

**UNIVERSITY COMMITTEE ON ACADEMIC FREEDOM (UCAF)
ANNUAL REPORT 2002-2003**

TO THE ASSEMBLY OF THE ACADEMIC SENATE:

The University Committee on Academic Freedom (UCAF) met four times in Academic Year 2002-03: October 18 2002, December 13, 2002 and March 7 2003 in Oakland; and June 11 2003 as part of a Joint Senate Committee Forum on Academic Freedom held at UC Berkeley. Members also participated in three conference calls. Two calls involved members of the Academic Freedom Forum planning subcommittee, and the third was a discussion with Professor Robert Post about his draft revision to APM 010. Members also conducted a significant amount of committee work electronically. In December, Chair Ian Coulter left the committee to begin a sabbatical, at which point Gary Watson assumed the role of Chair. Former Chair Meg Wallhagen also remained involved as a consultant, particularly with Forum planning, and joined a portion of each meeting by phone. UCAF appointed an Acting Vice-Chair, Professor Barbara Epstein of UCSC.

California Master Plan

In December, UCAF submitted comments to Council regarding a report from the Joint Committee to Develop the California Master Plan for Education. UCAF concluded that the State of California report contained many implications contrary to basic principles of academic freedom. The Master Plan would restrict the authority and freedom of faculty to regulate content of university coursework, including their ability to set goals on how to best meet general education requirements; it would restrict the ability of the faculty to make curriculum decisions by imposing a system of external testing; and it would improperly tie faculty evaluations and rewards to student achievement.

Racial Privacy Initiative

In January, UCAF submitted comments expanding on its 6-24-02 statement concerning the proposed Racial Privacy Initiative (RPI). Members opined that if RPI provisions banning the collection of racial data were enacted, the freedom and ability of scholars to conduct health sciences research beneficial to society would be severely limited. For instance, research using such data is necessary to study mortality, morbidity, disease rates and health behaviors among population sub-groups. The RPI would also diminish UC's competitiveness in the market for federal research funding. Although the RPI was seen as negative in any form, UCAF recommended that one way to mitigate these concerns would be to amend the medical research exemption to exempt all academic research.

UCORP Resolution on SUTI

In July, UCAF submitted comments to Council regarding UCORP's "SUTI Resolution: Resolutions Regarding Sensitive But Unclassified Technical Information." UCAF supported UCORP's declaration that an overall institutional policy goal should be to protect freedom of inquiry and publication in the university. However, an issue of concern to UCAF was whether faculty conducting this type of research would be prohibited from doing so in the future if the Resolution were adopted. They worried that an unintended by-product of this Resolution would be actually to limit individual faculty members' academic freedom by prohibiting them from conducting research that the federal government has defined as SUTI. UCAF urged Council and the Administration to be sensitive to transitional problems for faculty (if any) conducting SUTI-defined research as the new policy is implemented.

UC Management of DOE Laboratories

UCAF received an update from Robert Powell, the UCAF liaison on the UCORP Subcommittee on UC-DOE Relations, which had just released a report and set of recommendations. Members discussed the implications of laboratory management contracts and policy, the status of researchers in the labs and the potential for more Senate involvement in their management. Particular to academic freedom were the issues of whether more Senate involvement could mean a more open environment or whether classified research is naturally at odds with academic freedom and the mission of the university.

APM 010

At the request of President Atkinson, the University's outdated 1934 statement on Academic Freedom, APM 010, was redrafted UCB Law Professor Robert Post. UCAF was invited to participate in the process of review; rewriting and approval of the statement. Members discussed the various versions of the draft through email and also met by conference call with Professor Post to discuss the revision. UCAF submitted comments along with its own proposed revision of 010. With UCAF's support, a final, Academic Council-endorsed version was sent to the Academic Assembly for approval on July 30.

Academic Freedom Forum

The joint Systemwide Senate Forum on Academic Freedom was held at the UCB Faculty Club on June 11. A total of 30 participants, including UCAF members and representatives from UCAAD, UCAP, UCORP, UCP&T and UCEP were in attendance. Presenters included UCB Law Professor Robert Post speaking on "Academic Freedom: Its History and Evolution"; UCSC Chancellor MRC Greenwood on "Academic Freedom and Science Research Policy: A Personal View"; UCSF Professor Lisa Bero on "Corporate and Economic Pressures on

Academic Freedom”; and University Counsel Cynthia Vroom on “The Patriot Act and the University.” A panel discussion followed the speakers’ formal presentations.

Resources for the joint meeting were made available through the support of several of the participating committees that donated their budgets for unused 02-03 meetings. Plans were being developed to disseminate the knowledge gained at the event to a larger audience, perhaps through the Senate website.

Other Issues and Activities

Finally, members used a part of each regular meeting to give reports and updates about issues facing the local committees. Discussion included consideration of a UCSF faculty petition to ban research funding by the tobacco industry; the civil liberties issue in connection with federal government access to student records; implementation of the USA Patriot Act; the UCB R1A course controversy; the authority of Institutional Review Boards (IRBs); accusations of anti-Semitism brought against a student journalist and a professor at UCSC; and discussion of academic freedom cases at other universities.

Respectfully submitted,

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