

UNIVERSITY COMMITTEE ON ACADEMIC FREEDOM 2022-2023 ANNUAL REPORT

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The University Committee on Academic Freedom (UCAF) met three times by videoconference in Academic Year 2022-2023 to conduct business with respect to its duties as outlined in Senate Bylaw 130. Highlights of the Committee's activities and accomplishments are noted in this report.

SYSTEMWIDE REVIEW OF PROPOSED PRESIDENTIAL POLICY – ANTI-DISCRIMINATION

UCAF participated in the limited management consultation of the proposed Presidential Anti-Discrimination policy in the fall and also provided comments during the systemwide review in the spring. The committee agreed that there is no room for discrimination at the University of California and recognizes the importance of having a policy that addresses how to properly handle complaints, but members expressed concerns about the proposed mechanism of investigation and procedures for implementation. Concerns included that the proposed procedures minimize the role of peer evaluation for determining whether the reported behavior comports with academic freedom, while permitting administrative offices to make this determination. UCAF also recommended that there should be initial and constant consultation with relevant academic representatives, rather than the late enforcement stage, to insure consistent and equitable application of academic freedom principles.

SIMULTANEOUS ACADEMIC MISCONDUCT AND PERSONNEL ACTIONS

The University Committee on Privilege and Tenure asked UCAF to opine on a proposal to change Senate bylaws to guide the handling of simultaneous academic misconduct and personnel actions. The committee offered feedback related to the guardrails to prevent policy being used for retaliation, the need for examples of the types of misconduct charges that should lead to a suspension of personnel actions, and the importance of ensuring timely investigations and preventing unreasonable delays in merit and promotion.

PARAMETERS FOR FACULTY SEARCHES

UCAF sent a memo to University Committee on Academic Personnel (UCAP) regarding academic freedom concerns stemmed from a policy limiting access to the letters of recommendation during faculty searches. While the reported intention was to decrease bias during hiring process, limiting access to these letters may in fact amplify other biases, and a blanket policy limiting scholars' access to the materials they deem necessary is against academic freedom. UCAF recommended that any limitations and restrictions should be decided by the academic units that conduct faculty searches, rather than blanket policies.

OTHER ISSUES AND ADDITIONAL BUSINESS

In response to requests for formal comment from the Academic Council, UCAF also issued views on the following:

- Second systemwide review of proposed revisions to APM 025 and APM 671
- Second systemwide review of the proposed Presidential Abusive Conduct policy

Additionally, UCAF devoted part of each regular meeting to reports on issues facing local committees, including how the data from recorded lectures are utilized and the China Initiative.

Respectfully submitted,

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