



University Committee on Academic Freedom 2023-24 Annual Report

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

Under Senate Bylaw 130 and consistent with [Bylaw 40](#), the University Committee on Academic Freedom shall (Am 28 May 2003)

Study and report to the Assembly upon any condition within or outside the University that, in the committee's judgment, may affect the academic freedom of the University and its academic community. (Am 15 Jun 71; Am 23 May 1996; Am 28 May 2003)

Topics of Note During the 2023-24 Year

Increase in Number of Meetings

Early in 2023-24, the Chair and Vice Chair appealed to the Academic Senate leadership to increase the number of the committee meetings from three to six. This was granted for one year. At the end of 2023-24, the Vice Chair (and incoming Chair for next year) asked for an increase from three meetings to four. This was again granted for one year. The increase in the number of meetings reflects the recognition that Academic Freedom as a central principle of the University and core responsibility of the Senate faces urgent and growing challenges to its preservation and enhancement.

Application for UCAF to sit on Academic Council.

Early in the year, the Chair expressed concern that issues of academic freedom are not taken adequately into account in the development of divisional and systemwide policies. As a consequence, many proposed policies have detrimental consequences to education and research. Accordingly, he and the Vice Chair expressed a strong interest in getting UCAF onto Council, and local CAFs onto the divisional councils. It was noted that UCAF had made a similar appeal in 2009 and was rebuffed by Council, though the conditions for consideration have radically changed since that time.

The Chair and Vice Chair were advised to bolster their appeal by working through the Council meeting minutes for the past two years and identifying compelling areas in which UCAF could have played an important and influential role.

Discussion as to issues that would benefit from the active advice and participation of UCAF were discussed throughout the year. The outgoing Chair and incoming Chair will be working collaboratively over the summer to develop compelling arguments for including UCAF on Academic Council. The goal is to have a provisional draft of this proposal distributed prior to the first UCAF meeting in the 2024-2025 academic year.

Academic Freedom and Shared Governance

Motivated by several months of concerned response to the Regents' peremptory proposal regarding information content on departmental websites, among other issues such as administrative involvement in departmental hiring criteria and promotion criteria, members held repeated discussions on the importance of academic freedom and shared governance. There was general concern that young faculty coming to UC are not aware of the importance and protections of academic freedom and, therefore, are unlikely to engage in activities that support their own long-term interests. The Chair suggested that new faculty be provided with material about academic freedom and shared governance at their onboarding. The specific content and format of such material is still under discussion, though the events of this past spring concerning campus protests and administrative responses to them punctuate the need for the immediate development of such materials.

Contracts for the Development of Online/Remote Courses

The committee discussed how the lack of well-developed language in the contracts for online courses create the conditions for impinging on faculty teaching prerogatives and, thereby, impact Senate shared governance in a domain central to academic freedom. One particular issue concerns administrative control over course content. According to certain provisions, the administration would ultimately own the course content developed by individual faculty and additionally would be granted the authority to approve which courses would be taught online and which would not. Additionally, there is concern about whether administrative discretion might be extended for selecting (and perhaps vetoing) courses: this would represent administrative involvement in the determination of course content and the sole prerogative of faculty to determine the content of their courses. The development of online policies has the potential to be disruptive of academic freedom, entailing extremely complex and ramified issues, and, therefore, require careful Senate collaboration and consultation.

Committee members discussed the issue at length with questions about UC Online and course ownership. It was noted that there is currently a presidential task force on online education.

Graduate Student Contracts and the Negotiation Process

Members expressed extreme frustration at what are arguably predictable negative effects of the labor contracts on faculty research and teaching, their relationships with graduate students and the decreased sizes of graduate cohorts as well as on both the graduate and undergraduate teaching missions. There is unanimous agreement by the committee that these negative effects are attributable to the absence of knowledgeable faculty representation in the negotiations. Relatedly, the actual implementation of the contracts fell to faculty and staff without preparatory training or assistance in this arena. The consequences for all aspects of the academic mission have been widespread and arguably jeopardize the maintenance of quality research and teaching. Given that these are the central issues of academic freedom, there is enormous concern about the new contract negotiations slated for summer 2025. Inquiries were sent out concerning whether there would be faculty representation at the upcoming negotiations and whether there had been a systemic study of the effects of the present contract that could be used to inform its renegotiation and renewal. It appears that there will be some sort of faculty representation, but both its form and the nature of its specific mission remains unclear. What does seem clear is that there has been no systematic campus-wide study of the actual effects of the present contract. It is not clear whether one is intended to be done. UCAF is concerned that without such a study faculty representation will be impressionistic and far less effective than

it needs to be. UCAF intended to catalogue largely anecdotal campus particular reports of consequences in order to provide a sense of issues that have arisen. The committee believed that this could contribute to a more systematic study to be used as a resource for the faculty representatives at the negotiations. At UCAF's final meeting the committee learned that – to the best of present knowledge - the charge of the faculty representatives largely focused on implementational aspects of the present contract, rather than on substantive policy concerns. Accordingly, there did not appear to be proposal to systematically evaluate its effects. The value of our prospective and intentionally anecdotal report was accordingly both increased and diminished: increased, because it might represent the only evidence-based report of the contract's consequences (despite its anecdotal status), and decreased, because it didn't seem to fit with the emphasis on implementation reported to the focus for faculty representation. This conflict remains unresolved, though the Chair is willing to write up a report on behalf of UCAF, if this is determined to be worthwhile.

Issues Upon Which UCAF Commented

The following were the issues opined upon by UCAF during the 2023-24 year:

- Affiliations with Certain Healthcare Organizations
- Changes to Bylaw 55
- "Viewpoint Neutrality"
- Statements on Department Websites/Public and Discretionary Statements
- Changes to APM 016

Acknowledgements

The committee would like to acknowledge special appreciation to Fredye Harms. This was her first year as analyst for UCAF and she did an exemplary job, especially given the scope of our deliberations and the significant increase in the number of our meetings. She not only provided the necessary administrative assistance and guidance, but she also contributed substantively to the numerous conceptual issues concerning academic freedom. The committee gives additional thanks to Academic Senate Chair James Steintrager, Vice Chair Steven Cheung, and Senate Executive Director Monica Lin.

Respectfully submitted,

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