementation of the PATRIOT Act Resolution. Chemers said that he would report any violations or restrictions of civil liberties on the UCSC campus due to the PATRIOT Act. He also said that UC Office of the President lawyers had advised him not to take any actions which could make it appear that he was taking a political stance, and that therefore he would not take other measures called for by the Resolution, such as posting notices in campus libraries, bookstores and near computers. He asked that CAF send him a letter recognizing that he was complying with the core intention of the Resolution. CAF discussed his response and agreed that he was complying with the heart of the Resolution. A letter was drafted thanking Chemers for doing so, though also noting that some issues that CAF regarded as important, especially the impact of the PATRIOT Act on the ability of foreign graduate students to come to UCSC, remained unaddressed. This letter was approved by CFW and was sent to Chemers signed by CAF and CFW.

CAF also sent a letter to Denise Denton, who took up her duties as the new UCSC Chancellor in February 2005, concerning the PATRIOT Act Resolution. This letter noted the substance of the Resolution, the fact that it had been passed unanimously by the Academic Senate, and also noted the commitment that Acting Chancellor Chemers had made to reporting to the Academic Senate any violations or restrictions on civil liberties on the UCSC campus due to the PATRIOT Act. The letter expressed the hope that Chancellor Denton would take the same stand.

CAF Comments on Other Issues:

CAF was asked to comment on the academic freedom implications of three issues. On the first, an Export Survey, CAF felt that there were no academic freedom issues involved, and declined to comment.

The second issue on which CAF was asked to comment was a draft statement of Whistleblower Policies and Procedures. Some members of CAF found the wording of the statement vague, and one member prepared a detailed list of places in the document where there were such problems. Chair Epstein wrote a letter to Alison Galloway, Chair of the Academic Senate, including these suggestions for changes in wording, and also including a broader comment that the document posed the danger of encouraging excessive scrutiny of the actions of colleagues, and the danger that faculty could be reported for imagined or exaggerated sins, or at least fears that baseless complaints might be made. The letter also pointed out the lack of Academic Senate involvement in the proposed structure for examining and judging violations.

The third issue on which CAF was asked to comment was the UCORP Resolution on Restrictions on Research Funding Sources. CAF discussed this Resolution at two of its meetings, and for the second discussion consulted with Vice Chancellor Robert Miller. Judith Aissen, chair of the Committee on Research (COR), Stephen Thorsett, former chair of COR, and Robert Meister, co-author of a letter raising concerns about the UCORP resolution, were invited to, and attended, CAF's second discussion of this issue. All of their views were taken into account in the stand that CAF arrived at. CAF sent a letter to Academic Senate Chair Alison Galloway supporting the Resolution's affirmation of the faculty's right to make their own decisions about topics of research and sources of support for that research. CAF expressed its inability to support the Resolution in the form in which it was presented due to its failure to address the consequences, within the University, of contracts with corporations, government agencies or foundations large enough to transform, or distort, the research agendas or methods of units within the University, and its failure to provide any internal appeal process for faculty negatively affected.

Respectfully submitted,

COMMITTEE ON ACADEMIC FREEDOM

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