COMMITTEE ON ACADEMIC FREEDOM
2012-13 Annual Report

To: Academic Senate, Santa Cruz Division

The Committee on Academic Freedom (CAF) met each quarter to complete its main business of the year. CAF reviewed and recommended policy changes to the Open Access Policy, commented on a campus purchase of software for plagiarism, and responded to a request for the definition of political indoctrination in course content.

In addition, after CAF Chair Glass participated in discussions at the University Academic Senate’s Committee on Academic Freedom (UCAF) concerning procedures for the examination or investigation of complaints brought before campus CAFs, the committee discussed the constellation of issues raised. It was decided that CAF’s role was and should be limited with regard to authority over any grievances faculty members or other members of the campus community may bring to the committee. Members agreed that CAF should not be an investigative body, and should only make recommendations to other appropriate Senate or University committees if it appears that a legitimate claim has been raised. For example, the committee would recommend that faculty members file a formal grievance with the Committee on Privilege and Tenure, which does have plenary authority to investigate or hold hearings if necessary. It might well be that the CAF Chair or some other CAF committee member would be asked to advise such a process if it were to occur. The task of creating an online resource for the committee’s website with guidance for faculty and other members of the campus community will be passed on to 2013-14 CAF.

Open Access Policy

The Committee reviewed the Open Access Policy proposal put forward by the University Committee on Library and Scholarly Communication. CAF was generally supportive of the policy with one exception that the committee wanted addressed prior to promulgation. There are clear benefits to Open Access: it will apply pressure on journals to keep costs down; all faculty articles will be centrally located, making preparing for personnel reviews far more efficient; meta-data records on faculty publications will be available; and faculty articles will be permanently archived. Members responded with concern with regard to the nature of access to the database for eScholarship when faculty opt out of the licensing agreement with the University; that is, even if faculty opt out under the current policy, they are nonetheless required to deposit a copy of their article in the repository. The scope of access in these cases was not clear in the policy as written. It is of particular concern for faculty who publish articles that include copyrighted materials for which limited permissions have been secured, often at a significant cost determined in part by the number of ‘uses’ of the material in relation to the particular format of publication. CAF recommended this concern be addressed in the policy by clearly ensuring that when a faculty member opts out of the licensing agreement that the deposited article is not made publicly accessible by any means other than through the copyright holder. After CAF finished meeting for the year, the revised approved policy was sent out for comment; after reviewing the language, it was clear CAF’s concern was addressed. Faculty members can opt out without penalty and statements of support from Provost Dorr allay most of the fears we had about implementing this policy in the short term.
Campus-wide Purchase of Software for Plagiarism
The committee was generally positive about purchasing a campus-wide license for software to detect plagiarism. The software should enable comparison with publicly available (Internet-based) sources as well as campus-based sources, including papers written for both current and past offerings of UCSC classes. The committee felt that this could help detect cases of plagiarism, ensuring that students do their own work and encouraging them to uphold high standards of authorship and attribution. Committee members stressed the plagiarism software must be “opt-in” for individual faculty members and instructors—the committee was unanimous that its use should not be mandated—and should integrate with the eCommons submission system to make its use more convenient for instructors. The committee felt that, while it was acceptable for papers from past offerings of UCSC classes to be maintained for local use, it was not acceptable for the papers to be made available to other universities for use in detecting plagiarism. It is also worthwhile to note that this software is not perfect; in particular, it cannot catch cases in which a student pays an outside source to write an original paper.

The committee’s primary concerns were over cost and questions of policy in relation to various sorts or levels of infraction, such as with respect to what might happen if a large fraction of a class was identified as having plagiarized material. In addition, some faculty members raised concerns about impacts on faculty time with having to deal formally with the many varieties of plagiarism. The campus will need to develop policies to guide faculty responses to the various types of plagiarism and their variant levels of severity.

Request for Definition of Political Indoctrination related to Course Materials
During spring quarter the Committee received a request for defining political indoctrination and scholarly content with regard to instruction. In addition, CAF Chair Glass consulted with UCAF. The judgments of both committees agreed. From the issues raised and the supporting materials provided for consideration, no evidence of political indoctrination was discerned. The conclusions reached by both committees are as follows.

Political indoctrination cannot occur within the context of a single university course, no matter how skewed, partisan, or ideological its content may be. Indoctrination requires a broader social, political, and cultural context that obstructs or diminishes the use of reason, logic, and evidence in judgments, and that actively constrains the consideration of perspectives that differ from the dominant one that is reinforced in the broader (indoctrinating) context. Moreover, from the evidence provided for the particular course that was the subject of the complaint, the use of reason, logic, and evidence were not prevented or undermined in either course discussions or assignments.

The assignment of course materials that may be skewed, partisan, or ideological is not evidence of their use for the purposes of indoctrination. Instructors might very well use such materials as foci of analysis and critique. The particular readings for the course that are referenced as objectionable in the complaint were drawn from journals that utilize peer review in their selection process, and thus, even if their authors are shown to be personally biased, that is not a warrant for excluding the use of the articles in university courses.

Instructors are free to select course materials that they deem appropriate or important to the subject matter of their courses and within the purview of their expertise; the materials that were
presented as objectionable can reasonably be construed to be appropriate to the particular course within which they were assigned.

The fact that one (or more) students find a particular course, or certain materials in that course, to be objectionable is not itself a warrant for the position that such courses or materials need to be removed from the curriculum. This conclusion is even more strongly supported in cases where the course is an elective, or in cases where there is no penalty to students who choose not to engage with particular readings. Further, the fact that a student finds some aspect of a course objectionable provides no evidence that the course might in some way be indoctrinating.

Members felt the best response to speech, readings, or positions that one finds objectionable is more speech, more critical peer-reviewed scholarship, and more public debate. Both committees believe that university campuses should be places where such matters can be discussed and debated with vigor and civility. Efforts to constrain any one side surely will undermine the openness that is essential to university life.

Respectfully submitted;

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July 31, 2013