

**Committee on Academic Freedom
Annual Report, 2017 - 18**

To: Academic Senate, Santa Cruz Division

The Committee on Academic Freedom (CAF) met periodically across the academic year as issues arose for discussion and review. This year the committee reviewed policy changes locally and systemwide and consulted with the administration about free speech and the campus climate in the age of social media.

Committee Issues:

Free Assembly/Free Speech Incidents on Campus

CAF consulted with the Senate Chair and Vice Chair on concerns about how the University handles protests of student-initiated activities on campus, with an aftermath that may not be immediately visible to University administrators. In particular, while the University administration has procedures for disciplining students who engage in “heckler’s veto” activities, it has no position on the use of social media to publicize and criticize protesters. In a recent campus incident, a video of a student protest was posted online, and at least one student, while being subject to disciplinary measures for participation in a protest, also became a target of subsequent online attacks and threats (doxing). While the University cannot be expected to regulate online activity in the way it regulates on-campus actions, particularly if such activity does not make use of campus email and online access, such activity does affect the campus environment and potentially the safety of students and other community members. The Senate Leadership recommended meeting with the Chancellor and the Campus Provost and Executive Vice Chancellor (CP/EVC), which led to a subsequent meeting with the Vice Provost of Student Success (VPSS) Padgett and Assistant Vice Chancellor and Chief of Staff (AVC/CS) Lucy Rojas. CAF members discussed concerns about the student judicial process, parameters for disciplining protestors, and the need for campus policy to take account of new factors in the online and broader national environment. After discussion, VPSS Padgett recommended gathering data requested by CAF and meeting with the committee again in fall quarter. Student Success will work with the Judicial Office staff to conduct a survey on demographics of students who have been subject to the judicial process. They will work with the Chancellor’s Office to create guidelines around free speech events, doxing, and resources available to students when such events do happen on campus.

At the systemwide level, these issues are causing concern as well. On April 3, 2018, the University Committee on Academic Freedom (UCAF) issued a memo for the Academic Council responding to a UC Student Association letter about free speech and hate speech. The UCAF letter read, in part, “UCAF agrees that hateful speech can cause real harm to communities, and to individuals and groups within them, particularly when it is amplified by social media. We also agree that UC campus administrations, in their role as stewards of entire university communities, have an obligation to condemn in explicit terms any hateful speech expressed on campus. Our Principles of Community demand no less.”

“UCAF also reaffirms its support for constitutionally protected freedom of speech and academic freedom. Efforts to ensure that the “Heckler’s Veto” does not hinder the open exchange of ideas on campus are critical to both free speech and academic freedom...

“Those who would exclude or ridicule members of the university community based on race, religion, gender, or any other identity category, and those who stigmatize the scientific methods and the humanistic modes of inquiry on which the educational enterprise depends, are not in sympathy with the purpose of the university. Their views cannot be banned, as hateful speech is generally protected speech under the First Amendment, but neither can they go unchallenged.”¹

UCAF also investigated whether individual campuses have been affected by recently announced screening policies for discretionary grants instituted by federal funding agencies.

SAP: Strategic Academic Plan

Senate committees were requested to review documentation for the draft Strategic Academic Plan. The process had several steps for Senate review and consideration.

The first Senate response was to consider “new ways to generate resources” as part of the strategic academic planning process. The Committee on Academic Freedom appreciated the acknowledgement that “not all units are equally well placed to generate new resources. The study of resource generation is expressly not designed to separate out or privilege those units that have a greater likelihood of generating resources.” CAF commented on December 13, 2017, “We want to reaffirm the importance of this statement as vital to the protection and promotion of academic freedom. Further, even within units that have ‘a greater likelihood of generating resources,’ there is reason to be concerned about the extent to which the pursuit of funding drives our research and teaching agendas, a question that already has been raised several times this year both on our campus committee and at UCAF. The question of resource generation is certainly an important one for the University, but CAF encourages all participants in the strategic planning process to be attentive to the potential academic freedom implications of both the question itself and the various possible responses to this question.”

CAF also responded to requests for feedback about the “SAP Landscape Analysis,” expressing reservations about the timing of the campus survey on which it was based and the substance and form of the resulting analysis. Subsequently, CAF participated in the review of *Themed Academic Working Groups (TAWG)* proposals submitted by faculty, again expressing concerns about timing, the difficulties of ranking a wide variety of incommensurable proposals, and the need for the campus to invest in broad thematic areas rather than specific project. On May 21, 2018, CAF wrote:

“We hope that one outcome of the SAP process will be the creation of a more robust and well-attuned development operation that can actively connect projects and potential sources of funding. In the absence of that kind of support, collecting votes and deciding priorities in this manner may give the superficial appearance of democratic and wide-ranging consultation by “stakeholders,” but it is unlikely to fully build on the areas of strength that have surfaced in the TAWG process.

“Finally, we offer an observation about how this process relates to the question of academic freedom. Most of our attention to academic freedom falls into the category of ‘freedom from’—

¹ https://senate.universityofcalifornia.edu/_files/reports/SNW-UCSA-UCAF-Freedom-of-Speech-and-Hate-Speech.pdf

interference, suppression, threats, distortions in the national funding apparatus because of a priori political exclusions, and so forth. We spend very little time on ‘freedom to’—the creation of a supportive environment for the conceptualizing and growth of the widest possible range of significant research and inquiry. We need to remember that proposed changes in the funding structure of our campus will also affect students’ freedom to learn, leaving behind students invested in learning about and contributing to fields that are not prioritized. At a moment when the effects of long-term decline in public university funding are evident, it is more important than ever that we continue to ask, ‘What kind of university do we want?’ and to do everything we can to bring that university into being.”

Other Issues

CAF, along with other Senate committees, was also asked to respond to a number of other issues campuswide, including the Taskforce Report on the Negotiated Salary Trial Program (NSTP) extension, the Second Systemwide Review of Proposed Revised Academic Personnel Manual (APM) - 285, 210-3, 133, and 740 (policy revision for the current LSOE faculty title series clarifying their roles for teaching, scholarly activity and service), and the proposed amendment to Senate Bylaw 128, which has a new section governing conflicts of interest. Details of the committee’s discussions are in the meeting notes, which may be made available upon request. In CAF’s review of the Proposed Presidential Policy on Open Access for Theses and Dissertations, members raised concerns about the proposed policy taking insufficient account of academic practice in the non-STEM disciplines. CAF recommended that the policy be adjusted with respect to the length of time that an author can easily embargo a work, specifically to make requesting a five-year embargo an easy default option.

Finally, at the request of Committee on Educational Policy (CEP) and Committee on Courses of Instruction (CCI), CAF reviewed a policy responding to changes in a course structure that barred the student from the class after one assignment. It is CAF’s understanding that CEP subsequently decided to form a sub-committee to review grading procedures and will invite CAF to review the final outcome.

Website Link and Article Updating

Members reviewed and updated the information and resources on the CAF website² and plan to continue with this work next year. CAF will send out an announcement in fall quarter on resources developed for the website during this year.

Respectfully submitted;
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² <https://senate.ucsc.edu/committees/caf-committee-on-academic-freedom/index.resources.html>